

Andres Duarte School Project

Draft Environmental Impact Report

prepared by

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Executive Summary

This document is an Environmental Impact Report (EIR) analyzing the environmental effects of the proposed Andres Duarte Project (proposed project). This section summarizes the characteristics of the proposed project, alternatives to the proposed project, and the environmental impacts and mitigation measures associated with the proposed project.

Project Synopsis

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Project Description

This EIR has been prepared to examine the potential environmental effects of the Andres Duarte School Project. The following is a summary of the full project description, which can be found in Section 2, *Project Description*.

The project site is located at 14433 Crestfield Drive in the City of Duarte. The project site is relatively flat and rectangular with an area of 14.16 gross acres and is denoted by Assessor Parcel Number (APN) 8604-017-903. The western portion of the project site consists of the 5.9 acre Otis Gordon Sports Park and the Mount Olive Innovation and Technology (MIT) High School. The MIT School is tentatively proposed to vacate by the end of June 2025 and would be relocated to the western portion of the Duarte High School campus. The Duarte High School is located approximately 0.8-mile west of the project site at 1565 Central Avenue. A building also exists on the western portion of the project site which stores wireless communications equipment associated with the wireless communications facility located near the western boundary of the site.

The eastern portion of the project site consists of vacant school buildings that were previously occupied by the Andres Duarte Arts Academy. A portion of the former school is currently in use by the Duarte Preschool. The Duarte Preschool is currently in operation at the project site and would relocate to the northwestern portion of the Beardslee Dual Language Academy campus prior to the demolition phase of the proposed project. The Beardslee School is located approximately 1.4 miles southwest of the project site at 1212 Kellwil Way.

The project site has a General Plan land use designation of Public Facility and is zoned PF (Public Facility), as defined by the City's Zoning Ordinance and the Land Use Element of the General Plan, respectively. Uses permitted in the PF Public Facility Zone include a wide range of facilities intended to provide government function, including community centers, cultural institutions, government facilities, libraries, public utilities, and public schools.

The proposed project involves a General Plan Amendment to change the land use designation from Public Facility to HDR - High Density Residential and Open Space land uses, and a zone change from PF to R-4 Multiple-Family Residential Zone (High Density) and Open Space. The proposed project also involves a Planned Development Permit, which allows customized development standards to provide flexibility and encourage unique and creative development. The proposed project would have modified development standards in areas, such as setbacks. To balance modified standards, the proposed project would provide additional project amenities, such as varied architectural styles, a percentage of the housing units provided at the moderate-income level, public art, and a fully renovated public park.

Project Characteristics

The proposed project would involve demolition or relocation of the existing school buildings and park structures, the redevelopment of the Otis Gordon Sports Park on the western portion of the site, and construction of 169 townhome residential units within 25 multi-family residential buildings and one leasing office/recreation building on the eastern portion of the site. Table ES-1 summarizes the project characteristics.

Table ES-1 Project Characteristics

Characteristics	Details
Address	1433 Crestfield Drive
APN	8604-017-903
Lot Area	14.159 gross acres
Park	
Park Area	6.32 acres
Parking (includes 2 ADA spaces)	59 spaces
Residential	
Residential Portion Area	7.83 acres
Residential Lot Coverage	39.7% (121,040 sf)
Site Density	24.14 du/ac
Number of Residential Buildings	25
Height/Stories	3 stories, 38 feet maximum
Number of Residential Units	169
Public Open Space	33,849 sf (200 sf/unit)
Private Open Space (Qualified)	30,852 sf (183 sf/unit)
Total Qualified Open Space	64,701 sf (383 sf/unit)
Residential Parking	
Garage	338 spaces
Open (includes 4 ADA spaces)	39 spaces
Total Parking	**377 spaces**

Characteristics	Details
Leasing Office/Club Building and Recreation Area	
Club Usable Area	2,147 sf
Covered Patios	715 sf
Utility/Uncovered Pool Equipment	293 sf
Total	3,155 sf

sf = square feet

Public Park Portion

The proposed project would involve demolition or relocation of the existing MIT School buildings and Otis Gordon Sports Park structures. The lease for the wireless communications facility on the project site is expiring and the wireless communications facility building and associated equipment would be removed. Five MIT school buildings would be relocated to the Duarte High School campus, three new classroom buildings and four new shade structures would be constructed at the Duarte High School campus, and one classroom building and one lunch shelter on the existing MIT school campus would be demolished. Following relocation and demolition of the existing MIT school campus, the campus area would be redeveloped as part of Otis Gordon Sports Park, increasing the park's total acreage from 5.9 acres to 6.32 acres. The redeveloped Otis Gordon would include recreational fields, an open turf area, overhead structures with barbeque and picnic tables, restrooms, a snack shack, an outdoor gym park, a resurfaced tot lot, and internal meandering walkways that connect to the residential portion of the project site. Landscaping, including a variety of trees, shrubs, and open turf areas, would be provided throughout the public park. Vehicular ingress and egress would be provided through two entry points on Central Avenue. The park portion of the proposed project would include 59 parking spaces, including two American Disabilities Act (ADA) spaces and two bike racks.

Multi-Family Residential Portion

Following demolition and relocation of the vacant Andres Duarte Arts Academy building, the proposed project would develop on the 7.83-acre eastern portion of the project site. The residential portion of the proposed project would involve the construction of 169 townhome residential units within 25 multi-family residential buildings and one leasing office/recreation building. The proposed townhome units are multi-floor units that share one or two side walls with adjacent units. All residential buildings would be three stories, with a maximum height of 38 feet. The residential townhome unit types include five types of townhomes varying from 3 bedrooms and 2.5 bathrooms to 4 bedrooms and 3.5 bathrooms. The 3,155 square-foot leasing office and recreation building would include an exercise room, lounge areas, leasing offices, a dining room, restrooms, and an outdoor pool and deck area.

The residential portion of the proposed project would include 377 total parking spaces. The 377 total parking spaces include 338 garages, 35 open-surface parking spaces, and 4 ADA open-surface parking spaces. Internal to the project site, pedestrian walkways would be provided throughout the site with connections to the leasing office and central recreation area, residential buildings, the pedestrian corner plaza on the southeastern corner of Central Avenue and Crestfield Drive, common open space areas, and the public park portion of the project site. Landscaping, including a variety of trees, shrubs, and groundcover, would be provided throughout the residential portion of the site.

Development of the project would include adding lighting to the site with outdoor on-site lighting, internal walking paths, landscaping/street frontage lights, and safety-related lighting.

Construction and Grading

Construction of the proposed project is expected to occur over approximately 29 months with commencement in April 2026 and completion by September 2028, as detailed in Table 2. Construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating activities. The seven identified phases of construction are: (1) demolition; (2) site preparation; (3) grading; (4) utility installation; (5) asphalt paving; (6) building construction; and (7) architectural coating. Construction of the project would not require soil import or export. Construction equipment for the project would include earthwork equipment such as dozers, excavators, industrial saws, tractors, graders, forklifts, cranes, pavers, and rollers.

Table ES-2 Construction Schedule

Construction Phase	Start & End Date	Number of Days
Demolition	4/1/2026 – 5/15/2026	45
Site Preparation	5/16/2026 – 6/8/2026	24
Grading	6/9/2026 – 8/14/2026	67
Utility Installation	7/1/2026 – 10/1/2026	93
Asphalt Paving	10/2/2026 – 12/29/2026	89
Building Construction	10/15/2026 – 6/30/2028	593
Architectural Coating	12/15/2025 – 8/30/2028	654

Green Building Features

The proposed project would include the following sustainability features:

- All-solar project, as required
- Private garages to be EV ready and available
- Two EV parking spaces for the pool area or public areas

Project Objectives

- Increase the City's multi-family housing opportunities to help achieve the City's assigned Regional Housing Needs Allocation (RHNA) goal.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and vehicle miles traveled.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
- Preserve and improve the Otis Gordon Sports Park for the surrounding community.
- Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.

Alternatives

As required by the California Environmental Quality Act (CEQA), this EIR examines alternatives to the proposed project. Studied alternatives include the following four alternatives. Based on the alternatives analysis, Alternative 3 was determined to be the environmentally superior alternative. Refer to Section 6, *Alternatives*, for the complete alternatives analysis.

- Alternative 1: No Project Alternative
- Alternative 2: Previous Full Capacity of Schools
- Alternative 3A: AB 2295 Partial Site Build Out
- Alternative 3B: AB 2295 Full Site Buildout

Alternative 1 (No Project Alternative) assumes that the proposed 166-unit residential development, 377 parking spaces, and associated park improvements to the Otis Gordon Sports Park would not be constructed. Current uses on the project site include the vacant school buildings that were previously occupied by the Andres Duarte Arts Academy, a kindergarten through 8th grade school. A portion of the former school is currently in use by the Duarte Preschool. The school buildings consist of 47,399 total square feet of 21 permanent classrooms and 14 portable classrooms. Furthermore, The Otis Gordon Sports Park is on the western portion of the site, and the operational Mount Olive Innovation and Technology High School (MIT) is on the northwestern portion of the project site. The existing Otis Gordon Sports Park covers approximately six acres and includes a barbeque area, picnic area, a playground, restrooms, and a lighted softball park. The MIT school consists of five buildings totaling 8,160 square feet. MIT is tentatively proposed to vacate by the end of June 2025. The description herein are the existing conditions at the project site since 2022, so the potential impacts under full capacity of both schools in comparison to the proposed project are considered under Alternative 2.

Alternative 2 (Previous Full Capacity of Schools) would not involve the construction of the proposed 169-unit residential development and park improvements to the Otis Gordon Sports Park. Alternative 2 would involve the operation of the existing Andres Duarte Arts Academy and MIT school at their previous full capacity. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students. Due to the declining enrollment of public schools in the city, full capacity of the schools may be accomplished by leasing to a charter school or private school. The Otis Gordon Sports Park and wireless communications building associated with the wireless communication facilities located near the western boundary of the site would remain the same as existing conditions under Alternative 2.

Alternative 3A (AB 2295 Partial Site Build Out) involves full buildout of the residential portion of the project site pursuant to California state law AB 2295 (2022), which streamlines the development of affordable and mixed-income housing for teachers and support staff of California's K-12 public schools on public land owned by a local educational agency. Under AB 2295, all units will prioritize teachers and other school employees as tenants. Alternative 3A involves the same demolition and relocation activities related to the existing schools and redevelopment of the Otis Gordon Sports Park, as identified for the proposed project.

Pursuant to AB 2295, a housing development project shall be deemed an allowable use on any real property owned by a local educational agency if the housing development satisfies all requirements detailed in Section 65914.7 of the California Government Code. Section 65914.7 (a)(4) of the

California Government Code identifies that the residential density for the housing footprint shall be greater than the residential density allowed on the parcel by the city or county and the applicable density deemed appropriate to accommodate affordable housing for lower income households, as specified in paragraph 3 of Section 65583.2(c) of the California Government Code. The density of Los Angeles County is identified as 30 dwelling units per acre (du/ac). Thus, under Alternative 3A, the allowable density for the 7.83-acre residential portion of the project site would be 235 units pursuant to Section 65583.2(c) of the California Government Code. AB 2295 requires at least 30 percent of the residential units to be affordable to low-income households. Section 66915 grants a 50 percent density bonus for any project which provides at least 24 percent of its residential units affordable to lower income households. Since the proposed project would provide 30 percent of its residential units as affordable to lower income households, the project would be allowed a 50 percent density bonus to the allowed 30 du/ac pursuant to Section 65583.2(c) of the California Government Code, resulting in an allowed 45 du/ac. Therefore, in compliance with AB 2295 and Sections 65583.2(c), 65914.7, and 66915 of the California Government Code, this alternative involves the development of 353 residential units (45 du/ac x 7.83 acres = 353 units), 71 of which would be affordable for low-income households (using the base density of 235 units x 0.30 = 71).Similar to the proposed project, the residential units included in Alternative 3A would be developed on the eastern portion of the project site and within the same development footprint. Alternative 3A would also involve the same redevelopment activities for the Otis Gordon Sports Park, as described in Section 2, *Project Description*. Construction activities under Alternative 3A, such as equipment used, excavation and haul quantities, and construction schedule, would be consistent with those under the proposed project.

Alternative 3B (AB 2295 Full Site Build Out) involves full buildout of the entire project site pursuant to AB 2295, compared to full buildout of the residential portion of the project site considered in Alternative A. As described under Alternative 3A, AB 2295 streamlines the development of affordable and mixed-income housing for teachers and support staff of California's K-12 public schools on public land owned by a local educational agency. Under AB 2295, all units will prioritize teachers and other school employees as tenants. Since the DUSD can opt to develop the entire project site, Alternative 3B involves residential development throughout the entire 14-acre project site.

Pursuant to AB 2295, a housing development project shall be deemed an allowable use on any real property owned by a local educational agency if the housing development satisfies all requirements detailed in Section 65914.7 of the California Government Code. Section 65914.7 (a)(4) of the California Government Code identifies that the residential density for the housing footprint shall be greater than the residential density allowed on the parcel by the city or county and the applicable density deemed appropriate to accommodate affordable housing for lower income households, as specified in paragraph 3 of Section 65583.2(c) of the California Government Code. The density of Los Angeles County is identified as 30 dwelling units per acre (du/ac). Thus, under Alternative 3B, the allowable density for the 14-acre project site would be 638 units pursuant to Section 65583.2(c) of the California Government Code. AB 2295 requires at least 30 percent of the residential units to be affordable to low-income households. Section 66915 grants a 50 percent density bonus for any project which provides at least 24 percent of its residential units affordable to lower income households. Since the proposed project would provide 30 percent of its residential units as affordable to lower income households, the project would be allowed a 50 percent density bonus to the allowed 30 du/ac pursuant to Section 65583.2(c) of the California Government Code, resulting in an allowed 45 du/ac. Therefore, in compliance with AB 2295 and Sections 65583.2(c), 65914.7, and 66915 of the California Government Code, this alternative involves the development of

638 residential units (45 du/ac x 14.159 acres = 638 units), 128 of which would be affordable for low-income households (using the base density of 638 units x 0.30 = 128).

Since Alternative 3B would develop the entire site with 638 residential units, Alternative 3B would not involve any redevelopment activities for the Otis Gordon Sports Park. Construction activities under Alternative 3B, such as equipment used, excavation and haul quantities, and construction schedule, would be greater than those under the proposed project due to the substantial increase in residential units developed compared to the proposed project.

Environmentally Superior Alternative. In accordance with the requirements of the *CEQA Guidelines* to identify an environmentally superior alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 2, Previous Full Capacity of Schools, would be the environmentally superior alternative. Although Alternative 2 would result in increased air quality and noise impacts, Alternative 2 would reduce the project's potential impacts to the greatest degree compared to the other alternatives due to the lack of construction and zone change associated with the proposed project, Alternative 3A, and Alternative 3B.

While Alternative 2 is identified as the Environmentally Superior Alternative, it is noted that Alternative 2 would not meet the purpose of the increasing the City's stock of multi-family housing units, and Alternative 2 would not satisfy the project objectives to the same extent as the proposed project.

Areas of Known Controversy

The EIR scoping process did not identify any areas of known controversy for the proposed project. Responses to the Notice of Preparation of a Draft EIR and input received at the EIR scoping meeting held by the City are summarized in Section 1, *Introduction*.

Issues to be Resolved

The following approvals would be required from the City of Duarte for the project:

- General Plan Amendment
- Zone Change
- Parcel Map
- Site Plan & Design Review
- Planned Development Permit

The City of Duarte holds principal responsibility for approving the project; no additional approvals from other agencies are required under the proposed project.

Issues Not Studied in Detail in the EIR

As indicated in the Initial Study, there is substantial evidence that no significant impacts would occur to the following issue areas: Aesthetics, Agricultural Resources, Hydrology and Water Quality, Mineral Resources, Population and Housing, Recreation, and Wildfire.

Summary of Impacts and Mitigation Measures

Table ES-3 summarizes the environmental impacts of the proposed project, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required). Although distinct from mitigation measures, project design features (PDFs) are also listed because they will be included as conditions of approval by the City to avoid potential biological and geological impacts. Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the *CEQA Guidelines*.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the *CEQA Guidelines*.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact:** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Table ES-3 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
Air Quality		
Impact AQ-1. The proposed project would generate population growth. However, such growth would not exceed the growth forecasts on which the 2022 AQMP is based or delay the timely attainment of air quality standards. Therefore, impacts related to AQMP consistency would be less than significant.	None required	Less than significant
Impact AQ-2. Construction and operation of the proposed project would not exceed SCAQMD's regional thresholds of significance; therefore, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment under applicable federal or State ambient air quality standards, and impacts related to construction and operation would be less than significant.	None required	Less than significant
Impact AQ-3: The project would not increase carbon monoxide concentrations such that it would create carbon monoxide hotspots, and the project is not considered a land use that would generate substantial toxic air contaminants emissions. Project construction emissions would exceed SCAQMD excess cancer risk threshold; however, with the incorporation of Mitigation Measure aq-1, the project's construction impact would be less than significant to sensitive receptors.	**AQ-1 Construction Emissions Reduction:** Prior to construction activity and issuance of grading permits, the City Building Official shall confirm that the grading plan, building plans, and specifications stipulate the following measures shall be implemented: ▪ All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the U.S. EPA Tier 4 Final Interim standards at a minimum for all equipment over 25 horsepower and/or install Level 3 DPF filters. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final Interim standards.	Less than significant
Impact AQ-4: The project would not generate odors adversely affecting a substantial number of people during construction or operation. impacts would be less than significant.	None required	Less than significant

Impact	Mitigation Measure(s)	Residual Impact
Biological Resources		
Impact BIO-1. Implementation of the proposed project would potentially have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Potential impacts would be less than significant with mitigation incorporated.	**BIO-1 Nesting Bird Avoidance/Pre-construction Surveys:** To avoid disturbance of nesting and special-status bird species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC), activities related to the project, including but not limited to, vegetation removal, ground disturbance, and construction shall not occur during the bird breeding season (January 15 through August 31) unless a pre-construction nesting bird survey is conducted within seven days prior to ground disturbance. A qualified biologist, who is familiar with the identification of avian species, shall conduct the preconstruction nesting bird survey within seven days prior to ground disturbance to evaluate the presence/absence, location, and status of any active nests on or adjacent to the study area. The extent of the survey area surrounding the study area shall be determined by the qualified biologist to confirm that direct and indirect effects to nesting birds are avoided. If an active nest(s) is discovered, a suitable buffer shall be established around the active nests, as determined by the biologist, and construction activity will not occur within the buffer until the biologist has determined that the nest is no longer active. Buffer size shall consider the species involved and relevant level of tolerance to adjacent activity, the location of the nest relative to proposed activities, and site conditions that naturally buffer the location, such as vegetation screening, topography, etc. No parking, storage of materials, or construction activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into this buffer shall occur only at the discretion of the qualified biologist, if it is determined that encroachment will not adversely impact the nesting birds. If construction activities are delayed or paused for more than 14 days during the nesting season, the nest survey will be re-initiated for areas that still contain potential nesting habitat. A report detailing the findings of the survey, including any identified active nests and recommended protective measures, shall be submitted to the City of Duarte's Community Development Director, and regulatory agencies if applicable, within seven days of completing the survey.	Less than significant
Impact BIO-2. Implementation of the proposed project would not 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 or Wildlife or U.S. Fish and Wildlife Service. Therefore, no impact would occur.	None required	Less than significant

Impact	Mitigation Measure(s)	Residual Impact
Cultural Resources		
Impact CUL-1. Both school campuses on the project site were assessed and not considered historical resources. Therefore, the proposed project would result in no impact to historical resources.	None required	No impact
Impact CUL-2. Although the proposed project would not cause a substantial adverse change in the significance of a known archaeological resource pursuant to section 15064.5, construction of the proposed project would involve ground disturbing activities that may have the potential to adversely impact previously unidentified archaeological resources. Impacts would be less than significant with incorporation of mitigation measures.	**CUL-1 Workers Environmental Awareness Program Training**. All construction personnel and monitors who are not trained archaeologists shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation shall be prepared and presented by a Qualified Archaeologist, or other designated archaeologist working under the direction of the Qualified Archaeologist, to inform all personnel working on the proposed project about the archaeological sensitivity of the area. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the proposed project and explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that archaeological resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection and the immediate notification of the Qualified Archaeologist and if appropriate, Native American representative. The necessity of training attendance shall be stated on all construction plans, and the Project Developer shall maintain records demonstrating construction worker WEAP participation that are submitted to the City for review prior to the start of ground-disturbing activities. A Qualified Archaeologist must meet the Secretary of the Interior's Professional Qualifications Standards for archeology (NPS 2020a). **CUL-2 Retention of a Qualified Archaeologist and Archaeological Monitoring.** Prior to the start of ground-disturbing activities, the Project Developer shall retain a Qualified Archaeologist to respond to and address any inadvertent discoveries identified for the duration of construction activities. The Qualified Archaeologist shall oversee an archaeological monitor possessing experience and familiarity with historic-period and prehistoric resources in the region. The archaeological monitor shall conduct full-time monitoring within undisturbed native soils to the project's proposed maximum depths of disturbance. In general, archaeological monitoring shall be limited to initial ground disturbance, which is defined as construction-related earthmoving of sediments from their native place of deposition and does not include any secondary movement of sediment that might be required for the proposed project (e.g., backfilling). The Qualified Archaeologist may adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed	Less than significant

Impact	Mitigation Measure(s)	Residual Impact
	potential for construction activities to encounter archaeological deposits. The archaeological monitor shall be responsible for maintaining daily monitoring logs. Throughout the course of proposed project construction activities, if a discovery is made by construction personnel and a monitor is not present, the protocols and procedures outlined in the WEAP training shall be followed. Following the completion of proposed project construction activities, the Qualified Archaeologist shall prepare an archaeological monitoring report with the results of the archaeological monitoring program that meets state and local requirements. The report shall be submitted to the City and the South Central Coast Information Center (SCCIC) at the California State University at Fullerton. Reports submitted to the SCCIC shall be formatted and completed in accordance with the California Historical Resources Information System document submittal standards. **CUL-3 Inadvertent Discovery of Archaeological Resources.** In the event that archaeological resources are inadvertently encountered during ground-disturbing activities, work in a 50-foot radius of the find shall be halted and redirected, and the Qualified Archaeologist shall be contacted immediately. The Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist shall provide recommendations regarding the resource's potential significance and potential treatment in coordination with the City. If the resource is determined by the Qualified Archaeologist to be indigenous in origin, then a Native American representative shall also be contacted to participate in the evaluation of the resource. Avoidance and preservation in place shall be the preferred manner of mitigating impacts to archaeological resources. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for California Register of Historical Resources (CRHR) eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, the Qualified Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, pursuant to the requirements of the *CEQA Guidelines* Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts related to the resource. Pursuant to the data recovery plan, the Qualified Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, pursuant to *CEQA Guidelines* Section 15126.4(b)(3)(C).	

Impact	Mitigation Measure(s)	Residual Impact
Impact CUL-3. Construction of the proposed project would involve ground-disturbing activities that may have the potential to adversely impact previously unidentified to human remains. impacts would be less than significant with adherence to existing regulations (California Health and Safety Code Section 7050.5, PRC Section 5097.98).	None required	Less than significant
Energy		
Impact E-1. Construction and operation of the proposed project would result in the consumption of gasoline, diesel, and electricity; however, the project would incorporate design features required by the 2022 title 24 standards. Therefore, the project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be less than significant.	None required	Less than significant
Impact E-2. The proposed project would consume energy, but would not conflict with the City of Duarte EAP and SCAG 2024-2050 RTP/SCS. Therefore, impacts would be less than significant.	None required	Less than significant
Geology and Soils		
Impact GEO-1. The project is not within an Alquist-Priolo Fault Zone. Further, the Geotechnical Evaluation determined that the potential for fault rupture at the project site is low. The potential of substantial adverse effects involving rupture of a known earthquake fault is low. Thus, the proposed project would not be subject to substantial risk of ground rupture and impacts would be less than significant.	None required	Less than significant
Impact GEO-2. The project could result in exposure of people or structures to a risk of loss, injury, or death involving strong seismic ground shaking. However, the geotechnical evaluation determined that the potential of substantial adverse effects involving ground shaking is low upon compliance with the applicable codes and standards and implementation of the geotechnical evaluation's recommendations. Therefore, impacts would be less than significant.	None required	Less than significant

Impact	Mitigation Measure(s)	Residual Impact
Impact GEO-3. Ground-disturbing activities for this project are not expected to impact sediments with high paleontological sensitivity. Impacts to paleontological resources would be less than significant.	None required	Less than significant
Greenhouse Gas Emissions		
Impact GHG-1. Although construction and operation of the proposed project would generate GHG emissions, the project would incorporate features that would reduce GHG emissions and align with the goals of the applicable plans, policies, and regulations related to GHG emissions. Therefore, the proposed project would not generate emissions that may have a significant impact on the environment, nor would the proposed project conflict with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. Impacts would be less than significant.	None required	Less than significant
Hazards and Hazardous Materials		
Impact HAZ-1. The southern boundary of the project site is adjacent to a designated Very High Fire Hazard Severity Zone in a Local Responsibility Area. Due to the proximity to the fire zone, the proposed project would increase the potential risk of loss, injury, or death involving wildland fires due to the introduction of residential development to the project site. However, compliance with building and design regulations would reduce the wildland fire risk impacts to a less-than-significant level.	None required	Less than significant
Land Use and Planning		
Impact LU-1. The proposed project is consistent with the City of Duarte General Plan, Duarte Development Code, and SCAG 2024-2050 RTP/SCS upon approval of the project's General Plan Amendment, zone change, Planned Development Permit, Parcel Map, and Site Plan & Design Review. Therefore, the proposed project would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.	None required	Less than significant

Impact	Mitigation Measure(s)	Residual Impact
Noise		
Impact N-1. Construction and demolition activities associated with implementation of the project would intermittently generate noise within and adjacent to the project site. However, construction noise levels would not exceed the applicable noise level thresholds. Noise associated with operation of the project would not exceed the City's noise limits at the nearest residential properties to the north and east. This impact would be less than significant.	None required	Less than significant
Impact N-2. Construction activities associated with implementation of the proposed project would intermittently generate groundborne vibration levels exceeding applicable thresholds at residential structures adjacent to the project site. However, implementation of Mitigation Measure NOI-1 would require the use of alternative equipment that produces lower levels of vibration; therefore, project-generated vibration impacts would be less than significant with mitigation incorporated.	**NOI-1 Alternative Construction Equipment.** Prior to the issuance of a grading and building permit, the following measure shall be included as notes on all construction plans: ▪ Construction activities that utilize a roller within 26 feet of offsite residential structures shall be conducted with a static or pneumatic roller in lieu of a vibratory roller.	Less than significant
Impact N-2. The project site is not located within the noise contours of the nearest airport. Therefore, people residing and working in the project area would not be exposed to excessive airport-related noise levels and no impacts would occur.	None required	Less than significant
Public Services		
Impact PS-1. The proposed project would not result in a significant increase in enrollment within the Duarte Unified School District which would require new or physically altered schools. The relocations of the Duarte Preschool and the MIT school were separately considered and approved by the Board of Education in October 2023. Therefore, the relocations are not considered part of the proposed project and the proposed project would not result in physical impacts associated with the provision of new or physically altered schools. The project applicant would also pay applicable developer fees per AB 2926 and SB 50 which would contribute to local school funding. Impacts would be less than significant.	None required	Less than significant

Impact	Mitigation Measure(s)	Residual Impact
Transportation		
Impact TRA-1. The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant.	None required	Less than significant
Impact TRA-2. The project would generate an estimated net reduction of 46 AM Peak Hour Trips, a net increase of 5 PM Peak Hour Trips and a net increase of 646 Daily Trips. The project would satisfy the established screening criteria for projects located in a TPA, a low VMT area. Impacts would be less than significant.	None required	Less than significant
Impact TRA-3. The project would not substantially increase hazards due to a geometric design feature or incompatible use. Impacts would be less than significant.	None required	Less than significant
Impact TRA-4. The project would not result in inadequate emergency access. Impacts would be less than significant.	None required	Less than significant
Tribal Cultural Resources		
ImpactTCR-1. Although the proposed project would not cause a substantial adverse change in the significance of a known tribal cultural resource, construction of the proposed project would involve ground disturbing activities that may have the potential to adversely impact previously unidentified tribal cultural resources. Impacts would be less than significant with incorporation of mitigation measures.	**TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.** A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. 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" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The 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,	

Impact	Mitigation Measure(s)	Residual Impact
	etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funderary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes. TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects A. A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. B. B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. C. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). D. D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. E. E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.	

Impact	Mitigation Measure(s)	Residual Impact
Utilities and Service Systems		
Impact UTIL-1. The water demand for the project would be approximately 40 AFY per year. Based on Cal-Am Water Company's water supply and demand projections, projected water supplies are sufficient to meet the anticipated water demand of the proposed project during normal, dry, and multiple dry years. impacts would be less than significant.	None required.	Less than significant.

1 Introduction

This document is an Environmental Impact Report (EIR) for a proposed residential development and park renovation project located at 1433 Crestfield Drive, Duarte, California. The proposed Andres Duarte School Project (hereafter referred to as the "proposed project" or "project") would be constructed on a site currently occupied by the Andres Duarte Arts Academy, Mount Olive Innovation and Technology High School (MIT), Otis Gordon Sports Park, and equipment associated with the wireless communications facility located near the western boundary of the project. The proposed project would involve demolition of a portion of the existing school buildings, and full demolition of the park structures. Portions of both school campuses would be relocated; details are provided in Section 2, *Project Description*.

Following the relocation and demolition activities, the residential component of the proposed project would involve the construction of 169 townhome residential units within 25 multi-family residential buildings and one leasing office/recreation building on the seven-acre eastern portion of the project site. The townhome units would be three stories that would share one or two side walls with adjacent units, with a maximum height of 38 feet. The residential portion of the project would include 377 total parking spaces that would consist of 338 garages, 35 open space parking spaces, and four American Disabilities Act (ADA) open surfacing parking spaces. Internal to the project site, pedestrian walkways would be provided throughout the site with connections to the leasing office and central recreation area, residential buildings, the pedestrian corner plaza on the southeastern corner of Central Avenue and Crestfield Drive, common open space areas, and the public park portion of the project site.

The proposed project would preserve and redevelop the Otis Gordon Sports Park on the six-acre western portion of the project site. The redevelopment plans include recreational fields, an open turf area, overhead structures with barbeque and picnic tables, restrooms, a snack shack, an outdoor gym park, a resurfaced tot lot, and internal meandering walkways that connect to the residential portion of the project site. Landscaping, including a variety of trees, shrubs, and open turf areas, would be provided throughout the public park. Vehicular ingress and egress would be provided through two entry points on Central Avenue. The park portion of the proposed project would include 59 parking spaces, including two ADA spaces and two bike racks.

This section discusses (1) the project and EIR background; (2) the legal basis for preparing an EIR; (3) the scope and content of the EIR; (4) issue areas found not to be significant by the Initial Study; (5) the lead, responsible, and trustee agencies; and (6) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed project is described in detail in Section 2, *Project Description*.

1.1 Environmental Impact Report Background

The City of Duarte distributed a Notice of Preparation (NOP) of the EIR for a 60-day agency and public review period starting on November 22, 2024 and ending on January 21, 2025. In addition, the City held an EIR Scoping Meeting on January 7, 2025. The meeting, held from 6:00 PM to 7:00 PM, was aimed at providing information about the proposed project to members of public agencies, interested stakeholders and residents/community members. The meeting was held at Duarte Senior Center Building at 1610 Huntington Drive. The City received letters from two agencies

in response to the NOP during the public review period; no verbal comments were received during the EIR Scoping Meeting. The NOP is presented in Appendix B of this EIR, along with the Initial Study that was prepared for the project and the NOP responses received. Table 1-1 on the following page summarizes the content of the letters and verbal comments and where the issues raised are addressed in the EIR.

1.2 Purpose and Legal Authority

The proposed project requires the discretionary approval of the City of Duarte Planning Commission; therefore, the project is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines* (California Code of Regulations, Title 14), the purpose of this EIR is to serve as an informational document that:

> "...will inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

This EIR has been prepared as a project EIR pursuant to Section 15161 of the *CEQA Guidelines*. A Project EIR is appropriate for a specific development project. As stated in the *CEQA Guidelines*:

> "This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation."

This EIR is to serve as an informational document for the public and City of Duarte decision makers. The process will include public hearings before the Planning Commission to consider certification of a Final EIR and approval of the proposed project.

Table 1-1 NOP Comments and EIR Response

Commenter	Comment/Request	How and Where It Was Addressed
California Department of Transportation (Caltrans)	Requests that the Lead Agency confirm that the trips of personal vehicles will not add queuing to the extent that ramp storage exceeds onto the mainline and creates a speed differential concern.	Comments that are applicable to the CEQA thresholds are addressed in Section 4.10, *Transportation*.
	Requests that a Transportation Impact Study addresses Westbound Route 210 off-ramp to Irwindale Avenue, Eastbound Route 210 off-ramp to Buena Vista, and Intersection of Huntington Drive / (Mt. Olive Dr/Roadway from/to Route 605)	
	Encourages implementation of ADA curb ramps, bike lanes, high visibility crosswalks, Accessible Pedestrian Signals (APS), and Leading Pedestrian Interval (LPI) traffic signal upgrades where needed.	
	Encourages the implementation of Transportation Demand Management (TDM) strategies as an alternative to building an excessive amount of parking.	

Commenter	Comment/Request	How and Where It Was Addressed
	Recommends the implementation of a continental crosswalk perpendicular to the existing one on the south side of Central Avenue.	
	States that any transportation of heavy construction equipment and/or materials that require the use of oversized transport vehicles on State Highways will require a Caltrans transportation permit.	
Native American Heritage Commission (NAHC)	States that the proposed project is subject to the requirements and provisions under Assembly Bill (AB 52) for tribal cultural resources.	Consultation required by AB 52 was carried out by the City of Duarte. Subsequent issues are discussed in Section 4.3, *Cultural Resources*, and Section 4.11, *Tribal Cultural Resources*, of this EIR and a Cultural Resources Assessment is provided as Appendix C.

1.3 Scope and Content

This EIR addresses impacts identified by the Initial Study to be potentially significant. The following issues were found to include potentially significant impacts and have been studied in the EIR:

- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

In preparing the EIR, use was made of pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and other background documents. A full reference list is contained in Section 7, *References and Preparers*.

The alternatives section of the EIR (Section 6) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. In addition, the alternatives section identifies the "environmentally superior" alternative among the alternatives assessed. The alternatives evaluated include the CEQA-required "No Project" alternative and three alternative development scenarios for the project area.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section 15151 of the *CEQA Guidelines* provides the standard of adequacy on which this document is based. The *CEQA Guidelines* state:

> *"*An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure."

1.4 Issues Not Studied in Detail in the EIR

Table 1-2 summarizes issues from the environmental checklist that were addressed in the Initial Study (Appendix A). As indicated in the Initial Study, there is no substantial evidence that significant impacts would occur in any of these issue areas.

Table 1-2 Issues Not Studied in the EIR

Issue Area	Initial Study Findings
Aesthetics	The project site would not substantially hinder views of the skyline from public areas, nor is it located on a State Scenic Highway. The site also lacks scenic resources such as trees, rock outcroppings, and vegetation. Impacts to scenic vistas would be less than significant.
	The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, nor would it create significant impacts with respect to increased lighting. Impacts to these resources would be less than significant.
Agricultural Resources	The project site is within an urbanized area of Duarte that lacks agricultural lands or forest lands. No impact to these resources would occur.
Hydrology and Water Quality	The project would adhere to a Low Impact Development Plan (LID) plan, which includes Best Management Practices (BMPs) to mitigate erosion and ensure proper management of stormwater during construction. Implementation of the BMPs stated in the LID Plan would result in less than significant impacts to water quality and water discharge during operation.
	Development under the proposed project would not result in a net deficit in aquifer volume or a lowering of the groundwater table. The project would not result in an exceedance of safe yield or a significant depletion of groundwater supplies. Impacts would be less than significant.
	BMPs would be implemented to contain stormwater volume and flow rates within the project site, that would prevent adverse impacts to off-site drainage facilities and receiving waters. The construction activities associated with the project would not significantly disrupt drainage patterns, or cause substantial erosion, siltation, or polluted runoff either on- or off-site.
	The project site would be entirely occupied by the proposed development, paved areas, and landscaping upon completion, there would be no exposed bare soil vulnerable to erosion. Therefore, the operation of the project would not lead to significant erosion or siltation on or off-site. Impacts would be less than significant.
	The Flood Insurance Rate Map for the project site and surrounding area was last updated on September 26, 2008. According to the 2008 Flood Insurance Rate Map, Firm Panel 060371415F, the project site is not located in a flood hazard area. No impact would occur.
	The project site is located approximately 565 feet above sea level, while the Santa Fe Dam Reservoir is located at 469 feet above sea level. Due to the elevation difference, the likelihood for a seiche wave to affect the project site is minimal. In addition, the project site is located approximately 30 miles east of the Pacific Ocean, and according to the California Department of Conservation (DOC), it is not inside the boundaries of any regional tsunami impact areas. No Impact would occur.
Mineral Resources	The project site is an urbanized area that is not suitable or used for mineral resource extraction. According to the Mineral Lands Classification Map for the Azusa Rock, Inc. Fish Canyon Quarry Property, the project site is designated as MRZ-2, which are areas where adequate information indicates high likelihood of the presence of significant Portland cement concrete aggregate resource deposits. However, there are no mineral resource zones within the city delineated on a local general plan, specific plan, or other land use plans as having importance regarding mineral resources. Impacts would be less than significant.

Issue Area	Initial Study Findings
Population and Housing	The proposed project would involve the development of a residential building and park improvements. The proposed project's estimated generation of 470 residents would account for approximately seven percent of the estimated population growth under the Housing Element Update. The population increase associated with the project would not be considered substantial or unplanned. Impacts would be less than significant.
	The project site is currently developed with two schools and a recreational park, with no residences present on the project site. Construction of the proposed project would therefore not displace any housing or people. No impact would occur.
Recreation	Based on the increase of approximately 470 residents, the proposed project would reduce the parkland ratio to 3.48 acres per 1,000 residents, which would still exceed the City's required parkland ratio. Further, the proposed project involves the redevelopment of the Otis Gordon Sports Park and would not reduce parks and recreation facilities. Rather, the redevelopment of Otis Gordon Sports Park would involve the demolition of the existing MIT school and would develop that space as part of the proposed park improvements, increasing the Otis Gordon Sports Park's acreage. Impacts would be less than significant.
Public Services	The project involves the construction of 169 multi-family residential units that would incrementally increase demand for fire and police protection services. The project site is in an urbanized area already served by the LACFD and would not have a significant impact on fire response times nor create a substantially greater need for additional fire protection services above current capacity. In addition, because the proposed project's population estimated population growth is within the Housing Element Update's population growth estimation, the proposed project would not result in substantial adverse impacts related to the provision of fire or police protection services. Impacts would be less than significant.
	Redevelopment of Otis Gordon Sports Park would not reduce parks and recreational facilities. Rather, the redevelopment of Otis Gordon Sports Park would involve the demolition of the existing MIT school, and would develop that space as part of the proposed park improvements, increasing the Otis Gordon Sports Park's overall acreage. Impacts would be less than significant.
	The proposed project would result in an increase of 470 residents on the project site, which would incrementally increase the demand for other public facilities (such as libraries). The population increase associated with the proposed project would be within existing population forecasts. Therefore, impacts would be less than significant.
Wildfire	The proposed project does not include any components that would exacerbate wildfire risk and risks to project occupants would be mitigated through conformance with the California Fire Code, 2022 California Building Code (CBC), and California Health and Safety Code, which establish provisions for fire safety related to construction, maintenance and design of buildings, and land uses. Although the project site is near a Very High Fire Hazard Severity Zone in a Local Responsibility Area, compliance with building and design regulations would reduce the wildfire risk impacts. Impacts would be less than significant.
	The project site is developed and within an urbanized area that is served by existing infrastructure, including roads and utilities. The project would be served by Crestfield Drive as the primary access road and would not require the installation or maintenance of associated infrastructure within Fire Hazard Severity Zones that may exacerbate fire risk. Impacts would be less than significant.

1.5 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* define lead, responsible and trustee agencies. The City of Duarte is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. There are no responsible agencies for the proposed project.

A trustee agency refers to a state agency having jurisdiction by law over natural resources that may be affected by a project. The proposed project requires review by other State and local governmental agencies, which includes the following:

- California Department of Fish and Wildlife
- California Department of Forestry and Fire Protection
- California Department of Transportation
- Duarte Unified School District
- Los Angeles Regional Water Quality Control Board
- Native American Heritage Commission
- South Coast Air Quality Management District

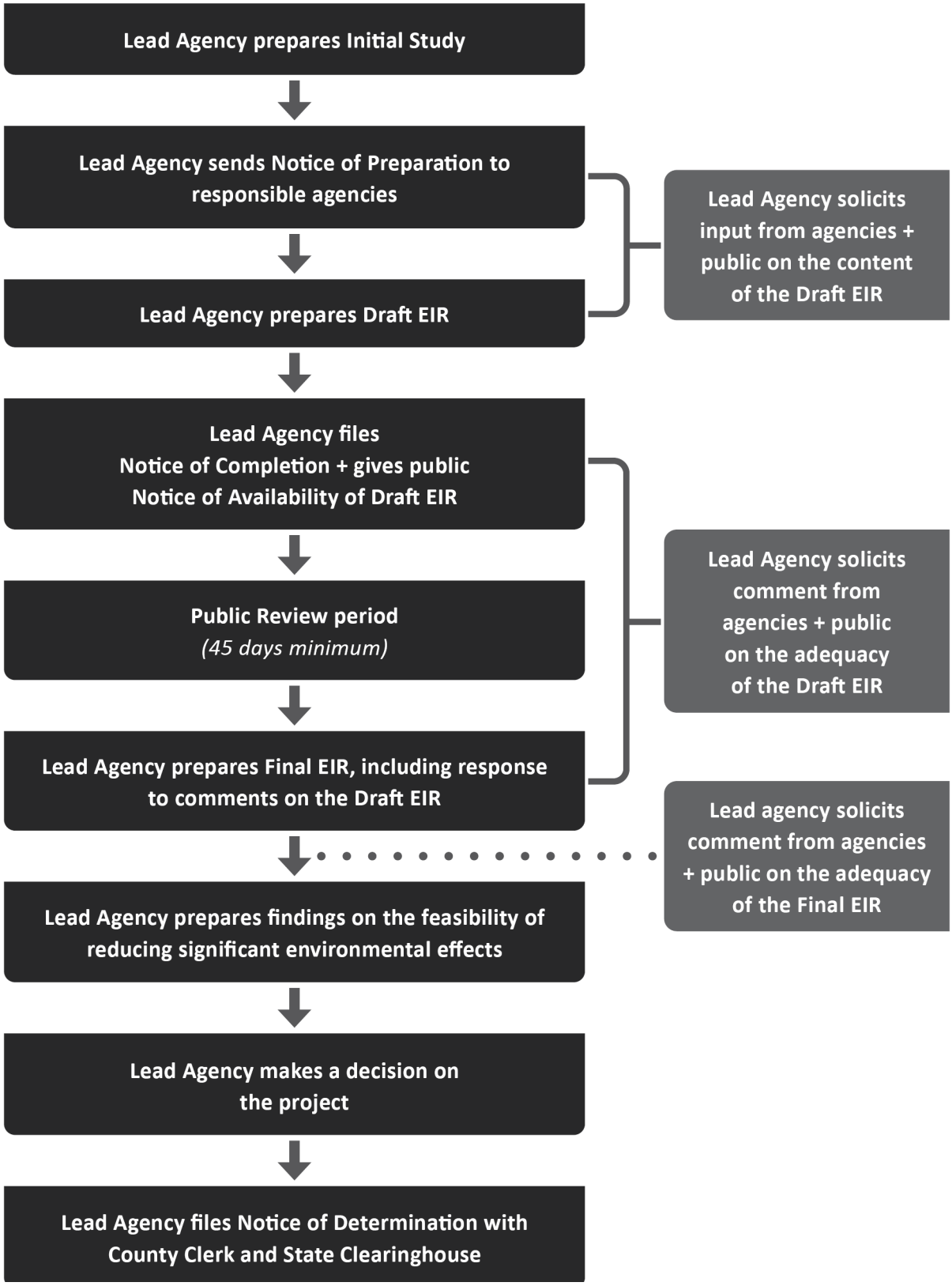
1.6 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP) and Initial Study.** After deciding that an EIR is required, the lead agency (City of Duarte) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code [PRC] Section 21092.2). The NOP must be posted in the County Clerk's office for a minimum of 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the NOC in the County Clerk's office for 30 days (PRC Section 21092) and send a copy of the NOC to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (PRC Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (PRC Section 21091).
4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).

6. **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]).

Figure 1-1 Environmental Review Process



2 Project Description

This section describes the proposed project, including the project applicant, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval.

2.1 Project Applicant

Crestfield Townhomes, LLC
27702 Crown Valley Parkway
Suite D-4-197
Laguna Beach, California 92694

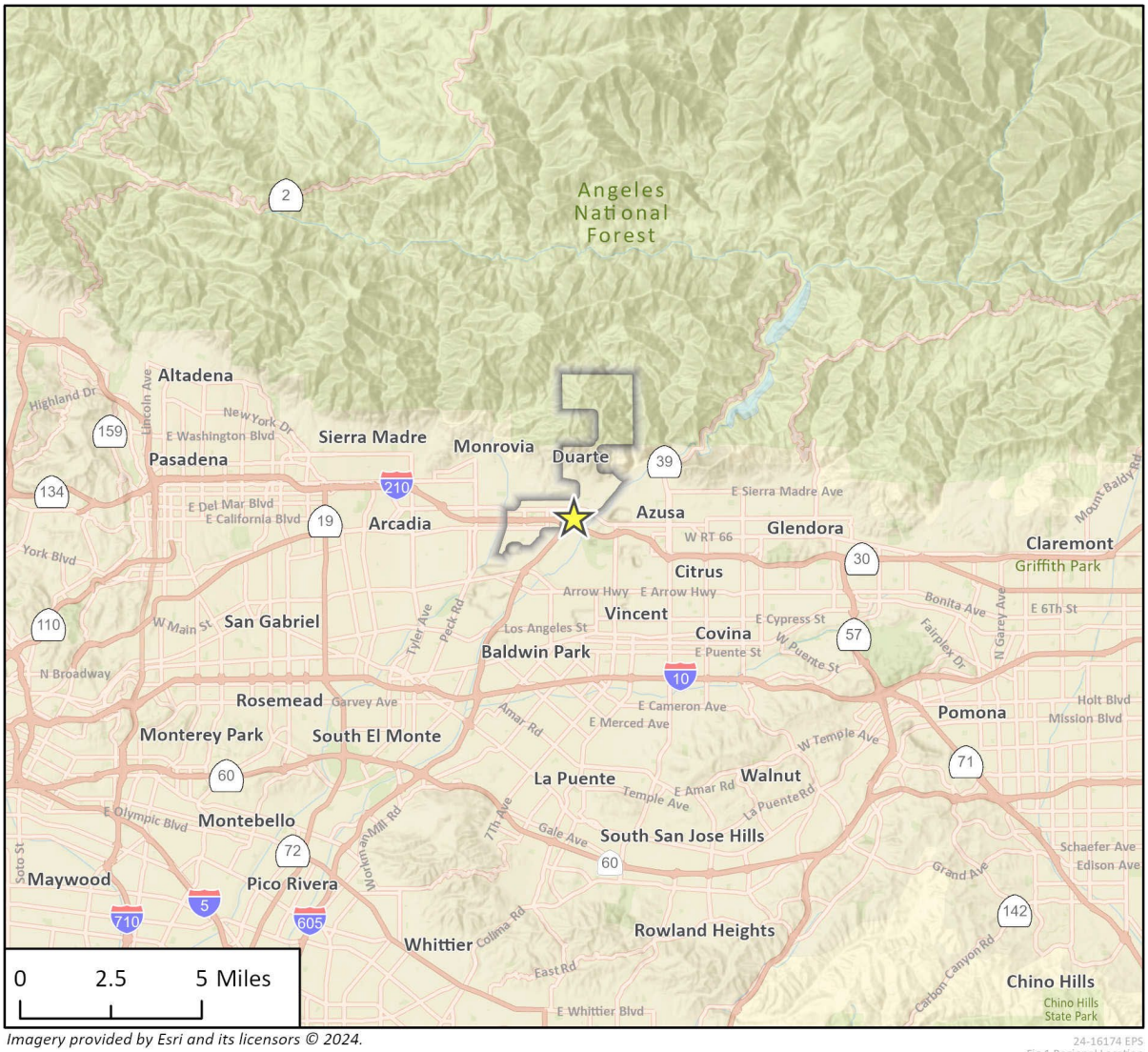
2.2 Lead Agency Contact Person

Craig Hensley, AICP, Community Development Director
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, California 91010
(626) 357-7931

2.3 Project Location

The project site is located at 1433 Crestfield Drive in the City of Duarte. The project site is relatively flat and rectangular with an area of 14.16 gross acres and is denoted by Assessor Parcel Number (APN) 8604-017-903. The site is regionally accessible from Interstate 605 (I-605) and the Foothill Freeway (Interstate 210, or I-210), and locally accessible from Crestfield Drive and Central Avenue. Figure 2-1 shows the regional location of the project site and Figure 2-2 shows the location of the site in its neighborhood context. The site is in an urban area, has been previously graded and developed, and is surrounded by roads and urban structures (residential buildings and industrial buildings).

Figure 2-1 Regional Location



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Fig 1 Regional Location

Project Location

Duarte City Boundary

N

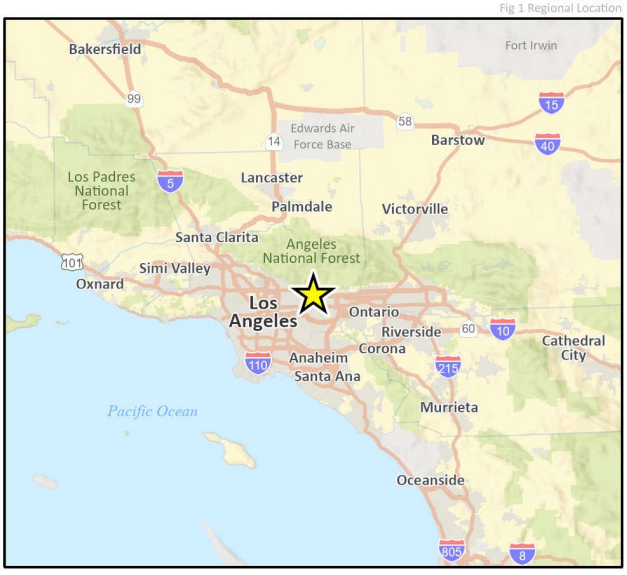
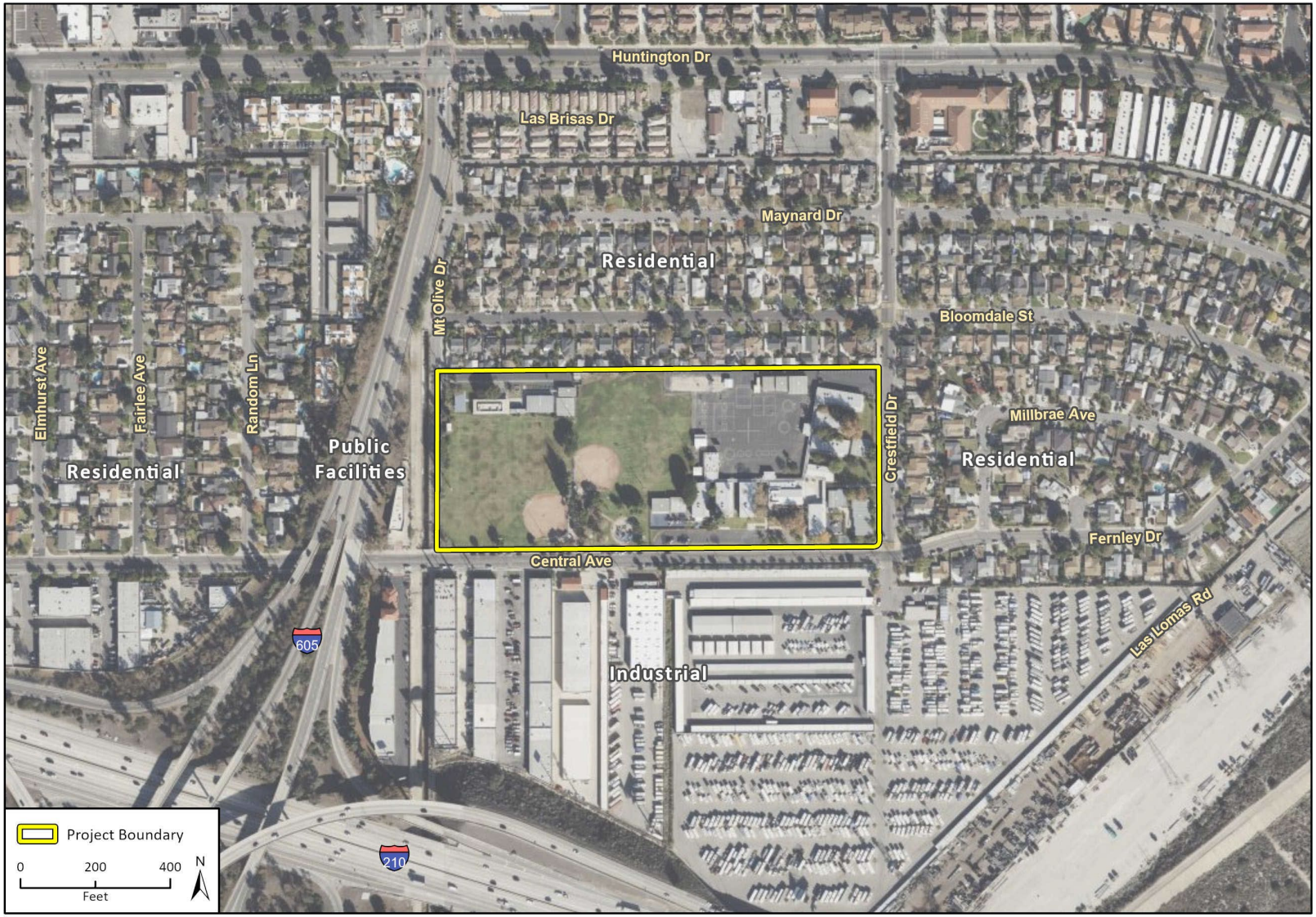


Figure 2-2 Project Site Location



Imagery provided by Microsoft Bing and its licensors © 2024.

24-16174 EPS
Fig 2 Project Location

2.4 Existing Site Characteristics

2.4.1 Existing Conditions

The eastern portion of the project site consists of the vacant school buildings that were previously occupied by the Andres Duarte Arts Academy, a kindergarten through 8th grade school. A portion of the former school is currently in use by the Duarte Preschool. The school buildings consist of 47,399 total square feet of 21 permanent classrooms and 14 portable classrooms. The school site also includes a playground, sand areas, open turf areas, and two paved surface parking lots. The Andres Duarte Arts Academy closed after the 2021-2022 school year due to low enrollment. The Duarte Preschool is currently in operation at the project site and would relocate to the northwestern portion of the Beardslee Dual Language Academy campus prior to the demolition phase of the proposed project. The Beardslee School is located approximately 1.4 miles southwest of the project site at 1212 Kellwil Way.

The Otis Gordon Sports Park is on the western portion of the site, and the operational Mount Olive Innovation and Technology High School (MIT) is on the northwestern portion of the project site. The existing Otis Gordon Sports Park covers approximately 5.9 acres and includes a barbeque area, picnic area, playground, restrooms, and a lighted softball park. The MIT school consists of five buildings totaling 8,160 square feet. MIT is tentatively proposed to vacate by the end of June 2025 and would be relocated to the western portion of the Duarte High School campus. The Duarte High School is located approximately 0.8 mile west of the project site at 1565 Central Avenue. A building also exists on the western portion of the project site which stores wireless communications equipment associated with the wireless communications facility located near the western boundary of the site.

2.4.2 Current Land Use Designation and Zoning

The project site has a General Plan land use designation of Public Facility and is zoned PF (Public Facility), as defined by the City's Zoning Ordinance and the Land Use Element of the General Plan, respectively. Uses permitted in the PF Public Facility Zone include a wide range of facilities intended to provide government function, including community centers, cultural institutions, government facilities, libraries, public utilities, and public schools.

2.4.3 Surrounding Land Uses

The project site is bordered by the Los Angeles County Flood Control District (LACFCD) Bradbury Channel, an industrial office, and the Interstate 605 (I-605) off-ramp to the west, single-family residential development to the north and east, and industrial development to the south.

2.5 Project Characteristics

The proposed project would involve demolition or relocation of the existing school buildings and park structures. The lease for the wireless communications facility on the project site is expiring and the wireless communications facility building and associated equipment would be removed.

The proposed project involves construction of multi-family residential buildings and redevelopment of the public park on the site. Table 2-1 below, summarizes the proposed project's characteristics.

Table 2-1 Project Characteristics

Characteristics	Details
Address	1433 Crestfield Drive
APN	8604-017-903
Lot Area	14.159 gross acres
Park	
Park Area	6.32 acres
Parking (includes 2 ADA spaces)	59 spaces
Residential	
Residential Portion Area	7.83 acres
Residential Lot Coverage	39.7% (121,040 sf)
Site Density	24.14 du/ac
Number of Residential Buildings	25
Height/Stories	3 stories, 38 feet maximum
Number of Residential Units	169
Public Open Space	33,849 sf (200 sf/unit)
Private Open Space (Qualified)	30,852 sf (183 sf/unit)
Total Qualified Open Space	64,701 sf (383 sf/unit)
Residential Parking	
Garage	338 spaces
Open (includes 4 ADA spaces)	39 spaces
Total Parking	**377 spaces**
Leasing Office/Club Building and Recreation Area	
Club Usable Area	2,147 sf
Covered Patios	715 sf
Utility/Uncovered Pool Equipment	293 sf
Total	3,155 sf

sf = square feet

Public Park Portion

The proposed project would preserve and redevelop the Otis Gordon Sports Park on the western portion of the project site. The MIT school is located in the northwestern portion of the project site and would be relocated to the western portion of the Duarte High School campus. At the regular meeting of the City's Board of Education (BOE) on October 19, 2023, the BOE determined that the project site was surplus land no longer needed for educational purposes by the Duarte Unified School District (DUSD). As shown in Table 2-2, five MIT school buildings would be relocated to the Duarte High School campus, three new classroom buildings and four new shade structures would be constructed at the Duarte High School campus, and one classroom building and one lunch shelter on the existing MIT school campus would be demolished. Following relocation and demolition of the existing MIT school campus, the campus area would be developed as part of Otis Gordon Sports Park.

Further details of relocation and construction activities of the MIT school were not available at the time of preparation of this EIR. Section 15145 of the California Code of Regulations (CCR) states that "if, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." Therefore, the environmental impacts of the MIT school relocation and construction activities are not further analyzed throughout this EIR.

Table 2-2 MIT School Relocation Plans

Structure Type	Square Footage	Number of Structures	Total Square Footage
Relocated Buildings			
Classroom Building A (modules A2 and A3)	960	2	1,920
Administration Building B	2,880	1	2,880
Classroom Building C	1,920	1	1,920
Toilet Building D	480	1	480
Total Relocated Buildings		**5**	**7,200**
New Buildings			
Classroom Buildings	960	3	2,880
Shade Structures	400	4	1,600
Total New Buildings		**7**	**4,480**
Buildings Not Being Relocated			
Classroom E	960	1	960
Lunch Shelter F	1,710	1	1,710
Total Buildings Not Being Relocated		**2**	**2,670**

The redeveloped Otis Gordon would include recreational fields, an open turf area, overhead structures with barbeque and picnic tables, restrooms, a snack shack, an outdoor gym park, a resurfaced tot lot, and internal meandering walkways that connect to the residential portion of the project site. Landscaping, including a variety of trees, shrubs, and open turf areas, would be provided throughout the public park. Vehicular ingress and egress would be provided through two entry points on Central Avenue. The park portion of the proposed project would include 59 parking spaces, including two American Disabilities Act (ADA) spaces and two bike racks (see Figure 2-3).

Multi-Family Residential Portion

The Duarte Preschool would be relocated to the Beardslee Dual Language Academy campus. At the regular meeting of the City's BOE on October 19, 2023, the BOE determined that the project site was surplus land no longer needed for educational purposes by the DUSD. As shown in Table 2-3, the relocated Duarte Preschool would consist of four relocated Duarte Preschool buildings, five existing Beardslee Dual Language Academy buildings, and four new shade structures.

Table 2-3 Duarte Preschool Relocation Plans

Structure Type	Square Footage	Number of Structures	Total Square Footage
Relocated Duarte Preschool Buildings			
24'x40' Classroom Buildings	960	3	2,880
48'x40' Classroom Building	1,920	1	1,920
Total Duarte Preschool Buildings		**4**	**4,800**
Existing Beardslee Dual Language Academy Buildings			
24'x40' Classroom Buildings	960	4	3,840
48'x40' Classroom Building	1,920	1	1,920
Total Bearslee Academy Buildings		**5**	**5,760**
New Structures			
30'x30' Shade Structures	900	1	900
20'x20' Shade Structures	400	3	1,200
Total New Structures		**4**	**2,100**

The proposed project involves the demolition of the vacant Andres Duarte Arts Academy and Duarte Preschool campus on the eastern portion of the project site. Demolition would occur as the first phase of the project's construction and would occur after commencement of construction activities.

Similar to the MIT school, further details of relocation and construction activities of the Andres Duarte Arts Academy and Duarte Preschool campus were not available at the time of preparation of this EIR. Section 15145 of the California Code of Regulations (CCR) states that "if, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." Therefore, the environmental impacts of the Andres Duarte Arts Academy and Duarte Preschool relocation and construction activities are not further analyzed throughout this EIR.

Following demolition of the vacant Andres Duarte Arts Academy campus, the proposed project would develop on the 7.83-acre eastern portion of the project site. The residential portion of the proposed project would involve the construction of 169 townhome residential units within 25 multi-family residential buildings and one leasing office/recreation building. Approximately 26 units, 15 percent, of the total residential units proposed would be provided as affordable to moderate income levels. Moderate income is defined as "those affordable to households earning between 80% and 120% of the area median income (AMI), adjusted for household size". The proposed townhome units are multi-floor units that share one to two side walls with adjacent units. All residential buildings would be three stories, with a maximum height of 38 feet. The residential townhome unit types include five types of townhomes varying from 3 bedrooms and 2.5 bathrooms to 4 bedrooms and 3.5 bathrooms. Table 2-4, summarizes the types and area of the townhome units. The residential buildings would be designed using three unique and compatible design themes, Spanish Colonial, Spanish Santa Barbara, and Spanish Andalusian which would provide better design variety and interest to the project site. The 3,155 square-foot leasing office and recreation building would include an exercise room, lounge areas, leasing offices, a dining room, restrooms, and an outdoor pool and deck area.

The residential portion of the proposed project would include 377 total parking spaces. The 377 total parking spaces include 338 garages, 35 open-surface parking spaces, and 4 ADA open-surface parking spaces. Internal to the project site, pedestrian walkways would be provided throughout the

site with connections to the leasing office and central recreation area, residential buildings, the pedestrian corner plaza on the southeastern corner of Central Avenue and Crestfield Drive, common open space areas, and the public park portion of the project site. Direct access to the Otis Gordon Sports Park would be provided to future residents through two gates on the western boundary of the residential portion of the project site. Landscaping, including a variety of trees, shrubs, and groundcover would be provided throughout the residential portion of the site. Additionally, the proposed project would involve one public art feature near the corner of Crestfield Drive and Central Avenue. A small design feature would be provided at the leasing office and recreational building and decorative screening for utility boxes would be utilized.

Table 2-4 Townhome Residential Unit Type Summary

Number of Units	Unit Type and Percentage of Total Units	Area (sf)	Bedrooms/Bathrooms
40	Plan 1 (24%)	1,358	3 bed/2.5 bath
7	Plan 1Y (4%)	1,377	3 bed/2.5 bath
7	Plan 2 (4%)	1,464	3 bed/2.5 bath
39	Plan 3 (23%)	1,366	3 bed/3 bath
39	Plan 4 (23%)	1,526	3 bed/3.5 bath
37	Plan 5 (22%)	1,492	4 bed/3.5 bath
Total			
169		242,577	

2.5.1 Proposed Site Plan

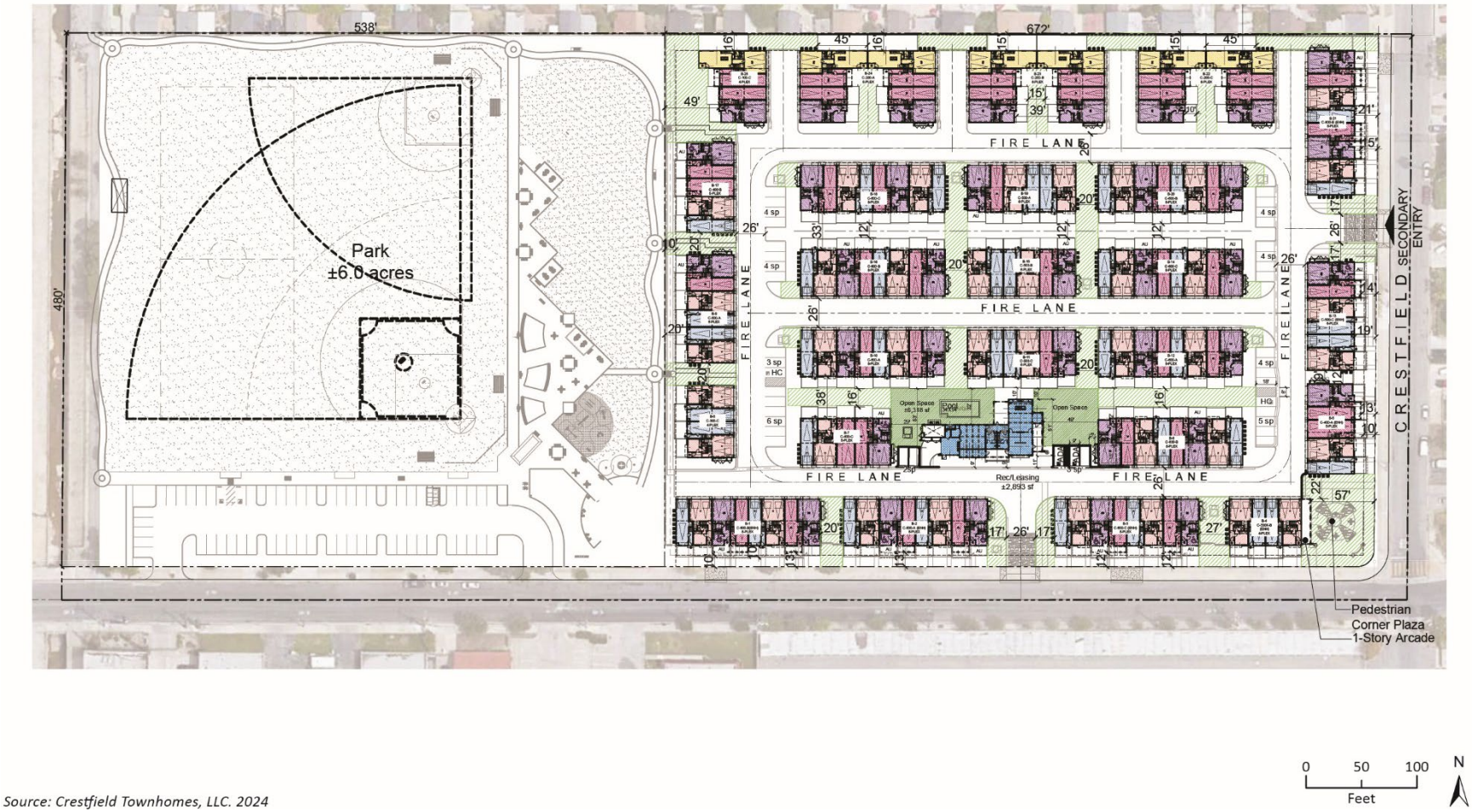
Figure 2-3 through Figure 2-10 show the proposed site plans, including the park conceptual plan, residential site plan, building elevations, and building renderings.

Figure 2-3 Park Conceptual Plan



Source: Crestfield Townhomes, LLC. 2024

Figure 2-4 Residential Site Plan



Source: Crestfield Townhomes, LLC. 2024

Figure 2-5 Central Avenue View Rendering



Figure 2-6 C-200 Residential Building Elevations



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Figure 2-7 C-300 Residential Building Elevations



Figure 2-8 C-500 Residential Building Elevations



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Figure 2-9 C-600 Residential Building Elevations



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Figure 2-10 Leasing Office Building Elevations



2.5.2 Parking and Site Access

The proposed project would include 59 spaces in the park portion of the project, including two spaces that would be accessible to persons with disabilities. The proposed project would also include 377 spaces in the residential portion of the project with 338 garage spaces, 35 open spaces, and four open spaces which would be accessible to persons with disabilities. Vehicular access to the project would primarily be provided from Central Avenue and secondary access would be provided from Crestfield Drive (see Figure 2-4). The proposed project includes the construction of internal roads and private driveways throughout the project site.

2.5.3 Utilities

Water service is provided to the project site by California American Water, the proposed project would connect to existing water infrastructure within the project site. The proposed project includes internal stormwater collection and conveyance to a private stormwater detention and infiltration system. Wastewater service is provided to the project site through a contract with the Los Angeles County Sanitation District (LACSD). LACSD has provided a Will Serve letter which confirms that LACSD has the capacity and facilities to provide wastewater service to the proposed project. Burrtec Waste Services provides residential and commercial solid waste and recycling services to the project site. Southern California Edison supplies electricity and the Southern California Gas Company provides gas to the project site. Telecommunications services are provided to the project site by AT&T, Spectrum, and Time Warner Cable.

2.5.4 Construction and Grading

Construction of the proposed project is expected to occur over approximately 29 months with commencement in April 2026 and completion by September 2028, as detailed in Table 2-5. Construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating activities. The seven identified phases of construction are: (1) demolition; (2) site preparation; (3) grading; (4) utility installation; (5) asphalt paving; (6) building construction; and (7) architectural coating. Construction of the project would not require soil import or export. Construction equipment for the project would include earthwork equipment such as dozers, excavators, industrial saws, tractors, graders, forklifts, cranes, pavers, and rollers.

Table 2-5 Construction Schedule

Construction Phase	Start & End Date	Number of Days
Demolition	4/1/2026 – 5/15/2026	45
Site Preparation	5/16/2026 – 6/8/2026	24
Grading	6/9/2026 – 8/14/2026	67
Utility Installation	7/1/2026 – 10/1/2026	93
Asphalt Paving	10/2/2026 – 12/29/2026	89
Building Construction	10/15/2026 – 6/30/2028	593
Architectural Coating	12/15/2025 – 8/30/2028	654

2.5.5 Green Building Features

The proposed project would include the following sustainability features:

- All-solar project, as required
- Private garages to be EV ready and available
- Two EV parking spaces for the pool area or public areas

2.6 Project Objectives

- Increase the City's multi-family housing opportunities to help achieve the City's assigned Regional Housing Needs Allocation (RHNA) goal.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and vehicle miles traveled.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
- Preserve and improve the Otis Gordon Sports Park for the surrounding community.
- Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.

2.7 Required Approvals

The proposed project involves a General Plan Amendment to change the land use designation from Public Facility to HDR - High Density Residential and Open Space land uses, and a zone change from PF to R-4 Multiple-Family Residential Zone (High Density) and Open Space. The HDR - High Density Residential land use designation and R-4 Multiple-Family Residential Zone were established to accommodate higher-density, multi-story residential developments with a maximum intensity of 28 dwelling units per net acre (du/ac). The park portion of the proposed project would require land use designation and zoning changes from Public Facility to Open Space. The Open Space land use designation and zone were established to maintain and protect open spaces for the purposes of recreation, natural resource protection, hazards management, utility corridors, and the protection of prehistoric places, features, and objects.

The Planned Development Permit allows customized development standards to provide flexibility and encourage unique and creative development. The proposed project would have modified development standards in areas, such as setbacks. To balance modified standards, the proposed project would provide additional project amenities, such as varied architectural styles, a percentage of the housing units provided at the moderate-income level, public art, and a fully renovated public park.

The following approvals would be required from the City of Duarte for the project:

- General Plan Amendment
- Zone Change

- Parcel Map
- Site Plan & Design Review
- Planned Development Permit

The City of Duarte holds principal responsibility for approving the project; no additional approvals from other agencies are required under the proposed project.

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3 Environmental Setting

This section provides a general overview of the environmental setting for the proposed project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4, *Environmental Impact Analysis*.

3.1 Regional Setting

The project site is located at 1433 Crestfield Drive in the City of Duarte, in northeastern Los Angeles County. The City of Duarte is bounded to the north by the San Gabriel Mountains, to the north and west by the cities of Bradbury and Monrovia, to the south by the City of Irwindale, and to the east by the cities of Irwindale and Azusa. The Santa Fe Dam is located approximately 1.4 mile south of city limits. Figure 2-1 and Figure 2-2 in Section 2, *Project Description*, shows the location of the project site in the regional context and in relation to the surrounding neighborhood.

A grid system of east-west and north-south roadways, including arterials, collectors, and local streets, provide vehicular access throughout the city. The major roadways include Crestfield Drive, Huntington Drive, and Central Avenue. Historic U.S. Route 66 follows Huntington Drive through the center of Duarte. The closest freeways are Interstate 605 (I-605) and Interstate 210 (I-210). The off-ramp for I-605 is approximately 150 feet from the western boundary of the project site, and I-210 is located approximately 800 feet south of the project site.

The City of Duarte is located approximately 30 miles inland from the coastline of the Pacific Ocean. The Mediterranean climate of the region and the coastal influence produce moderate temperatures year-round, with rainfall concentrated in the winter months. Although air quality in the area has steadily improved in recent years, the Los Angeles region remains a nonattainment area for ozone (urban smog).

3.2 Project Site Setting

As shown in Figure 2-2 in Section 2, *Project Description,* the project site is bordered by public facilities to the west, residential uses to the north and east, and industrial uses to the south. The eastern portion of the project site consists of the vacant school buildings that were previously occupied by the Andres Duarte Arts Academy, a kindergarten through 8th grade school. A portion of the former school is currently in use by the Duarte Preschool. The school buildings consist of 47,399 total square feet of 21 permanent classrooms and 14 portable classrooms. The Otis Gordon Sports Park is on the western portion of the site, and the operational Mount Olive Innovation and Technology High School (MIT) is on the northwestern portion of the project site. The Otis Gordon Sports Park covers approximately six acres and includes a barbeque area, picnic area, a playground, restrooms, and a lighted softball park. The MIT school consists of five buildings totaling 8,160 square feet. The project site has a General Plan land use designation of Public Facility and is zoned PF (Public Facility), as defined by the City's Zoning Ordinance and the Land Use Element of the General Plan, respectively. Uses permitted in the PF Public Facility Zone include a wide range of facilities intended to provide government function, including community centers, cultural institutions, government facilities, libraries, public utilities, and public schools.

3.3 Cumulative Development

In addition to the specific impacts of individual projects, CEQA requires EIRs to consider potential cumulative impacts of the proposed project. CEQA defines "cumulative impacts" as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. Cumulative impact analysis allows the EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a forecast of future development potential. Currently planned and pending projects in the City of Duarte are listed in Table 3-1 and shown in Figure 3-1. Projects within 0.5-mile of the project site include Project No. 7, 8, 10, 11, 12, and 13. Select cumulative impact discussions, such as noise, apply to smaller geographic areas, while some cumulative impact discussions, such as air quality, apply to much larger geographic areas. As such, each issue area will identify the geographic extent of the cumulative impact analysis in Section 4, *Environmental Impact Analysis*.

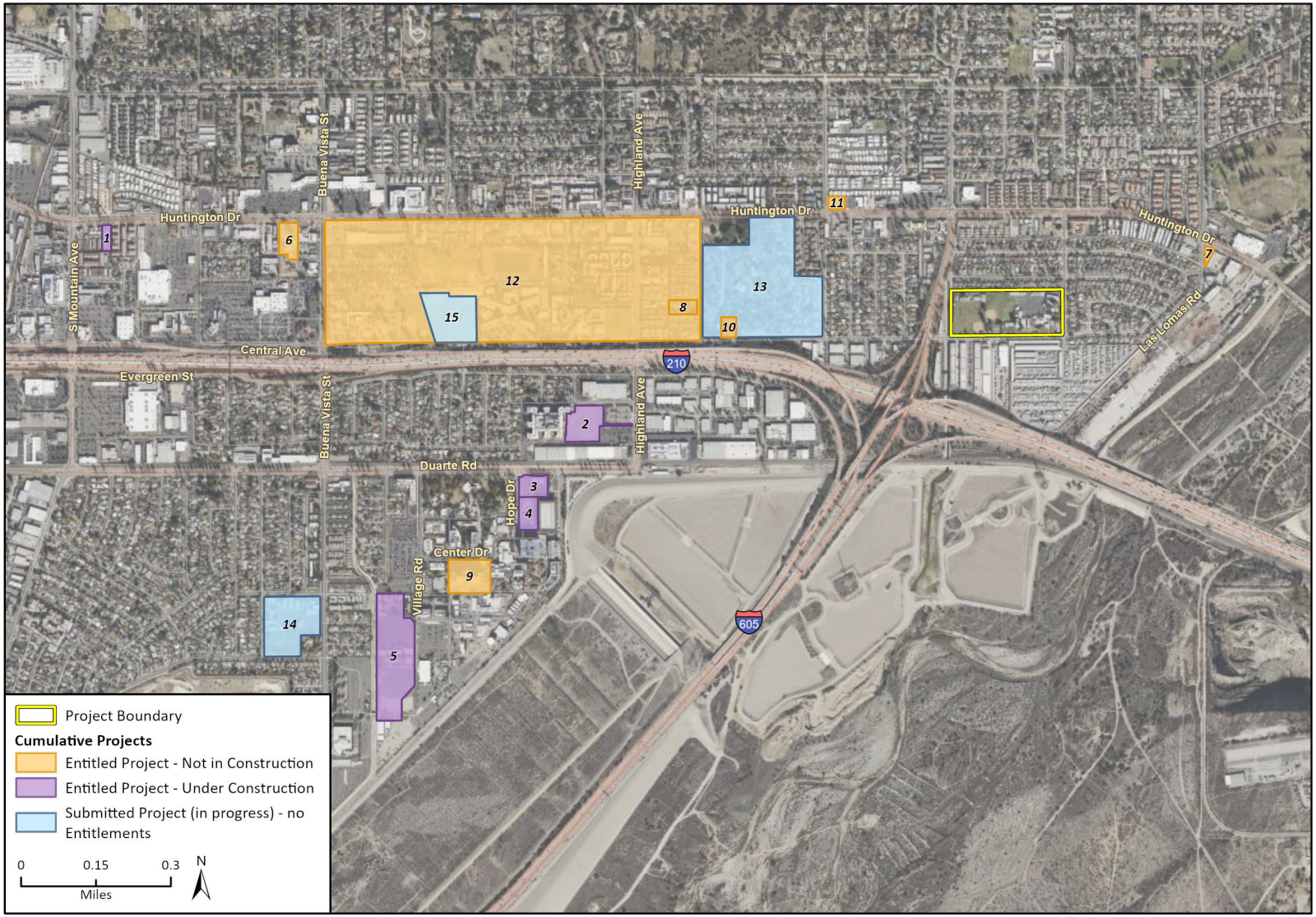
Table 3-1 Cumulative Projects List

Project No.	Project Title	Project Location[1]	Land Use	Current Status
1	Solana The Residences at Duarte Station-Site B	1750 Business Center Drive	Duarte Station Specific Plan	Entitled Project – Under Construction
2	Multiple-Family Development, 16 units	928 Huntington Drive	Multiple Family Residential High Density (R-4)	Entitled Project – Under Construction
3	Duarte Outpatient Clinic (DOC)	1500 Duarte Road (north-central portion of City of Hope campus, near Hope and East Circle Roads)	City of Hope Specific Plan – Core Medical District	Entitled Project – Under Construction
4	Ted Schwartz Family Hope and Healing Park (formerly Graff Park)	1500 Duarte Road (west of northeast parking structure	City of Hope Specific Plan – Core Medical District	Entitled Project – Under Construction
5	Parking Lots F and G Expansion	1500 Duarte Road (west side of City of Hope campus, between Cinco Robles Drive and Village Road)	City of Hope Specific Plan	Entitled Project – Under Construction
6	Hawthorne Suites by Wyndham	1230 Huntington Drive	Town Center Specific Plan – Town Center Commercial Core	Entitled Project – Not in Construction
7	Duarte-Azusa Animal Hospital	2714 Huntington Drive	Industrial (M) Zone	Entitled Project – Under Construction

Project No.	Project Title	Project Location[1]	Land Use	Current Status
8	Multiple-Family Development, 20 units	1401 Santo Domingo Drive	Duarte Town Center Specific Plan Area 8 Residential Town Center	Entitled Project – Not in Construction
9	Warsaw Courtyard	1500 Duarte Road (south of DOC, east of Helford)	City of Hope Specific Plan – Core Medical District	Entitled Project – Not in Construction
10	Westminster Gardens, Morrison House	1420 Santo Domingo Avenue	Westminster Gardens Specific Plan	Entitled Project – Not in Construction
11	BP Electric Vehicle Charging Station	2107 Huntington Drive	General Commercial (GC)	Entitled Project – Not in Construction
12	Town Center Specific Plan	Generally, 1200 block Huntington Drive to Santo Domingo Avenue, Highland Avenue, & Buena Vista Street from Central Avenue to Huntington Drive	Specific Plan Zone	Entitled Project – Not in Construction
13	Westminster Gardens Specific Plan	1420 Santo Domingo Avenue	Specific Plan Zone	Submitted Project (in progress) – No Entitlements
14	Andres Duarte Arts Academy Relocation	Beardslee Academy - 1212 Kellwil Way	Public Facility	Submitted Project (in progress) – No Entitlements
15	Mount Olive Innovation and Technology High School Relocation	Duarte High School - 1565 East Central Avenue	Public Facility	Submitted Project (in progress) – No Entitlements

[1] Cumulative project details were sourced from the City of Duarte Current & Planned Major Development Project List dated 10/21/2024.

Figure 3-1 Cumulative Projects



Imagery provided by Microsoft Bing and its licensors © 2025.
Cumulative Projects created based off of the Current & Planned Major Development Project locations and descriptions, 10/21/24.

24-16174 EPS
Fig X Cumulative Projects

4 Environmental Impact Analysis

This section discusses the possible environmental effects of the Andres Duarte School Project for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. *CEQA Guidelines* Section 15382 provides the following guidance:

> "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the City and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other planned and pending developments in the area listed in Section 3, *Environmental Setting*.

The Executive Summary of this EIR summarizes all impacts and mitigation measures that apply to the proposed project.

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4.1 Air Quality

This section describes the affected environment and the regulatory setting for air quality and impacts on air quality from construction and operation of the proposed project, including impacts to nearby sensitive receptors and contributions to cumulative impacts. Construction and operational emissions associated with project buildout were calculated using the California Emissions Estimator Model (CalEEMod), version 2022.1 and proposed and net daily vehicle trips provided by Ganddini Group in their Transportation Screening Assessment for the proposed project (Appendix D) as reported in Section 4.11, *Transportation.* Results of the calculations (refer to Appendix E) were compared to South Coast Air Quality Management District (SCAQMD) thresholds to determine impacts. A construction and operational health risk assessment (HRA) was conducted to estimate both off-site and on-site health risks to sensitive receptors, in accordance with the revised guidelines from the Office of Environmental Health Hazard Assessment (OEHHA) and SCAQMD's guidelines. For health risk calculations, refer to Appendix F1 and F2.

4.1.1 Setting

Climate and Topography

The project site is in the South Coast Air Basin (SCAB), which is under the jurisdiction of SCAQMD. The SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Gorgonio Pass area in Riverside County.[1] The regional climate in the SCAB is semi-arid and is characterized by warm summers, mild winters, infrequent seasonal rainfall, moderate daytime onshore breezes, and moderate humidity. The air quality in the SCAB is primarily influenced by meteorology and a wide range of emission sources, such as dense population centers, substantial vehicular traffic, and industry.

Most annual rainfall in the SCAB occurs between November and April. Summer rainfall is minimal and is generally limited to scattered thundershowers in coastal regions and slightly heavier showers in the eastern portion of the SCAB and along the coastal side of the mountains. Duarte has a Mediterranean climate with moderate, dry summers. The warmest month of the year is August, and the coldest month of the year is January. The annual average maximum temperature is 78.2 degrees Fahrenheit (°F), while the annual average minimum temperature is 52.8°F. Rainfall is concentrated in the winter months. Local climate conditions are summarized in Table 4.1-1**.**

The SCAB experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific High-pressure system. This inversion limits the vertical dispersion of air contaminants, holding them relatively near the ground. As the sun warms the ground and the lower air layer, the temperature of the lower air layer approaches the temperature of the base of the inversion layer (i.e., the upper layer) until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This phenomenon is observed in mid- to late afternoons on hot summer days. Winter inversions frequently break by mid-morning.

[1] A map of SCAQMD jurisdiction is available at: http://www.aqmd.gov/docs/default-source/default-document-library/map-of-jurisdiction.pdf

Table 4.1-1 Duarte Climate Conditions

Temperature Condition	Amount
Average annual rainfall	22.28 inches
Annual average maximum temperature	78.2°F
Annual average minimum temperature	52.8°F
Warmest month	August
Coolest month	January

°F = degrees Fahrenheit
Note: Averages are based on the period of record from January 1, 1917, to June 2, 2016, at the approximately 3.5 miles San Gabriel Canyon, west of the project site.
Source: Western Regional Climate Center 2016

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino counties. In the winter, the greatest pollution problems are the accumulation of carbon monoxide and nitrogen oxides (NO_X) due to low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and brighter sunshine combine to cause a reaction between hydrocarbons and NO_X to form photochemical smog.

Air pollutant emissions in the SCAB are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories: point and area sources. Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat. Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products. Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and are classified as either on-road or off-road. On-road sources may be legally operated on roadways and highways. Off-road sources include aircraft, ships, trains, and self-propelled construction equipment. Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

Air Pollutants of Primary Concern

Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack). The federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for "criteria pollutants" and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),[2] nitrogen oxides (NO_X), particulate matter with diameters of up to ten microns (PM_{10}) and up to 2.5 microns ($PM_{2.5}$), sulfur dioxide, and lead. Other

[2] CARB defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term VOC is used in this analysis.

pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between VOC and NO_X. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog). The following subsections describe the characteristics, sources, and health and atmospheric effects of air pollutants of primary concern.

Ozone

Ozone (O_3) is a highly oxidative unstable gas produced by a photochemical reaction (triggered by sunlight) between NO_X and VOC. VOC is composed of non-methane hydrocarbons (with specific exclusions), and NO_X is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and NO_2. NO_X is formed during the combustion of fuels, while VOC is formed during the combustion and evaporation of organic solvents. As a highly reactive molecule, O_3 readily combines with many different atmosphere components. Consequently, high O_3 levels tend to exist only while high VOC and NO_X levels are present to sustain the O_3 formation process. Once the precursors have been depleted, O_3 levels rapidly decline. Because these reactions occur on a regional rather than local scale, O_3 is considered a regional pollutant. In addition, because O_3 requires sunlight to form, it mainly occurs in concentrations considered serious between April and October. People most at risk from O_3 include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers. In addition, people with reduced intake of certain nutrients, such as vitamins C and E, are at greater risk from O_3 exposure. Depending on the level of exposure, O_3 can cause coughing and a sore or scratchy throat; make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath; inflame and damage the airways; make the lungs more susceptible to infection; aggravate lung diseases such as asthma, emphysema, and chronic bronchitis; and increase the frequency of asthma attacks (USEPA 2024a).

Carbon Monoxide

Carbon monoxide (CO) is a localized pollutant found in high concentrations only near its source. The primary source of CO, a colorless, odorless, poisonous gas, is automobile traffic's incomplete combustion of petroleum fuels. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability to get oxygenated blood to their hearts in situations where they need more oxygen than usual. As a result, they are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain, also known as angina (USEPA 2024b).

Nitrogen Dioxide

The primary sources of NO_x are motor vehicles, industrial boilers, and furnaces. The principal form of NO_x produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2, commonly called NO_x. NO_2 is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Breathing air with a high concentration of NO_2 can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma and children and the elderly are generally at greater risk for the health effects of NO_2. The nitrate particles that result from NO_X

make the air hazy and difficult to see though. It can also contribute to the formation of O_3, smog, and acid rain (USEPA 2024c).

Sulfur Dioxide

SO_2 is the component of greatest concern and is used as the indicator for the larger group of gaseous sulfur oxides (SO_x). Other gaseous SO_x (such as SO_3) are found in the atmosphere at concentrations much lower than SO_2. The largest source of SO_2 in the atmosphere is the burning of fossil fuels by power plants and other industrial facilities. Smaller sources of SO_2 emissions include industrial processes such as extracting metal from ore; natural sources such as volcanoes; and locomotives, ships and other vehicles and heavy equipment that burn fuel with a high sulfur content. Short-term exposures to SO_2 can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO_2 (USEPA 2024d).

Particulate Matter

Suspended atmospheric PM_{10} and $PM_{2.5}$ are comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mist. Both PM_{10} and $PM_{2.5}$ are emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. The atmosphere, through chemical reactions, can form particulate matter. The characteristics, sources, and potential health effects of PM_{10} and $PM_{2.5}$ can be very different. PM_{10} is generally associated with dust mobilized by wind and vehicles. In contrast, $PM_{2.5}$ is generally associated with combustion processes and formation in the atmosphere as a secondary pollutant through chemical reactions. PM_{10} can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For $PM_{2.5}$, short-term exposures (up to 24-hours duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases (CARB 2024a).

Lead

Lead (Pb) is a metal found naturally in the environment, as well as in manufacturing products. The major sources of Pb emissions historically have been mobile and industrial. However, due to the USEPA ’s regulatory efforts to remove Pb from gasoline, atmospheric Pb concentrations have declined substantially over the past several decades. The most dramatic reductions in Pb emissions occurred before 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least partly due to national emissions standards for hazardous air pollutants (USEPA 2014). As a result of phasing out leaded gasoline, metal processing is currently the primary source of Pb emissions. The highest Pb level in the air is generally found near Pb smelters. Other stationary sources include waste incinerators, utilities, and Pb-acid battery manufacturers. Pb can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and cardiovascular system depending on exposure. Pb exposure also affects the oxygen-carrying capacity of the blood. The Pb effects most likely encountered in current populations are neurological in children. Infants and young children are susceptible to Pb exposures, contributing to behavioral problems, learning deficits, and lowered IQ (USEPA 2024e).

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, Toxic Air Contaminants (TAC) are a diverse group of airborne substances/air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about 1/70th the diameter of a human hair) and thus is a subset of $PM_{2.5}$. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2024a). TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health. People exposed to TACs at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2024f).

Current Air Quality

The SCAQMD operates a network of air quality monitoring stations throughout the SCAB. The purpose of the monitoring stations is to measure ambient concentrations of pollutants and determine whether ambient air quality meets the California and federal standards. The following is a summary of the monitoring stations closest to the project site.

The monitoring station closest to the project site is the Azusa monitoring station, located at 803 North Loren Avenue in Azusa, approximately 1.6 miles east of the project site. The Azusa station collected 1-hour and 8-hour O_3, NO_2, PM_{10}, and $PM_{2.5}$ concentrations in 2021 and 2022. For 2023, insufficient data was available at Azusa station to determine criteria pollutant concentrations.

The Glendora-Laurel station, located at 840 Laurel in Glendora, is approximately 5.9 miles east of the project site. The Glendora-Laurel station collected 8-hour ozone, 1-hour O_3, CO, NO_2, and PM_{10} concentrations in 2023. There is insufficient data in 2023 to determine a $PM_{2.5}$ concentration at Glendora-Laurel station.

The Pasadena-S Wilson Avenue monitoring station is located at 752 S Wilson Avenue, Pasadena, approximately 10 miles west of the project site. The Pasadena-S Wilson Avenue monitoring station collected $PM_{2.5}$ measurements in 2023.

Table 4.1-2 indicates the number of days that each of the federal and State standards has been exceeded at monitoring stations near the project site in each of the last three years for which data is available. At these stations, the State 1-hour O_3 standard was exceeded between 2021 and 2023, and the federal 1-hour O_3 standard was exceeded in 2023. In addition, the federal and State 8-hour O_3 standards were exceeded between 2021 and 2023. The PM_{10} State standard was exceeded in 2021, 2022 and 2023, and the $PM_{2.5}$ federal standard was exceeded in 2021 and 2023. No other State or federal standards were exceeded at nearby monitoring stations.

Table 4.1-2 Annual Ambient Air Quality Data from Nearest Monitoring Stations

Pollutant	2021	2022	2023
Ozone (ppm), Worst 1-Hour[1,2]	0.108	0.111	0.155
Number of days above CAAQS (>0.09 ppm)	20	6	57
Number of days above NAAQS (>0.12 ppm)	0	0	9
Ozone (ppm), Worst 8-Hour Average[1,2]	0.086	0.080	0.110
Number of days above CAAQS (>0.070 ppm)	21	11	70
Number of days above NAAQS (>0.070 ppm)	21	11	70
Carbon Monoxide (ppm), Highest 8-Hour Average[1]	1.4	0.9	0.6
Number of days above CAAQS or NAAQS (>9.0 ppm)	0	0	0
Nitrogen Dioxide (ppm), Worst 1-Hour[1,2]	0.078	0.48	0.088
Number of days above CAAQS (>0.180 ppm)	0	0	0
Number of days above NAAQS (>0.100 ppm)	0	0	0
Particulate Matter <10 microns (μg/m^3), Worst 24 Hours[1,2]	79.4	98.2	126.7
Number of days above CAAQS (>50 μg/m^3)	11	7	1
Number of days above NAAQS (>150 μg/m^3)	0	0	0
Particulate Matter <2.5 microns (μg/m^3), Worst 24 Hours[1,3]	61.9	18.4	52.0
Number of days above NAAQS (>35 μg/m^3)	3	0	1

ppm = parts per million; μg/m^3 = micrograms per cubic meter; CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard

[1] Data sourced from the CARB at the nearest monitoring station with available data at the Azusa station in Azusa.

[2] Data sourced from the CARB at the nearest monitoring station with available data at the Glendora-Laurel station in Glendora.

[3] Data sourced from the CARB at the nearest monitoring station with available data at the Pasadena-S Wilson Avenue station in Pasadena.

Source: CARB 2024b and SCAQMD 2024a

Sensitive Receptors

Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with a margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14, the elderly (over the age of 65), people engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, long-term health care facilities, rehabilitation centers, convalescent centers, hospitals, retirement homes, and schools, playgrounds, and childcare centers (SCAQMD 2005). Sensitive receptors nearest to the project site consist of single-family residences that share a property boundary line on the north side of the project site; Sunshine Montessori Preschool & Daycare approximately 240 feet northeast of the project site; and Maryvale Early Education Center approximately 590 feet north of the project site[3].

[3] These distances are from property line to property line.

4.1.2 Regulatory Setting

The federal and state governments have authority under the federal and State CAA to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as "the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health" (CARB 2024c). The USEPA is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Federal and state AAQS have been established for six criteria pollutants: O_3, CO, nitrogen dioxide, SO_2, $PM_{10,}$ $PM_{2.5}$, and Pb, which can be harmful to public health and the environment. The CAA identifies two types of national ambient air quality standards. Primary standards provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings (USEPA 2024g). In addition, the State of California has established health-based ambient air quality standards for these and other pollutants, some of which are more stringent than the federal standards (CARB 2024d). The federal and California Clean Air Acts are described in more detail below.

a. Federal Regulations

The CAA was enacted in 1970 and amended in 1977 and 1990 (42 United States Code [USC] 7401) for the purpose of protecting and enhancing the quality of the nation's air resources to benefit public health, welfare, and productivity. In 1971, to achieve the purposes of Section 109 of the CAA [42 USC 7409], the USEPA developed primary and secondary NAAQS.

The primary NAAQS "in the judgment of the Administrator[4], based on such criteria and allowing an adequate margin of safety, are requisite to protect the public health," and the secondary standards are to "protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air" (42 USC 7409[b][2]). The USEPA classifies specific geographic areas as either "attainment" or "nonattainment" areas for each pollutant based on the comparison of measured data with the NAAQS. States are required to adopt enforceable plans, known as a State Implementation Plan (SIP), to achieve and maintain air quality meeting the NAAQS. State plans also must control emissions that drift across state lines and harm air quality in downwind states. Table 4.1-3 lists the current federal standards for regulated pollutants.

To derive the NAAQS, the USEPA reviews data from integrated science assessments and risk/exposure assessments to determine the ambient pollutant concentrations at which human health impacts occur, then reduces these concentrations to establish a margin of safety (USEPA 2024h). As a result, human health impacts caused by the air pollutants discussed above may affect people when ambient air pollutant concentrations are at or above the concentrations established by the NAAQS. The closer a region is to attainting a particular NAAQS, the lower the human health impact is from that pollutant (San Joaquin Valley Air Pollution Control District 2015). Accordingly, ambient air pollutant concentrations below the NAAQS are considered to be protective of human health (CARB 2024c and 2024d). The NAAQS and the underlying science that forms the basis of the NAAQS are reviewed every five years to determine whether updates are necessary to continue protecting public health with an adequate margin of safety (USEPA 2015).

[4] The term "Administrator" means the Administrator of the United States EPA.

Table 4.1-3 Federal and State Ambient Air Quality Standards

Pollutant	NAAQS	CAAQS
Ozone	0.070 ppm (8-hr avg)	0.09 ppm (1-hr avg) 0.070 ppm (8-hr avg)
Carbon Monoxide	35.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)	20.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)
Nitrogen Dioxide	0.100 ppm (1-hr avg) 0.053 ppm (annual avg)	0.18 ppm (1-hr avg) 0.030 ppm (annual avg)
Sulfur Dioxide	0.075 ppm (1-hr avg) 0.5 ppm (3-hr avg) 0.14 ppm (24-hr avg) 0.030 ppm (annual avg)	0.25 ppm (1-hr avg) 0.04 ppm (24-hr avg)
Lead	0.15 μg/m^3 (rolling 3-month avg) 1.5 μg/m^3 (calendar quarter)	1.5 μg/m^3 (30-day avg)
Particulate Matter (PM_{10})	150 μg/m^3 (24-hr avg)	50 μg/m^3 (24-hr avg) 20 μg/m^3 (annual avg)
Particulate Matter ($PM_{2.5}$)	35 μg/m^3 (24-hr avg) 9 μg/m^3 (annual avg)	12 μg/m^3 (annual avg)
Visibility-Reducing Particles	No Federal Standards	Extinction coefficient of 0.23 per kilometer – visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape. (8-hr avg)
Sulfates	No Federal Standards	25 μg/m^3 (24-hr avg)
Hydrogen Sulfide	No Federal Standards	0.03 ppm (1-hr avg)
Vinyl Chloride	No Federal Standards	0.01 ppm (24-hr avg)

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; avg = average; μg/m^3 = micrograms per cubic meter

Source: CARB 2024e and USEPA 2024g

b. State Regulations

California Clean Air Act

The California Clean Air Act (CCAA) was enacted in 1988 (California Health & Safety Code (H&SC) §39000 et seq.). Under the CCAA, the State has developed the CAAQS, which are generally more stringent than the NAAQS. Table 4.1-3 lists the current State standards for regulated pollutants. In addition to the federal criteria pollutants, the CAAQS also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. Similar to the federal CAA, the CCAA classifies specific geographic areas as either “attainment” or “nonattainment” areas for each pollutant, based on the comparison of measured data within the CAAQS.

Toxic Air Contaminants

A TAC is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. TACs may result in long-term health effects such as cancer, birth defects, neurological damage, asthma, or genetic damage, or

short-term acute effects such as eye watering, respiratory irritation, runny nose, throat pain, and headaches. TACs are considered either carcinogenic or non-carcinogenic based on the nature of the health effects associated with exposure. For carcinogenic TACs, potential health impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Non-carcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

TACs include both organic and inorganic chemical substances. One of the main sources of TACs in California is diesel engines that emit exhaust containing solid material known as DPM; however, TACs may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities.

In 1983, the California Legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health (Assembly Bill [AB] 1807: Health and Safety Code Sections 39650–39674). The Legislature established a two-step process to address the potential health effects from TACs. The first step is the risk assessment (or identification) phase. The second step is the risk management (or control) phase of the process.

The California Air Toxics Program establishes the process for the identification and control of TACs and includes provisions to make the public aware of significant toxic exposures, and provisions for reducing risk. Additionally, the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly Bill) was enacted in 1987 and requires stationary sources to report the types and quantities of certain substances routinely released into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks, notify nearby residents of significant risks, and reduce those significant risks to acceptable levels. The Children's Environmental Health Protection Act, California Senate Bill (SB) 25 (Chapter 731, Escutia, Statutes of 1999), focuses on children's exposure to air pollutants. The act requires CARB to review its air quality standards from a children's health perspective, evaluate the statewide air quality monitoring network, and develop any additional air toxic control measures needed to protect children's health.

State Implementation Plan

The SIP is a collection of documents that set forth a state’s strategies for achieving the AAQS. In California, the SIP is a compilation of new and previously submitted plans, programs (such as monitoring, modeling, and permitting), district rules, State regulations, and federal controls. CARB is the lead agency for all purposes related to the SIP under State law. Local air districts and other agencies, such as the Department of Pesticide Regulation and the Bureau of Automotive Repair, prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the USEPA for approval and publication in the Federal Register. The items included in the California SIP are listed in the Code of Federal Regulations at 40 Code of Federal Regulations 52.220.

As the regional air quality management district, the SCAQMD is responsible for preparing and implementing the portion of the SIP applicable to the portion of the SCAB within its jurisdiction. The air pollution control district for each county adopts rules, regulations, and programs to attain federal and State air quality standards and appropriates money (including permit fees) to achieve these objectives.

California Building Standards Code (Title 24)

Building Energy Efficiency Standards (Title 24, Part 6)

California Code of Regulations (CCR) Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. Title 24, Part 6 sets forth California's energy efficiency standards for residential and nonresidential buildings and was established in 1978 in response to a legislative mandate to reduce California's energy consumption. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The 2022 Title 24 standards are the applicable building energy efficiency standards for the proposed project because they became effective on January 1, 2023 (CEC 2022a). The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

California Green Building Standards (Title 24, Part 11)

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

- Twenty percent reduction in indoor water use relative to specified baseline levels;[5]
- Waste reduction:
  - Non-residential and multi-family dwellings with five or more units: Provide readily accessible areas identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastic, organic waste, and metals; and/or
  - Non-residential: Reuse and/or recycling of 100 percent of trees, stumps, rocks, and associated vegetation soils resulting from primary land clearing.
- Inspections of energy systems to ensure optimal working efficiency;
- Low pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;

[5] Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

- Electric vehicle (EV) charging for new construction:[6]
  - Non-residential land uses shall comply with the following EV charging requirements based on the number of passenger vehicle parking spaces:
    - 0-9: no EV capable spaces or charging stations required;
    - 10-25: 4 EV capable spaces but no charging stations required;
    - 26-50: 8 EV capable spaces of which 2 must be equipped with charging stations;
    - 51-75: 13 EV capable spaces of which 3 must be equipped with charging stations;
    - 76-100: 17 EV capable spaces of which 4 must be equipped with charging stations;
    - 101-150: 25 EV capable spaces of which 6 must be equipped with charging stations;
    - 151-200: 35 EV capable spaces of which 9 must be equipped with charging stations; and
    - More than 200: 20 percent of the total available parking spaces of which 25 percent must be equipped with charging stations.
  - Non-residential land uses shall comply with the following EV charging requirements for medium- and heavy-duty vehicles: warehouses, grocery stores, and retail stores with planned off-street loading spaces shall install EV supply and distribution equipment, spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s), or subpanel(s) at the time of construction based on the number of off-street loading spaces as indicated in Table 5.106.5.4.1 of CalGreen Standards;
- Bicycle parking:
  - Non-residential short-term bicycle parking for projects anticipated to generate visitor traffic are required to provide permanently anchored bicycle racks that allow at least two bikes to be parked in the rack, within 200 feet of visitor entrance; and/or;
  - Non-residential bicycle racks shall be implemented at a rate of five percent of new vehicle parking spaces; and/or;
  - Non-residential buildings with tenant spaces of 10 or more employees/tenant-occupants shall provide secure bicycle parking shall be provided at a rate of 5 percent of vehicle parking spaces and a minimum of one bicycle parking facility.
- Shade trees (non-residential):
  - Surface parking: minimum No. 10 container size or equal shall be installed to provide shade over 50 percent of the parking within 15 years (unless parking area covered by appropriate shade structures and/or solar);
  - Landscape areas: minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years; and/or
- Hardscape areas: minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years (unless covered by applicable shade structures and/or solar or the marked area is for organized sports activities).

[6] EV Capable = a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging; EV-ready = a vehicle space which is provided with a branch circuit and any necessary raceways to accommodate EV charging stations, including a receptacle for future installation of a charger (see 2022 California Green Building Standard Code, Title 24 Part 11 for full explanation of mandatory measures, including exceptions).

The voluntary standards, if adopted, require:

- Deconstruct existing buildings and reuse applicable salvaged materials;
- Residential – Cool roofs: have a thermal mass over the roof membrane, including green roofs weighing a minimum of 25 pounds per square foot or roof areas covered by solar photovoltaic panels and building integrated solar thermal panels;
- Residential – Reduce nonroof heat island for 50 percent of sidewalks, patios, driveways or other paved areas;
- Residential bicycle parking:
  - Multi-family/hotel/motel short-term parking: provide permanently anchored bicycle racks within 100 feet of visitor's entrance for 5 percent of visitor motorized vehicle parking capacity (minimum one 2-bike capacity rack);
  - Multi-family buildings long-term parking: provide acceptable on-site bicycle parking for at least one bicycle per every two dwelling units; and/or
  - Hotel/motel long-term parking: provide one acceptable on-site bicycle parking space for every 25,000 square feet but not less than two spaces;
- Tier I:
  - Stricter energy efficiency requirements;
  - Stricter water conservation requirements for specific fixtures;
  - Minimum 65 percent reduction in construction waste with third-party verification, Minimum 10 percent recycled content for building materials;
  - Minimum 20 percent permeable paving;
  - Minimum 20 percent cement reduction;
  - Multi-family developments/hotels/motels: minimum 35 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms a minimum of 10 percent of the total number of parking spaces shall be equipped with EV charging stations.
- Tier II:
  - Stricter energy efficiency requirements,
  - Stricter water conservation requirements for specific fixtures;
  - Minimum 75 percent reduction in construction waste with third-party verification,
  - Minimum 15 percent recycled content for building materials;
  - Minimum 30 percent permeable paving;
  - Minimum 25 percent cement reduction; and/or
  - Multi-family developments/hotels/motels: minimum 40 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms, a minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations.

California Code of Regulations

The California Code of Regulations is the official compilation and publication of the regulations adopted, amended, or repealed by state agencies pursuant to the Administrative Procedure Act.

They are compiled into Titles and organized into Divisions containing the regulations of state agencies. The following California Code of Regulations would be applicable to the proposed Project:

- **Engine Idling.** In accordance with Section 2485 of Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- **Emission Standards.** In accordance with Section 93115 of Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

NAAQS and CAAQS Attainment Status

California is divided geographically into 15 air basins for managing the air resources of the State on a regional basis. Areas within each air basin are considered to share the same air masses and, therefore, are expected to have similar ambient air quality. If an air basin is not in either federal or State attainment for a particular pollutant, the basin is classified as a nonattainment area for that pollutant. Under the federal and State CAA, once a nonattainment area has achieved the air quality standards for a particular pollutant, it may be redesignated to an attainment area for that pollutant. To be redesignated, the area must meet air quality standards and have a 10-year plan for continuing to meet and maintain air quality standards, as well as satisfy other requirements of the federal CAA. Areas that have been redesignated to attainment are called maintenance areas.

The project site is within Los Angeles County, which currently exceeds the NAAQS for 8 and 1-hour O_3, $PM_{2.5}$, and Pb. Los Angeles County is classified an attainment/maintenance area under the CAAQS for CO, and attainment for $PM_{2.5}$. Los Angeles County is currently classified as a nonattainment area under the CAAQS for O_3, $PM_{2.5}$, and PM_{10} (CARB 2023).

c. Local Regulations

South Coast Air Quality Management District 2022 Air Quality Management Plan

To meet the NAAQS and CAAQS, the SCAQMD has adopted a series of air quality management plans (AQMPs), which serve as a regional blueprint to develop and implement an emission reduction strategy that will bring the area into attainment with the standards in a timely manner. The most significant air quality challenge in the SCAB is to reduce NO_X emissions sufficiently to meet the 2037 ozone standard deadline for the non-Coachella Valley portion of the SCAB, as NO_X plays a critical role in the creation of ozone. The 2022 AQMP includes strategies to ensure the SCAQMD does its part to further the Air District's ability to meet the 2015 federal ozone standards. The SCAQMD would need to reduce emissions of NO_X by 67 percent beyond what is required by the adopted rules and regulations in 2037 to meet the 2015 federal ozone standard (SCAQMD 2022). The 2022 AQMP builds on the measures already in place from the previous AQMPs and includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technology, best management practices, co-benefits from existing programs, incentives, and other CAA measures to meet the 8-hour O_3 standard. Since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the O_3 standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of annual $PM_{2.5}$ standards (SCAQMD 2017).[7]

[7] Estimates are based on the inventory and modeling results and are relative to the baseline emission levels for each attainment year (see Final 2016 AQMP for detailed discussion).

The SCAQMD's strategy to meet the NAAQS and CAAQS distributes the responsibility for emission reductions across federal, State, and local levels and industries. Most of these emissions are from heavy-duty trucks, ships, and other State and federally regulated mobile source emissions that are beyond SCAQMD's control. The 2022 AQMP is composed of stationary and mobile source emission reductions from traditional regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile source strategies, and reductions from federal sources, which include aircraft, locomotives, and ocean-going vessels. These strategies are to be implemented in partnership with the CARB and USEPA. The SCAQMD will not meet the standard without significant federal action. In addition to federal action, the 2022 AQMP relies on substantial future development of advanced technologies to meet the standards, including the transition to zero and low emission technologies. Of the needed NO_X emissions reductions, 46 percent will come from federal actions, 34 percent from CARB actions, and 20 percent will come directly from SCAQMD actions (SCAQMD 2022).

The AQMP also incorporates the transportation strategy and transportation control measures from Southern California Association of Governments (SCAG)'s 2020-2045 RTP/SCS Plan (Connect SoCal) (SCAG 2020). SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial counties, and addresses regional issues relating to transportation, the economy, community development, and the environment. SCAG coordinates with various air quality and transportation stakeholders in southern California to ensure compliance with the federal and State air quality requirements. Pursuant to California Health and Safety Code Section 40460, SCAG has the responsibility of preparing and approving the portions of the AQMP relating to the regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies. SCAG is required by law to ensure that transportation activities "conform" to, and are supportive of, the goals of regional and State air quality plans to attain the NAAQS. Connect SoCal includes transportation programs, measures, and strategies generally designed to reduce VMT, which are contained in the AQMP. The SCAQMD combines its portion of the AQMP with those prepared by SCAG (SCAQMD 2022). Connect SoCal and Transportation Control Measures, included as Appendix IV-C of the 2022 AQMP, are based on SCAG's Connect SoCal.

The 2022 AQMP forecasts the 2037 emissions inventories ''with growth'' based on SCAG's Connect SoCal. The region is projected to see a 12 percent growth in population, 17 percent growth in housing units, 11 percent growth in employment, and 5 percent growth in VMT between 2018 and 2037. Despite regional growth in the past, air quality has improved substantially over the years, primarily due to the effects of air quality control programs at the local, State, and federal levels (SCAQMD 2022).

Project-level significance thresholds established by local air quality management districts set the level at which a project would cause or have a cumulatively considerable contribution to an exceedance of the NAAQS and/or CAAQS. Therefore, if a project's air pollutant emissions exceed the NAAQS and/or CAAQS, the project could cause or contribute to human health impacts.

South Coast Air Quality Management District Rules and Regulations

The SCAQMD implements rules and regulations for emissions that may be generated by various uses and activities. The rules and regulations detail pollution-reduction measures that must be implemented during construction and operation of projects. Rules and regulations relevant to the project include the following:

- **Rule 401 (Visible Emissions):** This rule prohibits the discharge of visible air pollutant emissions from various sources as determined by shade and opacity criteria based on the Ringelmann Chart.
- **Rule 402 (Nuisance):** This rule prohibits the discharge of quantities of air contaminants or other material that causes 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.
- **Rule 403 (Fugitive Dust Control):** This rule includes various requirements to prevent, reduce, and mitigate the amount of particulate matter entrained in the ambient air from man-made fugitive dust sources.
- **Rule 1113 (Architectural Coatings):** This rule establishes VOC content limits for a variety of architectural coatings, including 50 grams per liter for flat and non-flat coatings.

City of Durate General Plan Open Space and Conservation Element

The City of Duarte General Plan Open Space and Conservation Element was adopted in August 2007. The following goal, strategy, and policy are applicable to air quality issues related to the proposed project (City of Duarte 2007):

Air Quality Goal 3: Achieve ambient levels of particulate matter that meets state and federal clean air standards.

Objective 3.1: Reduce the amount of fugitive dust that is re-entrained into the atmosphere from unpaved areas, parking lots, construction sites and nearby quarries.

AQ 3.1.1: Where fugitive dust is causing a chronic public nuisance or the air quality is in exceedance of PM_{10} standards, consider adopting a dust control policy that requires preparation and approval of a dust control plan.

AQ 3.1.2: Cooperate with local, regional, state and federal jurisdictions to better control fugitive dust from stationary, mobile and area sources.

AQ 3.1.3: Ensure that vehicles do not transport aggregate or similar material upon a highway unless the material is stabilized or covered, in accordance with state law and AQMD regulations

4.1.3 Impact Analysis

Methodology

Air pollutant emissions generated by construction and operation of the proposed project were estimated using CalEEMod version 2022.1. 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 potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. CalEEMod allows for the use of standardized data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User's Guide Appendices C, D, and G (California Air Pollution Control Officers Associated 2022). The analysis reflects the details of construction and operation of the proposed project as described in Section 2, *Project Description*.

Construction

Project construction would primarily generate temporary criteria pollutant emissions from construction equipment operation on-site, construction worker vehicle trips to and from the site, and import of materials off-site. Construction of the proposed project was analyzed based on the land use types, building square footage, and construction timeline provided by the applicant. Construction of the proposed project would begin in April 2026 and end in September 2028. Based on the applicant-provided land uses, CalEEMod provides assumptions for construction phase schedule, equipment lists, and vehicle trips. It is assumed one day of the architectural coating phase would overlap the building construction phase, which produces a conservative emission estimate. The project would include the demolition of approximately 47,399 square feet of existing structures, which is a conservative estimate that includes full demolition of the MIT school. Excavated soil during the grading phase would be backfilled onsite. It is assumed construction equipment used would be diesel-powered and the project would comply with applicable regulatory standards such as SCAQMD Rule 403 for dust control measures and Rule 1113 for architectural coating VOC limits.

Operation

Operational emissions modeled include mobile, energy, and area source emissions. Mobile source emissions are generated by vehicle trips to and from the project site. The project would generate approximately 646 net daily vehicle trips, based Ganddini Group's Transportation Screening Assessment (Ganddini Group 2024; Appendix I of this EIR). The mobile trip generation rates were adjusted to reflect the Transportation Screening Assessment results. Emissions attributed to energy use include natural gas consumption by appliances as well as for space and water heating. Area source emissions are generated by landscape maintenance equipment, consumer products and architectural coatings. The project would not include wood fireplaces under SCAQMD Rule 445 Wood-Burning Device.

Health Risk Assessment

Although not required by CEQA, a Freeway HRA was included in this EIR to ensure a comprehensive evaluation of potential health impacts from freeway emissions on nearby residents. This approach aligns with CEQA's intent to identify and mitigate potential health risks, ensuring transparent communication of health impacts to the community. The construction and operational HRA was performed in accordance with the revised OEHHA Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2015) and SCAQMD's Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (SCAQMD 2020). The OEHHA Guidance considers the sensitivity of children to TAC emissions, different breathing rates, and time spent at home. Children have a higher breathing rate compared to adults and would likely spend more time at home in nearby residences resulting in longer exposure durations.

The process of assessing health risks and impacts includes a degree of uncertainty. The level of uncertainty depends on the availability of data and the extent to which assumptions are relied upon in cases where the data are incomplete or unknown. All HRAs rely upon scientific studies to reduce the level of uncertainty; however, it is not possible to eliminate uncertainty from the analysis. Where assumptions are used to substitute for incomplete or unknown data, it is standard practice in performing HRAs to err on the side of health protection to avoid underestimating or underreporting the risk to the public. In general, sources of uncertainty that may lead to an overestimation or an underestimation of the risk include extrapolation of the toxicity data associated with animal

exposure used to estimate exposure effects in humans and uncertainty in the exposure estimates. In addition to uncertainty, there exists "a natural range or variability in measured parameters defining the exposure scenario" and the fact that "the greatest quantitative impact is variation among the human population in such properties as height, weight, food consumption, breathing rates, and susceptibility to chemical toxicants" (OEHHA 2015).

The greatest potential for TAC emissions during construction would be DPM emissions associated with heavy-duty equipment during project construction and from diesel-fueled trucks traveling on Interstate 210 and 605 (I-210 and I-605) during operations. In addition, incidental amounts of toxic substances such as oils, solvents, and paints would be used. These products would comply with all applicable SCAQMD rules for their manufacture and use. The project would be subject to several SCAQMD rules designed to limit exposure to TACs during construction activities.

Cancer Risk Background

Health risk impacts are assessed using a health risk calculation methodology that is consistent with the 2015 OEHHA Guidance. This HRA addresses construction DPM emissions and the effects on nearby sensitive uses.

Health impacts are evaluated using a dose-response assessment, which describes the relationship between the level of exposure to a substance (i.e., the dose) and the incidence or occurrence of injury (i.e., the response). To determine the total dose to off-site sensitive receptors, the applicable pathways of exposure (e.g., inhalation) should be identified for the emitted substances, and the receptor locations are identified. The applicable exposure pathways determine the exposure algorithms that are used to estimate dose. After the exposure pathways are identified, the applicable fate and transport algorithms are used to estimate concentrations in the applicable exposure media (e.g., air) and the exposure algorithms are used to determine the substance-specific dose. In accordance with the OEHHA Guidance, the inhalation pathway was evaluated for construction and operational related projects. For the inhalation pathway, the dose is directly proportional to the breathing rate. SCAQMD recommends using high end breathing rates (95th percentile) for children from the 3rd trimester through age two, and 80th percentile breathing rates for all other ages for residential exposures (SCAQMD 2020).

Once dose is calculated, cancer risk is calculated by accounting for cancer potency of the specific pollutant, age sensitivity, exposure duration, averaging time for lifetime cancer risk, and fraction of time spent at home (sensitive receptor). The cancer potency factor (CPF) is specific for each pollutant and is determined through peer-reviewed scientific studies. For example, the Scientific Review Panel recommends a CPF for DPM of 3.0×10-4 (µg/m^3) and a slope factor of 1.1 (ppm-day).[8] The age sensitive factor (ASFs) account for greater susceptibility in early life as compared to adult exposure, starting from the third trimester of pregnancy to 16 years. The fraction of time at home (FAH) takes into account the time actually residing at the sensitive receptor location. FAH also takes into account time spent at home for various age groups. For example, newborns are expected to reside at home for longer periods of time compared to school-age children, and the elderly (retirees) are expected to spend more time at home compared to people of working age. FAH consistent with OEHHA guidelines were used for the analysis. As there is a school within the 1,000-foot buffer, FAH was assumed to be 1 for all receptors under 17 years of age.

[8] CPF and slope factors are built into the HARP2 model used for quantifying risk.

Each age group has different exposure parameters which require cancer risk to be calculated separately for each age group. The estimation of cancer risk uses the following algorithms:

Risk = Dose inhalation × Inhalation CPF × ASF (Equation 1)

Where:

Dose inhalation = CAIR × DBR × A × EF × ED × FAH/AT (Equation 2)

Inhalation CPF = inhalation cancer potency factor

ASF = age-sensitivity factor

Where:

CAIR = concentration of compound in air in micrograms per cubic meter (µg/m3)

DBR = breathing rate in liter per kilogram of body weight per day (L/kg-body weighty/day)

A = inhalation absorption factor (1 for DPM)

EF = exposure frequency in days per year (day/year)

ED = exposure duration in years (year)

FAH = fraction of time at home

AT = averaging time period over which exposure is averaged in days (day)

The incremental increase in cancer risk is the result of multiplying the dose by the pollutant-specific CPF values. Cancer risk is calculated by multiplying the inhalation dose by the inhalation CPF to yield the potential inhalation excess cancer risk. Cancer risk was evaluated for residences in the surrounding area. Risk for all receptors as well as modeling output is included as part of Appendix F of this EIR.

Non Cancer Risk Background

Non-cancer chronic impacts were assessed based on the hazard index (HI). The evaluation of chronic impacts is based on the maximum annual emissions over a 12-month period of construction activity. The chronic HI is calculated by dividing the maximum modeled annual average concentration at the maximum impacted sensitive receptor by the recommended exposure limit (REL). The REL is the concentration at or below which no adverse health effects are anticipated. For example, OEHHA has recommended an ambient concentration of 5 µg/m^3 as the chronic inhalation REL for DPM exhaust. Therefore, a sensitive receptor exposed to an annual average DPM concentration of 5 µg/m^3 or less would not result in a chronic impact. Non-cancer chronic impacts affect specific target organ systems (also called toxicological endpoints), such as the eye, nervous system, reproductive system, and respiratory system. The chronic health impact with the maximum HI for the same target organ system is used for impact determination.

Construction Health Risk Assessment

Construction emissions rates were based on anticipated annual emissions modeled using the CalEEMod version 2022.1, refer to Appendix E for the data output sheets. CalEEMod differentiates between particulate matter emitted from engine exhaust (i.e., DPM) and particulate matter emitted from ground disturbing activities (i.e., fugitive dust, which does not constitute DPM) (California Air

Pollution Control Officers Association 2022). DPM concentration was estimated based on the PM_{10} exhaust emissions (not including fugitive PM_{10}) provided by CalEEMod, which are DPM emissions resulting from combustion of diesel-fueled vehicles and off-road equipment during construction. PM_{10} exhaust is composed of DPM and other air toxics; therefore, PM_{10} exhaust is a conservative estimate for DPM emissions estimates. Please refer to Appendix F1 for more information related to construction health risk calculations.

DISPERSION MODELING

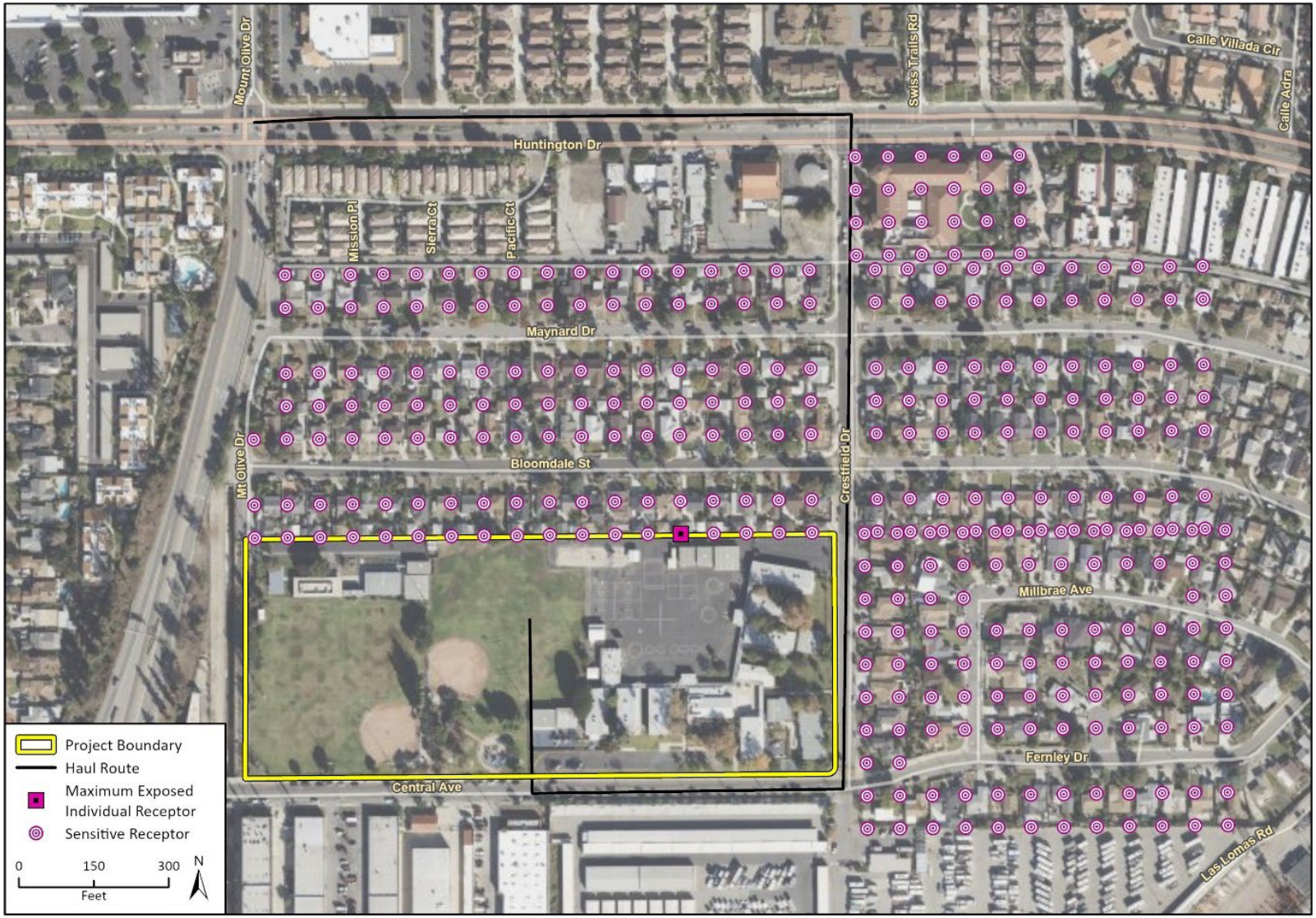
Dispersion modeling was performed using the USEPA-approved American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) with meteorological data from the representative SCAQMD monitoring station located near the project site. SCAQMD specifically recommends that projects use the nearest representative SCAQMD meteorological station for modeling, which is usually the nearest station. Azusa is the nearest representative meteorological station and is approximately 1.6 miles east of the project site. The project is consistent with SCAQMD's recommendation to use National Elevation Dataset GeoTiff digital terrain files for terrain data at resolution of one arc-second (10 meters). Vehicle exhaust emissions sources for the project were located on the project site corresponding to the areas of construction. The construction activity was modeled as an area source in AERMOD with an assumed release height of five meters, corresponding to the approximate height of off-road equipment mufflers from which exhaust emissions would be released (SCAQMD 2008). Line volume sources were used to represent the construction haul route. The presence of buildings and other structures disturbs downwind air flow. However, building downwash is only calculated for point sources and not appropriate to include in AERMOD for this HRA because there are no point sources in the analysis. AERMOD provides the concentration estimated by the air quality model based on an emission rate of one gram per second (OEHHA 2015). Construction emissions would not be generated during nighttime hours; therefore, the dispersion modeling allocates the emissions during active construction hours, approximately 10 hours per day between Monday to Friday. Consistent with SCAQMD's *Modeling Guidance for AERMOD*, the urban dispersion option was applied using an estimated population of 9,663,345 for Los Angeles County (SCAQMD 2024b).

To represent existing sensitive receptors around the project site, as shown in Figure 4.1-1, 327 receptors were used in AERMOD with 20-meter spacing. Sensitive receptors identified for modeling were placed at the location of nearby sensitive land uses, which includes residences within 1,000 feet from the project site and along the haul truck route on Huntington Drive. Schools were modeled as residential receptors as it is assumed that some students at these schools would live within 1,000 feet of the project site, therefore increasing risk exposure for those students. By modeling the school as a residential receptor, the potential maximum risk for students is conservatively shown. Sites that were not specifically modeled would result in risk that would be less than the risk modeled for those receptors included in the analysis due to a lesser exposure duration than sensitive receptors immediately near the project site.

HEALTH RISK

Health risk was calculated using in-house spreadsheets and is consistent with the OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2015) and SCAQMD's *Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act* (SCAQMD 2020). The nearest off-site sensitive receptors are residences that share a property boundary line on the north side of the project site.

Figure 4.1-1 Construction Source and Receptors



Operational Health Risk Assessment

FREEWAY HEALTH RISK CALCULATIONS

Although not required by CEQA, a Freeway HRA was included in this EIR to ensure a comprehensive evaluation of potential health impacts from freeway emissions on nearby residents. This approach aligns with CEQA's intent to identify and mitigate potential health risks, ensuring transparent communication of health impacts to the community. The primary concern of freeways is the effect of DPM on sensitive uses. The project site is about 800 feet east of I-605 and 900 feet north of I-210. The project involves building residential units near I-605 and I-210. This analysis includes site-specific air dispersions modeling using AERMOD and mobile source TACs related to vehicle traffic on I-605 and I-210. The traffic volume for I-605 and I-210 are based on the California Department of Transportation (Caltrans) Performance Measurement System (PeMS) for the year 2023. The PeMS data provides hourly flow rates either aggregated (as used for the freeway segments) or by individual lane. This analysis evaluates the volume of truck trips near the project site, and it is assumed all trucks are diesel-fueled. Truck flow per hour was retrieved for nine traffic segments near the project site. These traffic segments near the project site include Mount Olive Drive, San Gabriel River, and intersection of I-605 and I-210. It is assumed that the northbound truck flow, south of the SR-605/210 intersection, would travel north of the I-605/210 intersection near the project site. This assumption represents a conservative emissions estimate. The flow rates are presented as total traffic and total truck traffic values by hour for each day of 2023. The data was then aggregated to obtain average hourly flow rates for 2023 (Caltrans 2024a).

DPM is the primary TAC of concern from mobile sources. Even though there are TACs associated with gasoline combustion from passenger vehicle traffic, health risk impacts are generally largely dominated from DPM emissions. Therefore, DPM was quantified using PM_{10} exhaust emission rates as the driver for potential cancer risk impacts.

Emission rates were obtained using CARB's on-road emission rates from the Emission Factor (EMFAC) 2021. Emission rates for heavy-heavy duty (HHD) trucks travelling 55 miles per hour (mph) on I-605 and I-210 near the project vicinity were obtained (CARB 2024f). The analysis evaluates I-605 and I-210 health risk for the sensitive residential receptors onsite. HHD truck emissions rates were obtained for the project's operational year. Trucks are required to travel at a maximum of 55 mph on California Highways, based on the California Vehicle Code (Caltrans 2024b).

With all of the above information, PM_{10} emission rates (in grams per second [g/s]) were calculated for each hour for the freeway segments identified. The maximum emission rates for each were identified for use in the in-house calculation spreadsheet. Hourly emission rates were then divided by the maximum hourly emission rate to develop hourly "scalars" for use as variable emission rates in air dispersion modeling. This expresses lower emission rates at hours when vehicles are traveling in much smaller amounts, like the middle of the night, when winds and air dispersion are also typically lower. Please refer to Appendix F2 for more information related to emissions calculations.

DISPERSION MODELING

AERMOD was utilized to calculate the concentrations of mobile source emissions at the project site. The segments of I-605 and I-210 within half a mile of the project site were modeled as line-volume sources in AERMOD. The line-volume source is a line segment with adjacently configured volume sources to represent vehicle travel along the mainlines. The widths of the mainline segments were measured in Google Earth and an additional six meters were added to account for the roadway

buffers. The vehicle height, plume height, and release height are 13.1 meters, 17.0 meters, and 3.4 meters, respectively, according to the SBCAPCD's Modeling Guidelines for HRAs.

AERMOD provides X/Q (CHI/Q = chi/q = χ/q) values that are the unitized concentrations estimated by the air quality model based on an emission rate of one gram per second, which was used for cancer risk calculations. Variable emissions for the mainline segments for "By Hour-Of-Day" were implemented using the scalars calculated as discussed above.

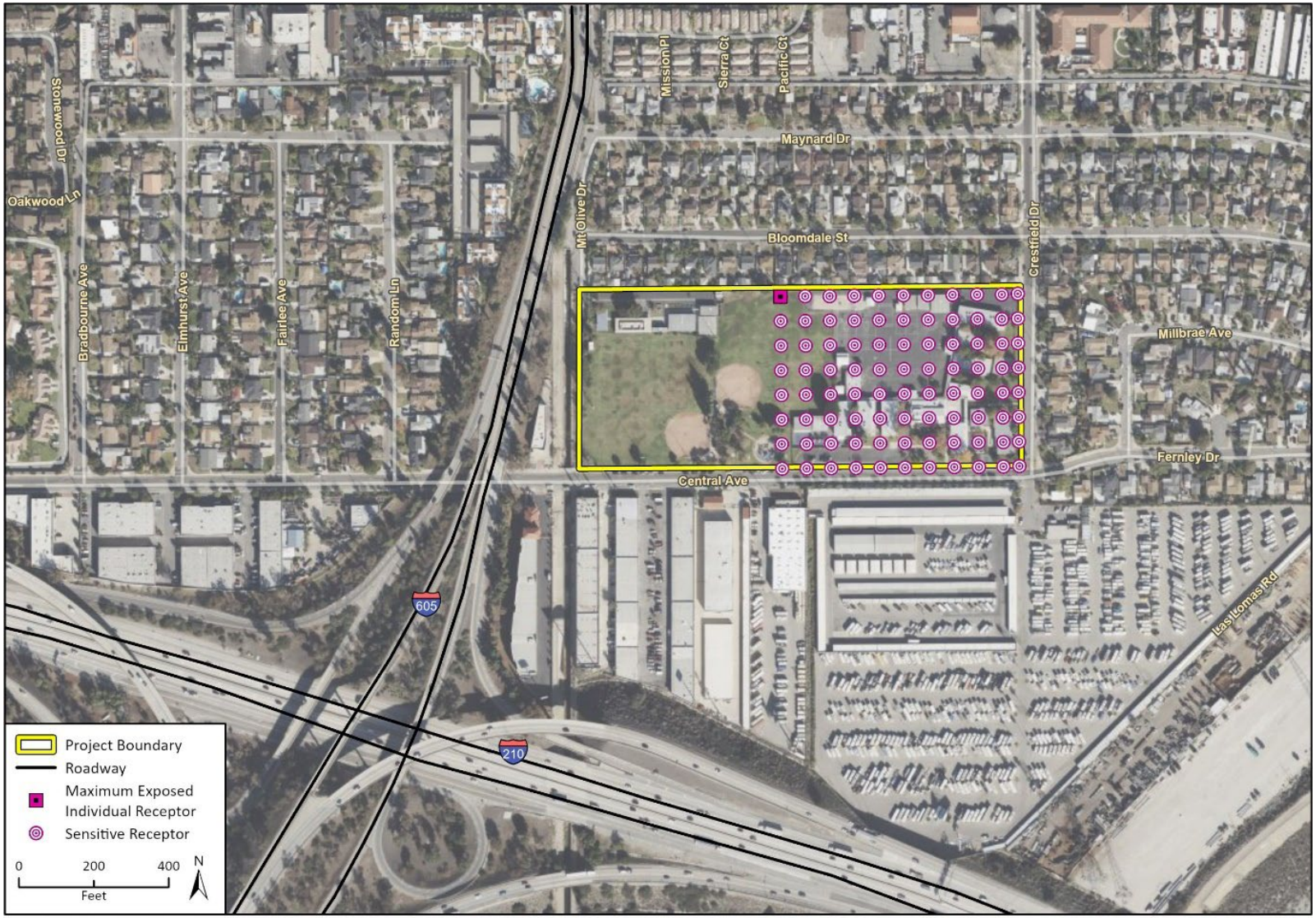
As shown in Figure 4.1-2, 88 representative onsite sensitive receptor locations were modeled for the project site. Health risks at the sensitive receptors were analyzed at the ground-floor of each residential building. A flagpole height (i.e., the height that a receptor is above the ground) is not included in the analysis based on SCAQMD guidance. Meteorological and terrain inputs are the same as the construction AERMOD model and described above.

Health Risk

The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has to the substance. Dose is positively correlated with time, and a more extended exposure period would result in a higher exposure level for the maximally exposed individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a more extended period. According to the OEHHA, HRAs, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 30-year exposure period. Health risk was calculated using in-house spreadsheets and is consistent with the *OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2015) and the SCAQMD's *Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act* (SCAQMD 2020).

Outputs from the air dispersion modeling for mainline segments were used with the emission rates developed from the PeMS data to determine ground level concentrations of DPM. Exposure durations for each age bin were determined. The exposure durations, in conjunction with the calculated ground level concentrations, inhalation dose risk factors and cancer potency factors DPM were used to calculate 30-year lifetime health risk as the modeled receptors.

Figure 4.1-2 Operational Source and Receptors



Significance Thresholds

To determine whether a project would result in a significant impact to air quality, Appendix G of the *CEQA Guidelines* requires consideration of whether a project would do any of the following:

a. Conflict with or obstruct implementation of the applicable air quality plan
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard
c. Expose sensitive receptors to substantial pollutant concentrations
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

SCAQMD Significance Thresholds

The SCAQMD recommends quantitative regional significance thresholds for temporary construction activities and long-term project operation in the SCAB. These thresholds, shown in Table 4.1-4, are used to evaluate a project's potential air quality impacts.

Table 4.1-4 SCAQMD Air Quality Significance Thresholds

Pollutant	Construction (pounds per day)	Operation (pounds per day)
NO_x	100	55
VOC	75	55
PM_{10}	150	150
$PM_{2.5}$	55	55
SO_x	150	150
CO	550	550

NO_x = Nitrogen Oxides; VOC = Volatile Organic Compounds; PM_{10} = Particulate Matter with a diameter no more than 10 microns; $PM_{2.5}$ = Particulate Matter with a diameter no more than 2.5 microns; SO_x = Sulfur Oxide; CO = Carbon Monoxide

Source: SCAQMD 2023

Localized Significance Thresholds

In addition to the above regional thresholds, the SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4), which was prepared to update the *CEQA Air Quality Handbook* (1993). LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities and have been developed for NO_X, CO, PM_{10}, and $PM_{2.5}$. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or State ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), distance to the sensitive receptor, and project size. LSTs have been developed for emissions within site areas that measure one, two, or five acres. If a site is greater than five acres, SCAQMD recommends a dispersion analysis be performed. Dispersion analyses were performed for the proposed project as part of the HRA. LSTs only apply to emissions in a fixed stationary location (such as fugitive dust, equipment exhaust, and operational energy and area sources) and are not applicable to mobile sources, such as cars on a roadway (SCAQMD 2008, 2009).

The project site is within SRA 9 (East San Gabriel Valley). SCAQMD provides LST lookup tables for project sites that measure one, two, or five acres. The project site is approximately 14.16 acres[9]; therefore, the LST analysis uses five-acre LSTs. LSTs are provided for receptors at a distance of 82 feet (25 meters) 164 feet (50 meters), 328 feet (100 meters), 656 (200 meters), 1,640 feet (500 meters) from the project disturbance boundary to the sensitive receptors. The border of construction activity would occur adjacent to single-family residences. Therefore, the analysis below uses the LST values for 82 feet (25 meters) to conservatively evaluate emissions. LSTs for construction and operations in SRA 9 on a five-acre site with a receptor 82 feet away are shown in Table 4.1-5.

Table 4.1-5 SCAQMD LSTs for Construction and Operation

	Allowable Emissions for a Five-Acre Site in SRA-9 for a Receptor 82 Feet Away (pounds per day)	
Pollutant	**Construction**	**Operation**
Gradual conversion of NO_X to NO_2	203	203
CO	1,733	1,733
PM_{10}	14	4
$PM_{2.5}$	8	2

NO_x = Nitrogen Oxides; NO_2 = Nitrogen Dioxide; CO = Carbon Monoxide; PM_{10} = Particulate Matter with a diameter no more than 10 microns; $PM_{2.5}$ = Particulate Matter with a diameter no more than 2.5 microns

Source: SCAQMD 2009

Toxic Air Containments Thresholds

SCAQMD has developed significance thresholds for the emissions of TACs based on health risks associated with elevated exposure to such compounds. For carcinogenic compounds, cancer risk is assessed in terms of incremental excess cancer risk. A project would result in a potentially significant impact if it would generate an incremental excess cancer risk of 10 in one million (1×10^6) or a cancer burden of 0.5 excess cancer cases in areas exceeding one in one million risks. Additionally, non-carcinogenic health risks are assessed in terms of a hazard index. A project would result in a potentially significant impact if it would result in a chronic and acute hazard index greater than 1.0 (SCAQMD 2023).

d. Project Impacts and Mitigation Measures

Threshold a: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact AQ-1 THE PROPOSED PROJECT WOULD GENERATE POPULATION GROWTH. HOWEVER, SUCH GROWTH WOULD NOT EXCEED THE GROWTH FORECASTS ON WHICH THE 2022 AQMP IS BASED OR DELAY THE TIMELY ATTAINMENT OF AIR QUALITY STANDARDS. THEREFORE, IMPACTS RELATED TO AQMP CONSISTENCY WOULD BE LESS THAN SIGNIFICANT.

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP. The 2022 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates local city general plans and the

[9] Project modeling is based on a total disturbed acreage of 15.04 acres, based on preliminary data. The latest project information indicates that the project site is anticipated to be 14.15 acres. As such, the modeling is conservative and likely overestimates emissions.

SCAG's Connect SoCal socioeconomic forecast projections of regional population, housing, and employment growth (SCAQMD 2022, SCAG 2020). [10]

According to the California Department of Finance (DOF), the City of Duarte has an estimated population of 23,656, a household count of 8,658, and an average person per household size of 2.78 (DOF 2024). The project involves demolition of school buildings, construction of 169 residential units, and renovation of the existing public park. Based on the DOF's average household size, the project would increase the local population by up to 470 persons (169 units x 2.78 persons per unit). The population growth forecasts in Connect SoCal estimate that the City of Duarte's population would increase to 25,100 people by 2045, which is an increase of 3,100 residents from the city's estimated 2016 baseline (SCAG 2020). Therefore, the potential population growth generated by the project would be within the SCAG growth forecast for the City of Duarte.

The AQMP also provides strategies and measures to reach attainment with the thresholds for 8-hour and 1-hour ozone and $PM_{2.5}$. As shown in Table 4.1-6 and Table 4.1-7 in analysis for Impact AQ-2, the project would not generate criteria pollutant emissions that would exceed SCAQMD thresholds for ozone precursors (VOC and NO_X) and $PM_{2.5}$. Since the project would also be consistent with population growth projections for the City, the project would not conflict with or obstruct implementation of the applicable air quality plan and impacts would be less than significant.

Threshold 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?

Impact AQ-2 CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD NOT EXCEED SCAQMD'S REGIONAL THRESHOLDS OF SIGNIFICANCE; THEREFORE, THE PROPOSED PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE REGION IS IN NONATTAINMENT UNDER APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARDS, AND IMPACTS RELATED TO CONSTRUCTION AND OPERATION WOULD BE LESS THAN SIGNIFICANT.

Construction Emissions

Construction of the proposed project would generate temporary air pollutant emissions associated with fugitive dust (PM_{10} and $PM_{2.5}$) and exhaust emissions from heavy construction equipment and construction vehicles, in addition to VOC emissions that would be released during the drying of architectural coating and paving phases. Table 4.1-6 summarizes the estimated maximum daily emissions of pollutants during construction of the proposed project. As shown therein, construction-related emissions would not exceed SCAQMD thresholds, and the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard and impacts would be less than significant.

[10] On April 4, 2024, SCAG's Regional Council formally adopted the 2024-2050 RTP/SCS (titled Connect SoCal 2024). However, the SIPs were adopted prior to this date and relies on the demographic and growth forecasts of the 2020-2045 RTP/SCS; therefore, these forecasts are utilized in the analysis of the project's consistency with the AQMP.

Table 4.1-6 Proposed Project Construction Emissions

	Maximum Daily Emissions (lbs./day)					
Year	**VOC**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
2026	3	29	29	<1	6	3
2027	19	12	20	<1	3	1
2028	19	11	20	<1	3	1
SCAQMD Regional Thresholds	75	100	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM_{10} = particulate matter with a diameter no more than 10 microns; $PM_{2.5}$ = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum on-site emissions are the highest emissions that would occur on the project site from on-site sources, such as heavy construction equipment and architectural coatings, and excludes off-site emissions from sources such as construction worker vehicle trips and haul truck trips.

Source: Table 2.2 "Construction Emissions by Year, Unmitigated" emissions. Highest of Summer and Winter emissions results are shown for all emissions. See CalEEMod worksheets in Appendix E

Operational Emissions

Operation of the proposed project would generate criteria air pollutant emissions associated with mobile sources (i.e., vehicle trips to and from the project site), area sources (e.g., architectural coatings, consumer products, and landscaping equipment), and energy sources (i.e., use of natural gas for cooking and water heating).

Table 4.1-7 Proposed Project Operational Emissions

	Maximum Daily Emissions (lbs./day)					
Emission Source	**VOC**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Mobile	3	2	23	<1	6	1
Area	7	3	11	<1	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Project Emissions	**10**	**5**	**34**	**<1**	**6**	**2**
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM_{10} = particulate matter with a diameter no more than 10 microns; $PM_{2.5}$ = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations.

Source: Table 2.6 "Operations Emissions by Sector, Mitigated" emissions. The mitigated emissions account for design features such as solar energy for electricity consumption. Highest of Summer and Winter emissions results are shown for all emissions. See CalEEMod worksheets in Appendix E.

Table 4.1-7 summarizes the project's maximum daily operational emissions by emission source. As shown therein, operational emissions would not exceed SCAQMD regional thresholds for criteria pollutants, and the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard and impacts would be less than significant.

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

Impact AQ-3 THE PROJECT WOULD NOT INCREASE CARBON MONOXIDE CONCENTRATIONS SUCH THAT IT WOULD CREATE CARBON MONOXIDE HOTSPOTS, AND THE PROJECT IS NOT CONSIDERED A LAND USE THAT WOULD GENERATE SUBSTANTIAL TOXIC AIR CONTAMINANTS EMISSIONS. PROJECT CONSTRUCTION EMISSIONS WOULD EXCEED SCAQMD EXCESS CANCER RISK THRESHOLD; HOWEVER, WITH THE INCORPORATION OF MITIGATION MEASURE AQ-1, THE PROJECT'S CONSTRUCTION IMPACT WOULD BE LESS THAN SIGNIFICANT TO SENSITIVE RECEPTORS.

As discussed under Section 4.1.1, *Setting*, the closest sensitive receptors are single-family residences that share a property boundary line on the north of the project site. Localized air quality impacts to sensitive receptors typically result from criteria pollutants and TACs, which are discussed in the following subsections.

Localized Significance Thresholds

SCAQMD's *Final LST Methodology* was developed to be used as a tool to analyze localized air quality impacts associated with project-level development. If the calculated emissions for construction or operation of the proposed project are below the LST emission levels found on the LST mass rate look-up tables (Appendix C of *Final LST Methodology;* SCAQMD 2009) and no potentially significant impacts to air quality are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality. The project analysis assumes the main construction activities would occur on the north side of the project boundary, which is shared with the nearest residential receptors. The allowable emissions for the proposed project utilizes the 82 feet receptor distance[11], and the project site is in SRA 9 (East Gabriel Valley). Table 4.1-8 summarizes the proposed project's maximum localized daily construction emissions. As shown therein, localized construction emissions would not exceed SCAQMD LST thresholds. Therefore, localized criteria pollutant emissions impacts from project construction would be less than significant.

[11] The project site is approximately 14.16 acres; therefore, the LST analysis uses five-acre LSTs. LSTs are provided for receptors at 82 feet (25 meters) 164 feet (50 meters), 328 feet (100 meters), 656 (200 meters), 1,640 feet (500 meters) from the project disturbance boundary to the sensitive receptors. The border of construction activity would occur adjacent to single-family residences; therefore, the analysis uses the LST values for 82 feet (25 meters) to conservatively evaluate emissions. LSTs for construction and operations in SRA 9 on a five-acre site with a receptor 82 feet away are shown in Table 4.1 5. See the *Localized Significance* discussion within the *SCAQMD Significance Thresholds* subsection of Section 4.1.3, *Impact Analysis*. SCAQMD provides LST lookup tables for project sites that measure one, two, or five acres.

Table 4.1-8 Proposed Project LST Construction and Operational Emissions

	Pollutant (lbs./day)			
Year	**NO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Maximum Construction Onsite Emissions	29	28	1	1
SCAQMD LST	203	1,733	14	8
Threshold Exceeded?	**No**	**No**	**No**	**No**
Maximum Operational Onsite Emissions	3	11	<1	<1
SCAQMD LST	203	1,733	4	2
Threshold Exceeded?	**No**	**No**	**No**	**No**

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM_{10} = particulate matter with a diameter no more than 10 microns; $PM_{2.5}$ = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum onsite emissions are the highest emissions that would occur on the project site from onsite sources, such as heavy construction equipment and architectural coatings, and excludes off-site emissions from sources such as construction worker vehicle trips and haul truck trips.

Source: CalEEMod worksheets are provided in Appendix E, see Table 3.2 – 3.6 "Overall Construction-mitigated" emissions. Highest of Summer and Winter emissions results are shown for all emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

Toxic Air Contaminants

Summary of Construction HRA

A HRA was prepared for the construction activities associated with proposed project. Construction-related activities would result in temporary project-generated DPM exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building construction, and other construction activities. DPM was identified as a TAC by CARB in 1998. Results of the analysis were compared to SCAQMD thresholds for a cancer risk threshold of 10 in one million persons, and a chronic HI significance threshold of 1.0. Since DPM is not associated with acute health risks (OEHHA 2023); therefore, acute risk was not evaluated in this construction HRA.

The maximum unmitigated risk from construction of the proposed project was identified for all sensitive (residential and school) receptors near the project site boundary as detailed in Appendix F1 of the EIR. The maximum off-site residential cancer risk would be 42.4 in one million at the residential receptors on the north side of the project boundary. The maximum off-site school cancer risk would be 8.5 in one million at the Sunshine Montessori Preschool & Daycare located approximately 240 feet northeast of the project site. The maximum off-site residential chronic risk would have a HI of 0.17 at the residential receptors adjacent to the project site. The maximum off-site school chronic risk would have a HI of 0.03 at the Sunshine Montessori Preschool and Daycare. The chronic risk numbers would not exceed the regulatory threshold of HI of 1 for chronic risk. However, the cancer risk at maximally exposed off-site residential receptor would exceed SCAQMD's 10 in one million cancer risk thresholds. Therefore, construction TAC impacts are potentially significant.

HRA – Operational Impacts

The maximum unmitigated risk from operation of the proposed project was identified for all sensitive (residential receptors on the project site, as detailed in Appendix F of the EIR. The maximum on-site residential cancer risk would be 12.1 in one million at the residential receptors east of I-605 North, in the northwest portion of the project's residential area. The 2022 California Energy Code Subchapter 7, Section 150(m) requires all new sensitive use structures constructed to

install Minimum Efficiency Reporting Values (MERV) 13 air filters in the building ventilation systems that would remove approximately 85 percent of particle sizes 1.0-3.0 microns (i.e., $PM_{2.5}$) (USEPA 2024i). Therefore, this analysis conservatively assumes that the installation of MERV-13 filters would remove at least 50 percent of the cancer risk, resulting in a maximum on-site residential cancer risk of 6.1 in one million. The maximum on-site residential chronic risk would have a HI of 0.004 at the resident east of I-605 North, in the northwest portion of the project's residential area. None of these operational cancer or chronic risk numbers would exceed the regulatory threshold of 10 in one million for cancer risk or a HI of 1 for chronic risk. Given that neither the cancer risk nor the chronic risk would exceed regulatory thresholds, risk from operation of the proposed project would be less than significant.

CO Hotspots

A CO hotspot is a localized concentration of CO that is above a CO ambient air quality standard. The SCAB has been in attainment of federal CO standards since 2007, and most air quality monitoring stations no longer report CO levels (SCAQMD 2017). The nearest monitoring station from the project site that monitors CO within SRA 9 (East San Gabriel Valley 2) measured a maximum 1-hour and 8-hour CO concentrations of 0.8 ppm and 0.6 ppm, respectively, in 2023 (SCAQMD 2024b). These concentrations are well below the respective 1-hour and 8-hour standards of 20 ppm and 9 ppm. In addition, typical development projects, such as the project, do not emit the levels of CO necessary to result in a localized hot spot.

As an example, a detailed carbon monoxide analysis was conducted during the preparation of the SCAQMD's 2003 AQMP. The locations selected for microscale modeling in the 2003 AQMP included high average daily traffic (ADT) intersections in the SCAB that are expected to experience the highest CO concentrations. The highest CO concentration observed was at the intersection of Wilshire Boulevard and Veteran Avenue on the west side of Los Angeles near Interstate 405, approximately 78 miles west of the project site. The concentration of CO at this intersection was 4.6 ppm, which is well below the State and federal standards. The Wilshire Boulevard/Veteran Avenue intersection had an ADT of approximately 100,000 vehicles per day at the time of the study (SCAQMD 2003). In the City of Duarte General Plan Circulation Element Table CIRC-5, *Projected 2020 Traffic Conditions,* the highest daily traffic volume along Central Avenue, along the project site, is 14,000 ADT (City of Duarte 2007). The proposed project would generate a daily vehicle trip of 1,928 but would not increase traffic volumes on Central Avenue to more than 100,000 ADT. This is significantly below the 100,000 ADT at the intersection studied by SCAQMD in the 2003 AQMP, which found that CO emissions at that intersection were below the federal standards. Therefore, the project would not expose sensitive receptors to substantial CO pollutant concentrations and impacts would be less than significant.

Mitigation Measures

The following mitigation measure would address construction TAC emissions associated with the proposed project.

AQ-1 Construction Emissions Reductions

Prior to construction activity and issuance of grading permits, the City Building Official shall confirm that the grading plan, building plans, and specifications stipulate the following measures shall be implemented:

- All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4 Interim standards at a minimum for all equipment over 25 horsepower and/or install Level 3 DPF filters. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Interim standards.

Significance After Mitigation

Construction TAC Emissions

DPM construction emissions after implementation of Mitigation Measure AQ-1 were estimated. The maximum off-site residential cancer risk would be 2.6 in one million at the residential receptors on the north side of the project boundary. The maximum off-site school cancer risk would be 0.5 in one million at the Sunshine Montessori Preschool & Daycare[12]. The maximum off-site residential chronic risk would have a HI of 0.01 at the residential receptors adjacent to the project site. The maximum off-site school chronic risk would have a HI of 0.003 at the Sunshine Montessori Preschool and Daycare. The chronic risk numbers would not exceed the regulatory threshold of HI of 1 for chronic risk. Therefore, toxic air contaminant concentrations at sensitive receptors would not be substantial, and the project would not expose sensitive receptors to substantial construction TAC pollutant concentrations and impacts would be less than significant with mitigation incorporated.

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

Impact AQ-4 THE PROJECT WOULD NOT GENERATE ODORS ADVERSELY AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE DURING CONSTRUCTION OR OPERATION. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust and during idling. However, these odors would be intermittent and temporary and would cease upon completion, and odors disperse with distance. In addition, project construction would be required to comply with SCAQMD Rule 402, which specifies that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. Overall, project construction would not result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people and impacts would be less than significant.

With respect to operation, the SCAQMD's *CEQA Air Quality Handbook* (1993) identifies land uses associated with odor complaints as agricultural uses, wastewater treatment plants, chemical and food processing plants, composting, refineries, landfills, dairies, and fiberglass molding. Residential uses are not identified on this list. In addition, solid waste generated by the proposed on-site uses would be properly stored in lidded dumpsters and/or trash cans and collected by a contracted waste hauler, ensuring that on-site waste would be managed and collected in a manner to prevent the proliferation of odors. Therefore, the proposed project's operational activity would not result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people and impacts would be less than significant.

[12] Receptors at the Sunshine Montessori Preschool & Daycare were analyzed using the same health risk guidelines as residential receptors. This approach is conservative, as the exposure duration at the preschool and daycare would be shorter.

4.1.4 Cumulative Impacts

The geographic extent of the cumulative analysis for air quality is the SCAB due to its geographical formation of a basin which traps the air and its pollutants in the valleys below. Because the SCAB is designated a nonattainment area for the federal and State one-hour and eight-hour ozone standards, State PM_{10} standards, federal 24-hour $PM_{2.5}$ standard, and federal and State annual $PM_{2.5}$ standard, there is an existing adverse effect in the SCAB relative to these pollutants and additional, unplanned growth in the area has the potential to exacerbate the pollution and hinder the achievement of the NAAQS and CAAQS within the SCAB. As identified in Table 3-1, *Cumulative Project List,* in Section 3, *Environmental Setting*, there are 15 currently planned and pending projects in Duarte and the surrounding area.

This cumulative impact analysis is based on the SCAQMD's recommendations included in their *CEQA Air Quality Handbook* and *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD 1993 and 2003b). Individual projects under the SCAQMD's jurisdiction would cause a cumulatively considerable increase in emissions for which the SCAB is in non-attainment if the individual project exceeds the SCAQMD's recommended thresholds.

a. Cumulative Impact AQ-1

Air pollution is largely a cumulative issue, and SCAQMD has provided guidance about cumulative impacts. According to SCAQMD, if a project is inconsistent with the 2022 AQMP, it would be considered to result in a cumulatively adverse air quality impact. As described above under Impact AQ-1, the project would be consistent with the 2022 AQMP with implementation of mitigation. Specifically, as described in Impact AQ-2 above, the proposed project's daily emissions during construction and operation would not exceed SCAQMD regional thresholds. In addition, growth generated by the proposed project would not result in an exceedance of the 2022 AQMP growth assumptions. Therefore, the project's contribution to cumulative air quality impacts due to a conflict with the 2022 AQMP would not be cumulatively considerable.

b. Cumulative Impact AQ-2

Each related project listed in Section 3, *Environmental Setting*, would generate emissions during construction and operation. However, neither the proposed project nor any of the related projects are part of an ongoing regulatory program or are contemplated in a program EIR. Therefore, as discussed in Appendix D of the SCAQMD's *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD 2003b), the SCAQMD recommends that project-specific air quality impacts be used to determine if a project's contribution to cumulative air quality impacts would be significant.

As discussed above, the proposed project is consistent with the SCAQMD 2022 AQMP. Additionally, the construction and operation of the project would not exceed regional significance thresholds. Although there are 15 currently planned and pending projects in Duarte and the surrounding area, the nearest planned project is approximately 1,500 feet away. CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) recommends against siting within 1,000 feet of emissions sources to reduce air pollutant exposure. The emissions from the proposed project would not combine with those from other projects to result in a significant cumulative air quality impact, as the maximum daily emissions generated by the construction and operation of the proposed project would not exceed SCAQMD thresholds. Therefore, the proposed project would not result in

a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

c. Cumulative Impact AQ-3

Cumulative projects could expose sensitive receptors to cancer risks exceeding the SCAQMD 10 in one million thresholds. However, similar to the proposed project, cumulative projects would be required to comply with SCAQMD regulations and thresholds to reduce the potential for significant impacts to sensitive receptors. As described under Impact AQ-3, construction LST and TAC from the project would be less than significant with the implementation of Mitigation Measure AQ-1. CARB's Air Quality and Land Use Handbook: A Community Health Perspective (2005) recommends against siting sensitive receptors within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day. While these siting distances are not specific to construction activities, the primary source of TAC emissions from both freeways and construction equipment is DPM. Therefore, for projects within 500 feet of sensitive receptors, a refined HRA should be conducted. Additionally, particulate pollution levels from TAC sources decrease by approximately 70 percent at 500 feet (CARB 2005). As shown in Figure 3-1 of Section 3, *Environmental Setting*, there are no approved or pending cumulative projects within 1,000 feet of the proposed project. The nearest planned project to the project site is approximately 1,500 feet away; therefore, construction TAC emissions would have a negligible impact on the maximally exposed individual receptor and the closest sensitive receptors. With the implementation of Mitigation Measure AQ-1, the construction TAC would be below the applicable SCAQMD thresholds, and the proposed project's contribution to cumulative TAC would not be cumulatively considerable.

d. Cumulative Impact AQ-4

Construction of cumulative projects would result in construction equipment-related odors; however, the temporary nature of construction would result in less than significant cumulative odor impacts. Operation of cumulative projects could adversely affect sensitive receptors from odor emissions if cumulative projects include typical odor-producing land uses. The project is not identified as an odor producing facility nor are there developments near the project site or included in the cumulative development list that would produce significant odors. Therefore, cumulative odors from the surrounding area from construction and operations would not combine at the same receptors, and the project's cumulative contribution to cumulative odor emission impacts would not be considerable.

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4.2 Biological Resources

This section summarizes the findings of a November 26, 2024, field reconnaissance visit conducted for the proposed project. This section describes existing biological resources conditions on the 14.16-acre project site (which includes both the suburban development site and the park), along with a 100-foot buffer area surrounding the project area ("study area") which totals to a 21.39-acre study area. This section evaluates whether implementation of the proposed project would result in environmental impacts associated with special-status species, riparian habitat, sensitive natural communities.

4.2.1 Setting

General Conditions

Vegetation Communities and Land Cover Types

Two vegetation communities and three land types were documented within the study rea during the field survey, which are shown in Figure 4.2-1. Table 4.2-1 lists the vegetation community and land cover type, and provides the approximate acreage and percentage covered in the study area.

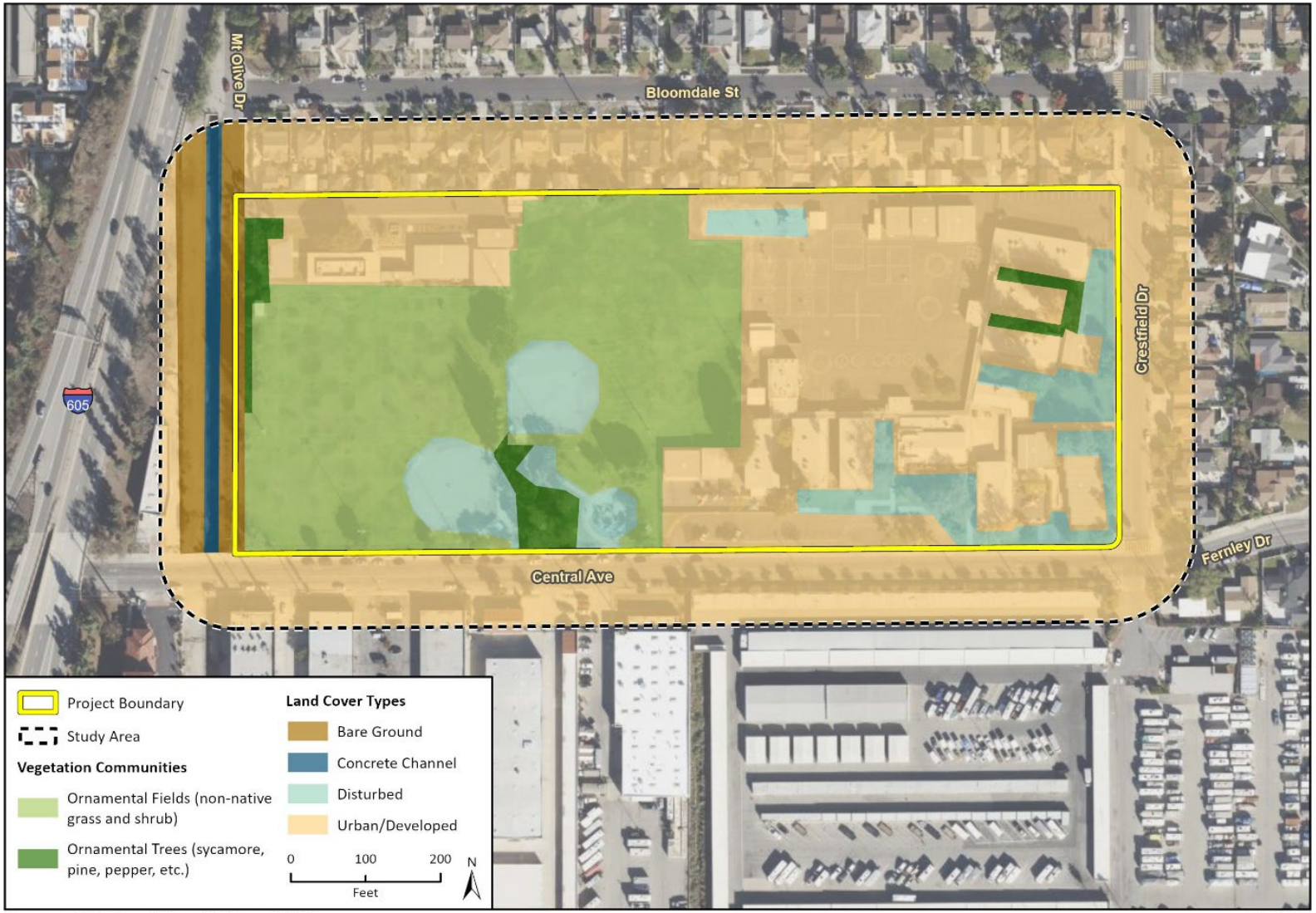
No California Department of Fish and Wildlife (CDFW) sensitive natural communities are present in the study area (CDFW 2024).

Table 4.2-1 Summary of Vegetation Communities and Land Cover Types within the Study Area

Type	Approximate Acreage	Approximate Percent Area
Vegetation Communities		
Ornamental trees (sycamore, pine, pepper, etc.)	0.44	2%
Ornamental fields (non-native grass and shrub)	4.69	22%
Land Cover Types		
Bare ground	0.90	4%
Disturbed	1.87	9%
Urban/developed	13.13	62%
Concrete channel	0.27	1%
Total	**21.39**	**100%**

* Classified as a CDFW designated sensitive vegetation community.

Figure 4.2-1 Vegetation Communities and Land Cover Types



Vegetation Communities

Ornamental trees (Sycamore, pine, pepper, etc.)

Ornamental trees are composed of tree species intentionally cultivated for their aesthetic, functional, or ecological value in designed landscapes such as gardens, parks, and urban spaces. These communities typically feature diverse species selected for their striking visual appeal, including colorful foliage, unique forms, showy flowers, or decorative bark.

This ornamental tree vegetation community is located within sections of the west, south, and eastern portions of the project site, as well as some sections within the study area near developed and suburban areas. Canary Island pine (*Pinus canariensis*) and Southern blue gum (*Eucalyptus globulus*) are present in the western portion of the site, while Mexican fan palms (*Washingtonia robusta*), sycamore trees (*Platanus spp.*), and pepper trees (*Schinus spp.*) are found in the southern, central, and eastern areas of the site (refer to Figure 4.2-1).

Ornamental fields (Digitaria ciliaris & Digitaria sanguinalis)

Ornamental fields are a type of non-native grass dedicated to growth and maintenance dominated by a species of fingergrass, typically belonging to the genus *Digitaria*. These fields typically include ornamental species arranged systematically to facilitate maintenance and recreational use.

Ornamental fields consist of recreational ball/playing fields located within the southwestern section and a center portion of the project site (refer to Figure 4.2-1).

Land Cover Types

Bare Ground

Bare ground is characterized as a physically altered area that no longer supports any significant amount of vegetation and is now almost entirely composed of hard-packed soil or rocks.

This land cover type is found along the non-concrete portions of the Los Angeles County Flood Control District's (LACFCD) Bradbury Channel, its associated edge, and within the western boundary of the study area where the loose soils have been severely compacted by human footprint.

Disturbed

Disturbed land refers to any land where the native/nonnative vegetation has been significantly altered by agriculture, construction, or other anthropogenic activities. Disturbed land is typically found in vacant lots, roadsides, material storage areas, or abandoned fields. This landcover type is found throughout the entire project site.

Urban/Developed

The urban/developed land cover type consists of areas that have been developed or otherwise physically altered to the extent that they no longer support most vegetation. Developed land is characterized by the presence of permanent or semi-permanent structures, gravel lots, pavement, or hardscape.

Within the study area, urban/developed land is associated with the highways and streets, housing and industrial development buildings, and the concrete-line Bradbury Channel. The ground cover generally contains pavement, asphalt, and/or modified soils.

Wildlife

Wildlife detections for this analysis are based on direct observations during the reconnaissance field survey and species expected to utilize the limited suitable habitat within the study area, which found that no natural or native habitat is present on the site. The study area consists predominantly of disturbed and heavily altered habitats, with most of the land characterized by urban and developed features. It includes large recreational ball fields and residential yards, which represent the only vegetated/green spaces available. These areas are largely landscaped with ornamental vegetation, offering limited utility for wildlife. The habitat quality for wildlife species is generally low, suitable primarily for common avian and small mammal species that adapt well to urban environments. Sensitive species are unlikely to occur due to the lack of undisturbed natural habitats. The only potential exceptions are raptors, which may utilize the larger ornamental trees for nesting.

Fish and Amphibians

No suitable aquatic habitat for fish or amphibians was present within the study area. No fish or amphibian species were observed during the field survey.

Reptiles

No reptile species were directly observed during the field survey. However, common lizard species, such as western fence lizards (*Sceloporus occidentalis*), are likely to occur within existing green spaces, as these areas provide suitable habitat for generalist reptiles. Importantly, no sensitive or special-status reptile species are expected in the study area due to the lack of appropriate habitat features such as undisturbed soils, rocky outcrops, or dense native vegetation.

Birds

The most notable and abundant species observed included black phoebe (*Sayornis nigricans*), Anna's hummingbird (*Calypte anna*), house sparrow (*Passer domesticus*), rock pigeon (*Columba livia)*, and mourning dove (*Zenaida macroura*). No nests or nesting activity were observed within the study area although the site visit was conducted outside of the avian breeding season.

Mammals

One mammal species, fox squirrel (*Sciurus niger*), was directly observed during the field surveys within the study area. Evidence of other mammal activity, such as potentially occupied, but unconfirmed, gopher holes, and rabbit scat were noted within the study area. No suitable bat foraging and potentially roosting habitat occur within the study area. No bats or signs of bat presence (guano droppings, urine staining) were observed during the field survey.

Insects

No sensitive or special-status insect species were observed during the field survey, and the study area lacks native vegetation or specialized habitat features (e.g., host plants, undisturbed soils) required to support such species. Given the highly disturbed and urban nature of the site, the presence of special-status invertebrates is considered unlikely.

4.2.2 Regulatory Setting

a. Federal Regulations

Endangered Species Act

The United States Fish and Wildlife Service (USFWS) generally implements the federal Endangered Species Act (ESA) for terrestrial and freshwater species, while the National Marine Fisheries Service (NMFS) implements the federal ESA for marine and anadromous species. Projects that would result in "take" of any federally listed threatened or endangered species are required to obtain authorization from the USFWS or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of the federal ESA, depending on the involvement by the federal government in permitting and/or funding of the project. "Take" under the federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. Proposed or candidate species do not have the full protection of the federal ESA; however, the USFWS and NMFS advise project applicants if the species could be elevated to listed status at any time.

United States Army Corps of Engineers

The United States Army Corps of Engineers (USACE) is responsible for administering several federal programs related to ensuring the quality and navigability of the nation's waters.

Clean Water Act (CWA) Section 404

Congress enacted the CWA "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404 of the CWA authorizes the Secretary of the Army, acting through the USACE, to issue permits regulating the discharge of dredged or fill materials into the "navigable waters at specified disposal sites."

Clean Water Act Section 502

Section 502: General Definitions of the CWA further defines "navigable waters" as "waters of the United States, including the territorial seas." "Waters of the United States" are broadly defined at 33 CFR Part 328.3 to include navigable, tidal, and interstate waters and certain impoundments, tributaries, and wetlands. The USACE's most recent regulatory definition of the term was promulgated in January 2023. However, in May 2023 the United States Supreme Court issued its ruling in *Sackett v. Environmental Protection Agency,* which invalidated portions of the updated regulations. To address this ruling, in September 2023 the agencies issued a "conforming rule" (88 FR 61964-61969) modifying their definition of "waters of the United States" to comport with the Court's ruling, so this definition is currently in use.

The lateral limits of USACE jurisdiction in non-tidal waters is defined by the "ordinary high-water mark" (OHWM) unless adjacent wetlands are present. The OHWM is a line on the shore or edge of a channel established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed upon the bank, shelving, changes in the character of soil, destruction of vegetation, or the presence of debris (33 CFR 328.3(c)(4)). If wetlands occur within, or adjacent to,

waters of the United States, the lateral limits of USACE jurisdiction extend beyond the OHWM to the outer edge of the wetlands (33 CFR 328.4 (c)).

MIGRATORY BIRD TREATY ACT

The Migratory Bird Treaty Act (MBTA) of 1918 implements four international conservation treaties that the United States entered into with Canada in 1916, Mexico in 1936, Japan in 1972, and Russia in 1976. It is intended to ensure the sustainability of populations of all protected migratory bird species. The MBTA prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the USFWS.

The list of migratory bird species protected by the law, in regulations at 50 CFR Part 10.13, is primarily based on bird families and species included in the four international treaties.

The Migratory Bird Treaty Reform Act (MBTRA) requires the USFWS to publish a list of all non-native, human-introduced bird species to which the MBTA does not apply, and an updated list was published in 2020. The 2020 update identifies species belonging to biological families referred to in treaties the MBTA implements but are not protected because their presence in the United States or United States territories is solely the result of intentional or unintentional human-assisted introductions.

The USFWS implements the MBTA (16 United States Code Sections 703 through 711) and the Bald and Golden Eagle Protection Act (16 United States Code Section 668).

BALD AND GOLDEN EAGLE PROTECTION ACT

The Bald and Golden Eagle Protection Act prohibits anyone, without a permit issued by the USFWS, from "taking" bald or golden eagles, including their parts (including feathers), nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb."

b. State Regulations

California Fish and Game Code

The CDFW derives its authority from the California Fish and Game Code (CFGC). Key portions of the CFGC applicable to the proposed project are summarized below.

Section 2050 et seq. - California Endangered Species Act

The California Endangered Species Act (CESA) (CFGC Section 2050 et seq.) prohibits the take of any plant or animal listed or proposed for listing as rare (plants only), threatened, or endangered. In accordance with CESA, CDFW has jurisdiction over state listed species (CFGC Section 2070). The CDFW regulates activities that may result in take of individuals (i.e., hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill). Habitat degradation or modification is not expressly included in the definition of take under the CFGC. However, CDFW has interpreted take to include the killing of a member of a species as the proximate result of habitat modification.

Sections 3511, 4700, 5050, and 5515 – Fully Protected Species

Take of Fully Protected species is prohibited under CFGC Sections 3511, 4700, 5050, and 5515.

Sections 3503, 3503.5, and 3511 – Birds, Nests, and Eggs

CFGC Sections 3503, 3503.5, 3511 and 3513 restrict the take, possession, and destruction of birds, nests, and eggs. CFGC Section 3503.5 specifically protects all birds-of-prey and their eggs and nests against take, possession, or destruction. In addition, fully protected birds may not be taken or possessed except under specific permit (Section 3511). Section 3513 makes it a state-level offense to take any bird in violation of the federal MBTA.

Section 1900 et seq. – Native Plant Protection Act

The Native Plant Protection Act (CFGC Section 1900 et seq.) requires CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the Native Plant Protection Act, the owner of land where a rare or endangered native plant grows is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plant(s).

Sections 3511,4700,5050,5515 et seq. – Fully Protected Species Laws

The CDFW enforces Sections 3511, 4700, 5050, and 5515 of the CFGC, which prohibit take of species designated as Fully Protected. The CDFW is not allowed to issue an Incidental Take Permit for Fully Protected species; therefore, impacts to these species must be avoided. The exception is situations where a Natural Community Conservation Plan (NCCP) is in place that authorizes take of the fully protected species.

Section 1600 et seq. – Lake and Streambed Alteration

Perennial, intermittent, and ephemeral streams and associated riparian vegetation, when present, fall under the jurisdiction of CDFW. Section 1600 et seq. of the CFGC gives CDFW regulatory authority over work in a bed, bank, and channel (which could extend to the 100-year floodplain), consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake. CFGC Section 1602 specifically states it is unlawful for any person to "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake" without first notifying CDFW of that activity. If CDFW determines the activity may substantially adversely affect an existing fish or wildlife resource, the entity may be required to obtain a Lake/Streambed Alteration Agreement (LSAA) from CDFW, which will include reasonable measures necessary to protect the affected resource(s), before the entity may conduct the activity.

Species of Special Concern

Species of Special Concern (SSC) is a category CDFW uses for those species considered to be indicators of regional habitat changes or considered to be potential future protected species. SSC do not have any special legal status except that which may be afforded by the CFGC, as noted above. CDFW intends the SSC category as a management tool to include these species for special consideration when decisions are made concerning the development of natural lands.

Regional Water Quality Control Board

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) have jurisdiction over "waters of the State," which are defined as any surface water or

groundwater, including saline waters, within the boundaries of the State (California Water Code Section 13050(e)). These agencies also have responsibilities for administering portions of the CWA.

Clean Water Act Section 401

Section 401 of the CWA requires an applicant requesting a federal license or permit for an activity that may result in any discharge into navigable waters (such as a Section 404 Permit) to provide State certification that the proposed activity will not violate State and federal water quality standards. In California, CWA Section 401 Water Quality Certification (Section 401 Certification) is issued by the RWQCBs and by the SWRCB for multi-region projects. If a Section 401 Certification is issued it may include binding conditions imposed either through the Certification itself or through the requested federal license or permit.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code section 13000 *et seq*.), the policy of the State is as follows:

- The quality of all the waters of the State shall be protected.
- All activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason.

The SWRCB works in coordination with the nine RWQCBs to preserve, protect, enhance, and restore water quality throughout the State. Each RWQCB makes decisions related to water quality for its region, and may approve, with or without conditions, or deny projects that could affect the waters of the State. Their authority regulates activities that could result in a discharge of dredged or fill material that comes from the CWA and the Porter-Cologne Water Quality Act.

The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The SWRCB and RWQCBs have numerous nonpoint source related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Porter-Cologne Water Quality Act broadly defines waters of the State as “any surface water or groundwater, including saline waters, within the boundaries of the state” (SWRCB 2023). Because the act applies to any water, whereas the CWA applies only to certain waters, California’s jurisdictional reach overlaps and may exceed the boundaries of waters of the United States.

The Los Angeles County Flood Control District (LACFCD) Bradbury Channel and Santa Fe Dam are within the study area, the connection to the project site involves the regulatory oversight of water quality and environmental protection for waters within these areas. The State Water Resources Control Board (SWRCB) and the Colorado River Regional Water Quality Control Board (Colorado River RWQCB) have jurisdiction over waters of the State, including those in or affecting the study area. Under Section 401 of the Clean Water Act (CWA), the SWRCB has authority to issue certifications for activities that may affect water quality in federally regulated waters, ensuring that they comply with both federal and state water quality standards.

In addition, Section 13260 of the Porter-Cologne Water Quality Control Act requires any person discharging or proposing to discharge waste that could affect the quality of waters of the State to file a Report of Waste Discharge with the appropriate RWQCB. The RWQCB may then authorize the discharge, subject to conditions, by issuing Waste Discharge Requirements (WDRs). The Bradbury Channel, being part of the LACFCD's infrastructure, is a watercourse under both State and federal regulations. Santa Fe Dam, as a significant water resource infrastructure under the jurisdiction of the USACE, plays a role in managing water flow and quality in this area.

c. Local Regulations

City of Duarte

The study area occurs within the jurisdiction of the City of Duarte. The Duarte Municipal Code includes ordinances intended to protect or conserve natural resources to varying degrees.

Code of Ordinances 13.04, 13.08, & 13.12

The City of Duarte enforces ordinances aimed at the management, alteration, and removal of trees, prioritizing the preservation of significant and native species. According to the City's municipal code, protected trees typically include:

- Native tree species that contribute to the ecological and aesthetic value of the area.
- Specimen trees with a trunk diameter of 24 inches or greater at breast height (DBH), regardless of their origin (native or non-native).

4.2.3 Impact Analysis

a. Thresholds of Significance

This section adheres to the *CEQA Guidelines* Appendix G significance criteria questions related to biological resources to assess the proposed project. For the purposes of this EIR, project implementation may have a significant adverse impact if it would do any of the following:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
f. Conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan

As discussed in the Initial Study (refer to Appendix A), the proposed project would have either a less than significant impact or no impact related to Thresholds c through f. Therefore, these criteria questions are not addressed further in this EIR.

b. Methodology

The analysis of biological resource impacts is based on information and data collected during the literature and database reviews conducted to identify special-status plants, wildlife, and habitats that have been reported to occur in the vicinity and region of the project site (as summarized in Section 4.2.1, *Setting*) and a general biological resources reconnaissance survey within the study area.

A reconnaissance-level field survey was conducted by Rincon biologist Nick Julier, between the hours of 9:00 am and 11:00 pm on November 26, 2024. The field survey was conducted to characterize the existing conditions within the study area and to investigate the presence, or potential presence, of special-status plant and wildlife species, sensitive plant communities, jurisdictional waters and wetlands, wildlife migration and movement corridors, and nesting bird habitat. All biological resources observed were documented and the vegetation communities/land cover types within the study area were photographed and recorded and an inventory of all plant and wildlife species observed was compiled. Each vegetation mapping unit was analyzed for characteristics to define the applicable vegetation community, such as dominant or co-dominant plant species and community membership rules. Additionally, land covers were characterized in areas that appeared to be altered by anthropogenic activities and were dominated by non-native or ornamental vegetation (e.g., ornamental, disturbed).

Weather conditions during the survey included temperatures ranging between 59 to 63 degrees Fahrenheit, winds between zero to five miles per hour, and cloudy skies.

c. Project Impacts

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

IMPACT BIO-1 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD POTENTIALLY HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATIONS, ON SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL-STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE. POTENTIAL IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Special-Status Species

No special-status species (floral or fauna) were determined to have potential to occur in the Study Area. This is based on the heavily disturbed and developed nature of the Study Area, the location of the Study Area in a highly urbanized setting surrounded by residential and commercial development, the absence of suitable habitat for special-status species, and a review of the California Fish and Wildlife Database (CDFW *BIOS Viewer*), which did not identify any sensitive species or habitats directly within or adjacent to the Study Area. The only protected species that have moderate potential of being present within the Study Area due to the multiple ornamental

trees are migratory birds which are protected during the breeding season. No other sensitive species or their respective signs (nests, burrows, pellets, whitewash, tracks, guano/urine staining) were observed. Migratory birds are protected under the MBTA and CFGC. Several migratory bird species have potential to occur based on presence of suitable habitat (bare ground, trees, vegetation). The following describes potential project impacts in more detail.

Avian Species

Nesting birds have the potential to nest in shrubs, trees, and/or on bare ground throughout and near the study area. No nests or nesting activity were observed within the study area during the site reconnaissance although it was conducted outside of the nesting season. No raptors were observed, but large ornamental trees suitable for nesting and open areas for foraging are present throughout the study area. No special-status avian species were observed nor are they expected to occur on site except for Cooper's hawk (*Accipiter cooperii*) according to the CDFW Watch List (CDFW n.d).

The nests of native birds and all raptors are protected by the MBTA and CFGC. Potential impacts to nesting birds, including common passerine species protected under the MBTA and CFGC, could occur if nests are in the project area and/or in the immediate vicinity during construction activities. Therefore, direct impacts could occur to avian special-status species (i.e., Cooper's hawk) if active nests are present during vegetation removal or ground disturbing activities.

Indirect impacts may also occur if active nests are located within proximity to the project area and are disturbed due to visual and/or acoustic project-related actions such as construction noise, lighting, and fugitive dust. These impacts could lead to individual mortality and/or reduced nesting success. Therefore, impacts to migratory birds would be potentially significant without mitigation.

Mitigation Measures

BIO-1 Nesting Bird Avoidance/Pre-construction Surveys

Prior to ground disturbing activities, the following measures shall be implemented:

To avoid disturbance of nesting and special-status bird species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC), activities related to the project, including but not limited to, vegetation removal, ground disturbance, and construction shall not occur during the bird breeding season (January 15 through August 31) unless a pre-construction nesting bird survey is conducted within seven days prior to ground disturbance.

A qualified biologist, who is familiar with the identification of avian species, shall conduct the preconstruction nesting bird survey within seven days prior to ground disturbance to evaluate the presence/absence, location, and status of any active nests on or adjacent to the study area. The extent of the survey area surrounding the study area shall be determined by the qualified biologist to confirm that direct and indirect effects to nesting birds are avoided.

If an active nest(s) is discovered, a suitable buffer shall be established around the active nests, as determined by the biologist, and construction activity will not occur within the buffer until the biologist has determined that the nest is no longer active. Buffer size shall consider the species involved and relevant level of tolerance to adjacent activity, the location of the nest relative to proposed activities, and site conditions that naturally buffer the location, such as vegetation screening, topography, etc. No parking, storage of materials, or construction activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into this buffer shall occur only at the discretion of

the qualified biologist, if it is determined that encroachment will not adversely impact the nesting birds.

If construction activities are delayed or paused for more than 14 days during the nesting season, the nest survey will be re-initiated for areas that still contain potential nesting habitat. A report detailing the findings of the survey, including any identified active nests and recommended protective measures, shall be submitted to the City of Duarte's Community Development Director, and regulatory agencies if applicable, within seven days of completing the survey.

Threshold b:	**Would the project 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 Wildlife or U.S. Fish and Wildlife Service?**

IMPACT BIO-2 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD NOT 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 OR WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE. THEREFORE, NO IMPACT WOULD OCCUR.

Based on the reconnaissance survey conducted for proposed project, no riparian habitats or sensitive natural communities, as defined by local or regional plans, policies, or regulations, or by CDFW or USFWS, were observed within the study area or its vicinity. The area has been extensively disturbed and developed, and no natural water courses or vegetative communities remain intact. Therefore, the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community due to the absence of such resources on or near the site, and no impact would occur.

4.2.4 Cumulative Impacts

The geographic extent of cumulative analysis for biological resources is the City of Duarte and the surrounding areas as listed in Table 3-1 in Section 3, *Environmental Setting,* of this EIR, which includes 15 projects. Cumulative impacts may occur if impacts of the proposed project combine with similar impacts of other projects in the cumulative scenario that could result in similar impacts to biological resources. As such, cumulative impacts to biological resources could occur if impacts from the proposed Project combine with similar impacts to biological resources from other construction activities throughout the cumulative analysis setting as described in Section 3, *Environmental Setting,* of this EIR.

The following factors are considered with respect to analyzing cumulative impacts on biological resources:

- The cumulative contribution of other approved and proposed projects to fragmentation of open space in the project vicinity
- The loss of trees and nesting birds and raptor habitats
- The contribution of the project to urban expansion

Over the last half-century or more, naturally vegetated open areas have diminished as the landscape surrounding the proposed study area has been built upon with residential, educational, and commercial uses. Similar to the proposed project, other developments would also be required to comply with all applicable laws and regulations governing biological resources. Individual development proposals in the region are reviewed separately by the appropriate jurisdiction and

undergo appropriate environmental review when it is determined that the potential for significant impacts exists. If future projects would result in impacts to sensitive biological resources, impacts to such resources would be addressed on a case-by-case basis. It is anticipated that for other developments that would have significant impacts on these resources, mitigation measures such as preconstruction surveys would be required. Therefore, potential cumulative impacts to special-status species and vegetation communities are less than significant.

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4.3 Cultural Resources

This section describes the existing conditions, regulatory framework, and potential impacts related to historical resources, archaeological resources, and human remains. The analysis of cultural resources impacts is based, in part, on the Cultural Resources Technical Report (Appendix C) prepared for the project by Rincon Consultants, Inc. in December 2024 and included the following: California Historical Resources Information System (CHRIS) and Native American Heritage Commission (NAHC) Sacred Lands File (SLF) searches, background research, archaeological and built environment pedestrian surveys, and the evaluation of two historic-period properties. It is additionally based, in part, on the geotechnical investigation prepared for the proposed by LGC Geotechnical, Inc. in May 2024 (Appendix G). Potential impacts to paleontological resources are addressed in Section 4.4 *Geology and Soils,* while tribal cultural resources are addressed in Section 4.11, *Tribal Cultural Resources*, of this EIR.

4.3.1 Setting

Natural and Environmental Setting

The nearest waterway to the proposed project site is the San Gabriel River, located less than 0.5-mile east and 0.25 miles to the southeast. Vegetation within the proposed project site consists of ornamental trees and manicured landscapes, consistent with urban environmental settings. The project site is situated within the northernmost Peninsular Ranges Geomorphic Province (California Geological Survey 2002), within the San Gabriel Valley (valley), south of the foothills of the San Gabriel Mountains. The regional topography of the valley was shaped by the Sierra Madre Fault system and by the streams that drained from the mountains, depositing the alluvial fan sediments across the valley.

Cultural Setting

Brief summaries of the prehistoric and post-colonization settings, followed by the local setting for the City of Duarte and a historic context in support of the evaluation of resources identified within the proposed project site are presented below.

Prehistoric Overview

The proposed project site is located in what is generally described as the Northern Bight archaeological region, one of eight organizational divisions of California designated by Jones and Klar (2007). The California Bight is bounded by the southern California coastline and encompasses the previously designated Southern Coast archaeological region described by Moratto (1984). The Northern Bight archaeological region primarily includes the counties of Santa Barbara, Ventura, and portions of Los Angeles, extending from the coastline at Vandenberg Air Force Base inland to the Cuyama River Valley and south to the Santa Monica Mountains and the Los Angeles Basin. Following Glassow et al. (2007), the prehistoric cultural chronology for the Northern Bight is generally divided into six periods: Paleo-Indian (circa 10,000 to 7000 before common era [BCE]), Millingstone Horizon (7000 to 5000 BCE), Early Period (5000 BCE to 2000 BCE), Middle Period (2000 BCE to 1 common era [CE]), Middle-Late Transition Period (1 to 1000 CE), and Late Period (1000 CE to Historic Contact).

Post-Colonization Overview

The written history for the state of California is generally divided into three periods: the Spanish Period (1769 to 1822), Mexican Period (1822 to 1848), and American Period (1848 to present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican-American War, signals the beginning of the American Period when California became a territory of the United States.

Local History

In 1841, the governor of Alta California granted 7,000 acres of land in the upper San Gabriel Valley to Andres Duarte which he named Rancho Azusa de Duarte (Duarte, City of 2024). Throughout his ownership, Duarte sold off sections of the Rancho to pay off his debts. One portion was sold to Dr. Nehemiah Beardslee who established the town of Duarte, constructed its first school, and installed its first water lines. The first school was constructed in 1874 at the corner of Buena Vista Drive and Central Avenue and was later replaced in 1906 by a Spanish Revival Building which is still extant. By 1872, the remaining land within the Rancho had been divided into 40-acre plots and sold off (Margiloff et al. 2009).

Pioneer settlers of Duarte moved to the area for their health, the pleasant climate, and the area's fertile soil (Duarte, City of 2024). That agricultural community thrived due to the establishment of water companies and railroad lines. Water systems including the Beardslee Water Ditch Company (1881) and Duarte Mutal Water Company (1884) were constructed in the late 1800s to irrigate agricultural properties in Duarte (Margiloff et al. 2009). In the late 1800s into the early 1900s, the Atchinson, Topeka, and Santa Fe Railroad was constructed south of Duarte and the Southern Pacific Railroad was constructed north of the town and contributed to the town's success as an agricultural community as the lines connected the agricultural products of Duarte to markets throughout California (Margiloff et al. 2009). This led to the formation of packing houses including the Duarte-Monrovia Fruit Exchange adjacent to the rail lines.

In the early 20th century, several institutions developed in Duarte to serve the growing population, such as in 1906 the school district formed as part of the Monrovia-Arcadia-Duarte School District (DUSD 2024a). Transportation continued to expand when in 1908 Pacific Electric constructed an interurban Red Car line to Duarte connecting the community to Los Angeles and other surrounding towns (Margiloff et al. 2009). In 1913, the National Jewish Consumption Relief Association started a tuberculosis sanitarium to provide relief for workers in Los Angeles (Duarte, City of 2024; Margiloff et al. 2009). Eventually this sanitarium would evolve into the City of Hope Medical Center. In 1930, a group of Carmelite Sisters established the Santa Teresita Rest Home, known today as Santa Teresita Medical Center (Duarte 2024).

As with many communities throughout the county, the proliferation of the automobile led to changes throughout Duarte. Huntington Drive, later part of U.S. Route 66 was constructed in 1925, led to the construction of garages, motels, and other businesses along Huntington Drive (Margiloff et al. 2009). Though commercial development increased along the major thoroughfares through Duarte in the 1920s and 1930s, the community was still largely agricultural focusing on citrus such as limes and oranges. After World War II, though, many agricultural properties were replaced with residential developments and the population of Duarte boomed. In order to best serve their growing population, the Duarte Unified School District was formed in 1954 and the City of Duarte

officially incorporated on August 22, 1957 (DUSD 2024a; Margiloff et al. 2009). The City constructed new institutions to serve the growing population; these include Andres Duarte Elementary School and Northview School in 1952, Duarte High School circa 1967, and Mount Olive High School in 1967 (NETR Online 2024).

Due to the growing population of Duarte and the surrounding Los Angeles County, in the late 1960s, Interstate 210 was constructed through the area and directly through the city of Duarte leading to the area's further suburbanization and densification, a trend which continued throughout the 1970s and 1980s (Margiloff et al. 2009; NETR Online 2024). Since that time the city's population has stayed steady around 21,000 residents, and the city continues to grow with infill residential and commercial development (US Census Bureau 2024).

Post-World War II School Design – Functional School Plan

The project site includes two school properties developed in the Mid-Century period. Therefore, the following context is provided in support of the historic evaluation presented in the Cultural Resources Assessment prepared in support of the project (Appendix C) and summarized in later sections of this document. It is largely based on the information provided in the *Los Angeles Unified School District Historic Context Statement, 1870 to 1969*, prepared by Sapphos Environmental, Inc, in 2014, in particular the "Educating the Baby Boom: Postwar Expansion and the Modern, Functional School Plant, 1945 to 1969" section (Sapphos Environmental, Inc. 2014).

Throughout the 1940s, 50s and 60s, with the rise in population after World War II, a need arose for more schools to educate the growing Baby Boomer generation; older schools also needed to be updated to meet demands associated with the rising number of students. Prior to World War II, school design integrated a heavy focus on building exteriors, favoring the construction of one grand building to meet all educational needs. However, the schools of the post-World War II era reflected changing ideas about education and focused more heavily on function, the education of masses of children via the create optimal interior conditions and controls to increase morale. Architects of post-World War II schools adopted the then-popular Mid-Century Modern architectural style as it reflected the contemporary principles of education: schools should be economically built with durable materials, accessible to all, and permit joy (Sapphos Environmental, Inc. 2014).

To this end, post-World War II school designs were characterized as functional school plants which were expansive campuses with separate, program-specific buildings and classrooms. The school plant concept originated between the 1910s and 1930s but evolved during the post-war era into the functional school plant which typically reflected one of three functional school plant designs: finger-plan, cluster-plan, or open-plan (Sapphos Environmental, Inc. 2014).

The campus at 1433 Crestfield Drive is an example of a finger-plan designed school, which first launched in the 1930s and expanded in the 1940s and 50s. This plan took form as open schools with multiple buildings or classrooms connected by covered walkways or corridors. The schools were typically one-story with axial wings of classrooms usually one room deep to provide cross-lighting and ventilation and easy access to the outdoors; the wings were designed to be easily expanded with new classrooms. The connection to the outdoors was further expanded through canopied outdoor corridors which lined the classroom window or provided sheltered circulation throughout the campus. By the early 1950s, though, the popularity in the finger-plan school declined as it required large swaths of land to accommodate the extended site plan. School design moved towards the cluster-plan, popular in the 1950s, which was similar to the finger-plan, but featured buildings clustered closer together. The campus at 1400 Mount Olive Drive is an example of a cluster-plan school. Popular in the 1960s, open-school campuses and their buildings were more

compact with high ceilings to provide adaptable space, flexibility in use, and corridors on the interior. All three plans emphasized the connection with outdoors by creating picnic areas, breezeways, or playgrounds (Sapphos Environmental, Inc. 2014).

4.3.2 Regulatory Setting

The following presents a summary of the regulatory setting applicable to the proposed project.

a. Federal Regulations

National Register of Historic Places

Although the proposed project does not have a federal nexus, properties which are listed in or have been formally determined eligible for listing in the National Register of Historic Places (NRHP) are automatically listed in the California Register of Historical Resources (CRHR). The following is therefore presented to provide applicable regulatory context. The NRHP was authorized by Section 101 of the National Historic Preservation Act (NHPA) and is the nation's official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Per 36 Code of Federal Regulations Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

Criterion A: Is associated with events that have made a significant contribution to the broad patterns of our history

Criterion B: Is associated with the lives of persons significant in our past

Criterion C: Embodies the distinctive characteristics of a type, period, or method of installation, 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

Criterion D: Has yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The National Park Service recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several of these seven qualities, if not all, defined as follows:

Location: The place where the historic property was constructed or the place where the historic event occurred

Design: The combination of elements that create the form, plan, space, structure, and style of a property

Setting: The physical environment of a historic property

Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property

Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory

Feeling: A property's expression of the aesthetic or historic sense of a particular period of time

Association: The direct link between an important historic event or person and a historic property

Certain properties are generally (emphasis added) considered ineligible for listing in the NRHP; these include cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must be at least 50 years of age to be eligible for listing in the NRHP. The National Park Service states that 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluate significance (NPS 1997: 41). Properties that are less than 50 years in age must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

b. State Regulations

California Environmental Quality Act

Public Resources Code (PRC) Section 21084.1 requires lead agencies to determine if a project could have a significant impact on historical or unique archaeological resources. As defined in PRC Section 21084.1, a historical resource is a resource listed in, or determined eligible for listing in, the CRHR, a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or culturally significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the National Register of Historic Places (NRHP) are automatically listed in the CRHR, as are California Historical Landmarks 770 and above; resources in either category are therefore also considered historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a "unique archaeological resource" as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an 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) it contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information, 2) it has a special and particular quality such as being the oldest of its type or the best available example of its type, or 3) it is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources are considered less than significant and need not be considered further (*CEQA Guidelines* Section 15064.5[c][4]). *CEQA Guidelines* Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to *CEQA Guidelines* Section 15064.5(b), an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (*CEQA Guidelines* Section 15064.5[b][1]).

Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (*CEQA Guidelines* Section 15064.5[b][2][A]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a][b]).

The requirements for mitigation measures under CEQA are outlined in *CEQA Guidelines* Section 15126.4(a)(1). In addition to being fully enforceable, mitigation measures must be completed within a defined time period and have a nexus with and be roughly proportional to the impacts of the project. Generally, compliance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Standards) is considered to be mitigate a project's impacts to historical resources of a built environment nature below the level of significance (*CEQA Guidelines* Section 15126.4[b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (*CEQA Guidelines* Section 15126.4[b][3]).

California Register of Historical Resources

The CRHR was established in 1992 and codified by PRC Sections 5024.1 and Title 14 California Code of Regulations Section 4852. The CRHR is an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change (PRC Section 5024.1[a]). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use in order to include a range of historical resources that better reflect the history of California (PRC Section 5024.1[b]). However, unlike the NRHP, the CRHR does not have a defined age threshold for eligibility; rather, a resource may be eligible for the CRHR if it can be demonstrated sufficient time has passed to understand its historical or architectural significance (California Office of Historic Preservation 2011). Furthermore, resources may still be eligible for listing in the CRHR even if they do not retain sufficient integrity for NRHP eligibility (California Office of Historic Preservation 2011). Generally, the California Office of Historic Preservation recommends resources over 45 years of age be recorded and evaluated for historical resources eligibility (California Office of Historic Preservation 1995).

A property is eligible for listing in the CRHR if it meets one of more of the following criteria:

Criterion 1: Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage

Criterion 2: Is associated with the lives of persons important to our past

Criterion 3: 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

Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history

Assessing Impacts under CEQA

The thresholds for determining the significance of environmental impacts on historical resources are derived from *CEQA Guidelines* Section 15064.5(b), which state "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." A substantial adverse change occurs when the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings materially impairs its significance. Pursuant to *CEQA Guidelines* Section 15064.5(b)(2), material impairment occurs when a project:

a. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR; or
b. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to PRC Section 5020.1(k) or its identification in an historical resources survey meeting the requirements of PRC Section 5024.1, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
c. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

California Health and Safety Code

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined if the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification.

California Public Resources Code Section 5097.98

PRC Section 5097.98 of states the NAHC, upon notification of the discovery of Native American human remains pursuant to Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the Most Likely Descendant [MLD]) that it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

c. Local Regulations

City of Duarte General Plan

The City's General Plan, which was adopted in 2007, includes goals and policies relating to cultural resources (Duarte 2007). As presented in the Historic Preservation Element these include:

Historic Preservation Goal 1: To make citizens and decision-makers aware of Duarte's history and historic built environment.

Objective 1.1: Create an educational program which focuses on providing information to allow residents and decision-makers to make informed decisions and supportable conclusions about the protection of historic resources.

Policy HP 1.1.1: Establish and support all appropriate media for reaching all segments of the community to educate residents and decision-makers concerning the protection of historical resources.

Policy HP 1.1.2: Encourage public outreach and access to historical information.

Objective 1.2: Promote the development of a comprehensive preservation program.

Policy HP 1.2.1: Utilize creative funding sources to promote the development of a comprehensive historic preservation program for the City.

Objective 1.3: Integrate historic preservation into the operations of the Community Development Department.

Policy HP1.3.1: Encourage training of City staff related to the development and application of historic preservation.

Policy HP1.3.2: Develop a database and update maps which identify potentially historical resources and designated resources.

Historic Preservation Goal 2: To maintain and update the City's inventory of historical resources.

Objective 2.1: Preserve Duarte's historical resources by supporting continued research related to the City's historic resources inventory.

Policy HP 2.1.1: Encourage on-going research regarding the City's history and built environment.

Historic Preservation Goal 3: To promote the preservation of local historical resources.

Objective 3.1: Preserve the City's inventory of historical resources for future generations to enjoy.

Policy HP 3.1.1: Encourage property owners to preserve the character defining features of historical resources.

Policy HP 3.1.2: Promote the preservation of historic and cultural resources by providing incentives and technical assistance.

4.3.3 Impact Analysis

a. Significance Thresholds

According to Appendix G of the *CEQA Guidelines*, impacts related to cultural resources would be significant if the proposed project would:

a. Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5

c. Disturb any human remains, including those interred outside of dedicated cemeteries

Threshold a broadly refers to historical resources. To more clearly differentiate between archaeological and built environment resources, the analysis presented below under Threshold a considers impact to built environment resources. Archaeological resources, including those that may be considered historical resources pursuant to *CEQA Guidelines* Section 15064.5 and those that may be considered unique archaeological resources pursuant to PRC Section 21083.2, are considered under Threshold b.

b. Methodology

California Historical Resources Information System Records Search

On October 3, 2024, a CHRIS records search was completed at the South Central Coastal Information Center (SCCIC) to identify previously recorded cultural resources, as well as previously conducted cultural resources studies within the proposed project site and a 0.5-mile radius. The CHRIS records search results identified three cultural resources that have been previously recorded within a 0.5-mile of the proposed project site, all of which are built environment resources. No prehistoric or historic-period archaeological resources or historic built environment resources were identified within the proposed project site. Additionally, the CHRIS records search identified 13 cultural resources studies that have been previously conducted within a 0.5-mile of the proposed project site between the years 1975 and 2010; however, none of these previous studies directly addressed the proposed project site and/or is limited to a records search and literature review.

Sacred Lands File Search

The NAHC was contacted on October 31, 2024, to request a search of the SLF. The NAHC replied on October 31, 2024, stating the results of the SLF search were positive, which indicates sacred lands have been previously identified in the vicinity of the proposed project site.

Geoarchaeological Review

A geoarchaeological review included review of the following: the *Preliminary Geotechnical Evaluation and Recommendations, Proposed Residential Development and Sports Park, 1433 Crestfield Drive, Duarte, California* (LGC Geotechnical, Inc. 2024), the Natural Resources Conservation Service Web Soil Survey (USDA 2024), and the National Geologic Map Database (Dibblee and Ehrenspeck 1998). Based on the review, the soils present within the proposed project site do not contain soils that have been disturbed by agricultural activities nor does the proposed project site contain subsurface topsoil, suggesting that the subsurface conditions do not contain archaeological materials that may have been displaced or contain archaeological deposits buried by natural processes.

Native soils within the proposed project site are comprised of Quaternary alluvium, associated with the Late Holocene-age, young alluvial fan deposits that originate from the San Gabriel River (LGC Geotechnical, Inc. 2024). Holocene-aged alluvial fan and stream deposits have the potential to support the presence of buried archaeological resources because these soils are contemporaneous with the documented period of prehistoric human habitation of the area and have potential to preserve cultural material in context, depending on the area-specific topographical setting and past disturbances.

Review of the geotechnical report (LGC Geotechnical, Inc. 2024) that addresses the proposed project site indicates that the subsurface exploratory investigations encountered native alluvial fan deposits to the maximum depths explored (between 1 and 15 feet below existing grade). Although the borings logs for the subsurface investigations do not explicitly note the presence of fill (artificial, engineered, or undocumented), the report notes that minor amounts of undocumented fill may exist throughout the proposed project site and further noted that the results of the exploratory borings are not representative of the entire proposed project site.

Archaeological Sensitivity Analysis

No archaeological resources were identified within the proposed project site through the CHRIS records search or pedestrian survey. The SLF results are positive for known Native American heritage resources; however, the SLF record is maintained at a Public Land Survey System section level, which indicates that a recorded sacred site could be anywhere within a one-square-mile area. In addition, there are no known Native American village sites within or in close proximity to the proposed project site. A review of historical maps show the San Gabriel Wash and River to the east and southeast of the proposed project site. This natural resource would have provided for an environmental setting that indigenous and historic-era occupants of the area would have found hospitable for habitation and other activities. Areas where environmental conditions included alluvial activity would potentially have served to preserve any indigenous or historic-period archaeological materials. As stated above, the geotechnical investigation encountered native Holocene-aged alluvial fan and stream deposits to the maximum depths explored, which have the potential to support the presence of buried archaeological resources. In consideration of these factors, there is a low to moderate potential for encountering unknown or as yet unidentified intact subsurface archaeological resources within undisturbed native alluvial soils to maximum depths of proposed disturbance.

Field Survey

On October 21, 2024, an intensive-level pedestrian archaeological and built environment survey of the project site was conducted. No prehistoric or historic-period archaeological resources were identified within the proposed project site during the pedestrian survey. However, the following two historic-period properties were identified: 1433 Crestfield Drive (the former Andres Duarte Elementary School that was constructed between 1951 and 1952) and 1400 Mount Olive Drive (Mount Olive High School and was constructed in 1967).

Historical Resources Evaluations

The school campuses at 1433 Crestfield Drive and 1400 Mount Olive Drive were recorded and evaluated for listing in the NRHP and the CRHR on California Department of Parks and Recreation forms as part of the cultural resources assessment. Both properties were recommended ineligible for listing in the NRHP and CRHR under all criteria and are therefore not considered historical resources as defined by *CEQA Guidelines* Section 15064.5(a).

c. Project Impacts and Mitigation Measures

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

Impact CUL-1 BOTH SCHOOL CAMPUSES ON THE PROJECT SITE WERE ASSESSED AND NOT CONSIDERED HISTORICAL RESOURCES. THEREFORE, THE PROPOSED PROJECT WOULD RESULT IN NO IMPACT TO HISTORICAL RESOURCES.

The cultural resources assessment prepared in support of the proposed project (Appendix C) identified no historical resources within the proposed project site. Therefore, implementation of the proposed project would result in no impact to historical resources.

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

Impact CUL-2 ALTHOUGH THE PROPOSED PROJECT WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A KNOWN ARCHAEOLOGICAL RESOURCE PURSUANT TO SECTION 15064.5, CONSTRUCTION OF THE PROPOSED PROJECT WOULD INVOLVE GROUND DISTURBING ACTIVITIES THAT MAY HAVE THE POTENTIAL TO ADVERSELY IMPACT PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH INCORPORATION OF MITIGATION MEASURES.

No prehistoric or historic-period archaeological resources were identified within the proposed project site as a result of the CHRIS records search or pedestrian survey. However, the SLF results were positive, which indicates sacred lands have been previously identified in the vicinity of the proposed project site. The archaeological sensitivity analysis concluded that there is a low to moderate potential for encountering unknown or as yet unidentified intact subsurface archaeological resources within undisturbed native alluvial soils to maximum depths of proposed disturbance during project-related ground disturbance.

In the event that unanticipated or previously unknown archaeological resources are encountered during project implementation, such resources could qualify as either historical resources or unique archaeological resources under CEQA, and therefore, impacts to these resources would be potentially significant.

Mitigation Measures

CUL-1 Workers Environmental Awareness Program Training

All construction personnel and monitors who are not trained archaeologists shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation shall be prepared and presented by a Qualified Archaeologist, or other designated archaeologist working under the direction of the Qualified Archaeologist, to inform all personnel working on the proposed project about the archaeological sensitivity of the area. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the proposed project and explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that archaeological resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection and the immediate notification of the Qualified

Archaeologist and if appropriate, Native American representative. The necessity of training attendance shall be stated on all construction plans, and the Project Developer shall maintain records demonstrating construction worker WEAP participation that are submitted to the City for review prior to the start of ground-disturbing activities. A Qualified Archaeologist must meet the Secretary of the Interior's Professional Qualifications Standards for archeology (NPS 2020).

CUL-2 Retention of a Qualified Archaeologist and Archaeological Monitoring

Prior to the start of ground-disturbing activities, the Project Developer shall retain a Qualified Archaeologist to respond to and address any inadvertent discoveries identified for the duration of construction activities.

The Qualified Archaeologist shall oversee an archaeological monitor possessing experience and familiarity with historic-period and prehistoric resources in the region. The archaeological monitor shall conduct full-time monitoring within undisturbed native soils to the project's proposed maximum depths of disturbance. In general, archaeological monitoring shall be limited to initial ground disturbance, which is defined as construction-related earthmoving of sediments from their native place of deposition and does not include any secondary movement of sediment that might be required for the proposed project (e.g., backfilling). The Qualified Archaeologist may adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter archaeological deposits. The archaeological monitor shall be responsible for maintaining daily monitoring logs.

Throughout the course of proposed project construction activities, if a discovery is made by construction personnel and a monitor is not present, the protocols and procedures outlined in the WEAP training shall be followed. Following the completion of proposed project construction activities, the Qualified Archaeologist shall prepare an archaeological monitoring report with the results of the archaeological monitoring program that meets state and local requirements. The report shall be submitted to the City and the South Central Coast Information Center (SCCIC) at the California State University at Fullerton. Reports submitted to the SCCIC shall be formatted and completed in accordance with the California Historical Resources Information System document submittal standards.

CUL-3 Inadvertent Discovery of Archaeological Resources

In the event that archaeological resources are inadvertently encountered during ground-disturbing activities, work in a 50-foot radius of the find shall be halted and redirected, and the Qualified Archaeologist shall be contacted immediately. The Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist shall provide recommendations regarding the resource's potential significance and potential treatment in coordination with the City. If the resource is determined by the Qualified Archaeologist to be indigenous in origin, then a Native American representative shall also be contacted to participate in the evaluation of the resource. Avoidance and preservation in place shall be the preferred manner of mitigating impacts to archaeological resources. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for California Register of Historical Resources (CRHR) eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, the Qualified Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, pursuant to the requirements of the *CEQA Guidelines* Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods,

measurable objectives, and data thresholds to reduce any significant impacts related to the resource. Pursuant to the data recovery plan, the Qualified Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, pursuant to *CEQA Guidelines* Section 15126.4(b)(3)(C).

Significance After Mitigation

Implementation of mitigation measures outlined above (CUL-1, CUL-2, CUL-3) would reduce potential project impacts to unanticipated or previously unknown archaeological resources, to less than significant under CEQA.

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

Impact CUL-3 CONSTRUCTION OF THE PROPOSED PROJECT WOULD INVOLVE GROUND-DISTURBING ACTIVITIES THAT MAY HAVE THE POTENTIAL TO ADVERSELY IMPACT PREVIOUSLY UNIDENTIFIED TO HUMAN REMAINS. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH ADHERENCE TO EXISTING REGULATIONS (CALIFORNIA HEALTH AND SAFETY CODE SECTION 7050.5, PRC SECTION 5097.98).

No prehistoric or historic-period burials, within or outside of formal cemeteries, were identified within the proposed project site as a result of the CHRIS records search or pedestrian survey. Although the NAHC's SLF search result was positive, it is important to note that the results of the SLF provided by the NAHC relate to the general regional area within and surrounding the proposed project site and don't necessarily equate to the existence of resources or human remains within the specific proposed project site. In the event human remains are inadvertently encountered during ground-disturbing activities, they would be treated consistently with state and local regulations including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and *CEQA Guidelines* Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the County Coroner determines the remains are, or believed to be Native American origin, he or she is required to notify the NAHC, which shall then notify those persons believed to be the MLD. The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance. Adherence to existing regulations would reduce potential project impacts to human remains to less than significant under CEQA.

4.3.4 Cumulative Impacts

The geographic scope for cumulative impacts related to cultural resources is the project site and surrounding area. This geographic scope is appropriate because, generally, cultural resources impacts associated with individual developments are site-specific in nature and are addressed on a case-by-case basis. As discussed above regarding historic and archaeological resources, potential impacts associated with the proposed project would be less than significant; therefore, the proposed project would not contribute to cumulative impacts.

Past, present, and reasonably foreseeable future projects, including the projects listed in Table 3-1 in Chapter 3, *Environmental Setting*, would have the potential to adversely impact historical built environment resources. However, the magnitude of impacts for individual projects would depend on the location, size of development, and proximity to historical built environment resources. Historic resource evaluations would be completed on a case-by-case basis for all future development. Compliance with applicable regulations and implementation of appropriate mitigation measures, including resource avoidance measures and noise and vibration reduction measures, would address impacts related to built environment resources associated with cumulative development. Therefore, cumulative development would have a less-than-significant cumulative impact involving substantial adverse changes in the significance of built environment resources.

Similarly, past, present, and reasonably foreseeable future projects, including the projects listed in Table 3-1 in Chapter 3, Environmental Setting, would have the potential to adversely impact buried archaeological resources through ground-disturbing construction activities. The magnitude of impacts for individual projects would depend upon the location, size of development, depth of the ground disturbance, and the resources associated with or location within the individual development sites. Archeological resource evaluations would be completed on a case-by-case basis for all future development. Compliance with applicable regulations and implementation of appropriate mitigation measures, including resource avoidance measures and monitoring during ground disturbance within culturally sensitive areas, would address impacts related to archaeological resources associated with cumulative development. Therefore, cumulative development would have a less-than-significant cumulative impact involving substantial adverse changes in the significance of archeological resources.

Additionally, cumulative development projects would have the potential to adversely impact buried human remains through ground-disturbing construction activities. The magnitude of impacts for individual projects would depend upon the location, size of development, depth of the ground disturbance. State of California Health and Safety Code Section 7050.5 would apply to all future development, and compliance with such regulations would address impacts related to buried human remains associated with cumulative development. Therefore, cumulative development would have a less-than-significant cumulative impact involving the disturbance of human remains.

4.4 Energy

This section evaluates impacts to energy, including the potential wasteful, inefficient, or unnecessary consumption of energy, associated with development of the proposed project. This analysis follows the guidance for evaluation of energy impacts contained in Appendix F and Appendix G of the *CEQA Guidelines*. The physical environmental impacts from emissions associated with the generation of electricity and burning of fuels have been accounted for in Section 4.1, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*. The California Emissions Estimator Model (CalEEMod) Version 2022.1 was used to estimate emissions resulting from the proposed project. Construction and operational energy consumption were modeled based on the size of the proposed land use type. The CalEEMod results are provided in Appendix E.

4.4.1 Setting

Energy relates directly to environmental quality because energy use can adversely affect air quality and other natural resources. Fossil fuels are burned to create electricity to power homes and vehicles, which creates heat. Transportation energy use relates to the fuel efficiency of cars and trucks, and the availability and use of public transportation, the choice of different travel modes (auto, carpool, and public transit), and the miles traveled by these modes. Construction and routine operation and maintenance of infrastructure also consume energy, typically in the form of natural gas and electricity.

a. Energy Supply

Southern California Edison (SCE) supplies electricity and the Southern California Gas Company (SoCalGas) provides gas to the project site. Based on the California Energy Commission's (CEC's) California Energy Demand Forecast, 2021-2035, SCE's total energy to serve load[1] for 2028 is 100,669 gigawatt hour (GWh) and the net peak demand[2] in 2028 will be 23,621 megawatt of electricity in the low-case demand scenario[3]. Based on the 2024 CGEU estimates that natural gas capacity per day within SoCalGas' planning area would be 3,775 MMcf in project buildout year of 2028 (CGEU 2024).The proposed project's energy consumption is compared to SCE's and SoCalGas' energy demand capacities in Section 4.4.3, *Impact Analysis*, of this section.

b. Energy Consumption and Sources

In 2023, total energy consumption in the United States was approximately 94 quadrillion British Thermal Units (Btu). Petroleum provided approximately 38 percent of that energy, other sources of energy coming from natural gas (approximately 36 percent), coal (approximately nine percent), total renewable sources (approximately nine percent), and nuclear power (approximately nine percent) (EIA 2025b). On a per capita basis in 2022, California was ranked the third lowest state in terms of total energy consumption (176 million Btu [MMBtu] per person), or about 38 percent less than the U.S. average per capita consumption of 284 MMBtu per person (EIA 2025a).

[1] The total energy to serve load is the total electricity demand for a given forecasted year within a utility service area. This forecast is a benchmark for the utility to have enough electricity to serve total demand.

[2] The net peak demand is the maximum amount of instantaneous energy demand for all buildings within a utility service area over the course of the forecasted year, minus losses from transmission and distribution, and utility generated solar. This forecast projects the peak amount of instantaneous energy a utility would need to have the capacity to serve this peak demand.

[3] The low-case demand scenario is CEC's low end energy projections for each forecasted year within the utility service area.

The smallest scale at which energy consumption information is readily available is the county level. Therefore, because the project site is in Los Angeles County, the County is used to characterize the City of Duarte existing consumption of petroleum and electricity as described in the following subsections.

c. Electricity

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves several system components. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Substations and transformers then lower transmission line power (voltage) to a level appropriate for on-site distribution and use.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for one hour would be 100 Wh. If ten 100 W bulbs were on for one hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy usage is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

Most of the electricity generated in California is from natural gas-fired power plants, which provided approximately 44 percent of total electricity generated in 2023. In 2023, California produced 281,140 GWh of electricity with 215,623 GWh (77 percent) of the electricity generated in-state and the rest imported from outside the state (CEC 2025a). Los Angeles County consumed approximately 68,485 GWh of electricity in 2022 from residential and non-residential uses (CEC 2025b). With a population of 9,819,312 in 2023 (Department of Finance [DOF] 2024), the County's 2023 per capita electricity consumption was approximately 6,975 kilowatt hour (kWh), or approximately 24 million Btu.

In conjunction with the utility companies, the California Public Utilities Commission (CPUC) is involved in energy conservation programs. CPUC and CEC are constantly assessing population growth, electricity demand, and reliability. The CEC is tasked with conducting assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The CEC uses these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety (Public Resources Code [PRC] Section 25301[a]).

Power plants that provide electricity for SCE are required to go through individual environmental review processes, which may be through the CEC's certified regulatory program under CEQA, or through the CPUC's CEQA processes. The CEC is continuously tracking potential projects 50 MW and larger (CEC 2025d). Similarly, the CPUC conducts and manages environmental review of infrastructure projects, including electric, gas, water, and telecommunications (CPUC 2023).

d. Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the State, and delivered through high-pressure transmission

pipelines. The natural gas transportation system is a nationwide network, and, therefore, resource availability is typically not an issue. Natural gas provides almost one-third of the State's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel.

Natural gas is measured in terms of cubic feet (cf). Natural gas is provided to the project site by the SoCalGas. SoCalGas is the principal distributor of natural gas in Southern California, serving residential, commercial, and industrial markets. SoCalGas serves approximately 21.1 million customers over a 24,000-square-mile service area (SoCalGas 2025).

SoCalGas is under the jurisdiction of the CPUC and other federal regulatory agencies; therefore, the availability of natural gas is based upon present conditions of gas supply as well as regulatory policies. SoCalGas receives gas supplies from several sedimentary basins, including supply basins located in New Mexico (San Juan Basin), western Texas (Permian Basin), the Rocky Mountains, and western Canada, as well as local California supplies. Gas supply available to SoCalGas from California sources averaged 91 million cubic feet per day in 2022. SoCalGas projects total gas demand to decline at an annual rate of 0.7 percent from 2024 to 2040 due to energy efficiency, fuel substitution, and renewable energy goals and standards (California Gas and Electric Utilities 2024). SoCalGas encourages reduced consumption of natural gas by offering its customers energy-efficiency programs with rebates and incentives. Natural gas is supplied to the area through a system of existing gas mains located under the streets and public rights-of-way.

e. Transportation Energy

Transportation accounted for approximately 42 percent of California's total energy consumption in 2022 (EIA 2025a). In 2022, California consumed 13.9 billion gallons of gasoline and 3.1 billion gallons of diesel fuel (California Department of Tax and Fee Administration 2025a and 2025b). Petroleum-based fuels currently account for 89 percent of California's transportation energy sources. However, the State is now working on developing flexible strategies to reduce petroleum use. Over the last decade, California has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHG emissions from the transportation sector, and reduce vehicle miles traveled (VMT). Accordingly, gasoline consumption in California has declined. In 2022, gasoline and diesel sales in Los Angeles County were approximately 3.1 billion gallons and 295 million gallons, respectively (CEC 2024a).

4.4.2 Regulatory Setting

a. Federal Regulations

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 facilitates the reduction of national energy use and GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances; and

- Requiring approximately 25 percent greater efficiency for light bulbs that have traditionally used between 40 and 100 watts of electricity.

Although this act has been superseded by the United States Environmental Protection Agency (USEPA) and National Highway Traffic Safety Administration (NHTSA) actions described below, this act established miles per gallon targets for cars and light-duty trucks, and directed the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

Additional provisions of the Energy Independence and Security Act address energy savings in government and public institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of "green jobs." [4]

Energy Policy and Conservation Act

Enacted in 1975, the Energy Policy and Conservation Act legislation established fuel economy standards for new light-duty vehicles (autos, pickups, vans, and sport-utility vehicles). The law placed responsibility on the NHTSA, a part of the United States Department of Transportation (USDOT), for establishing and regularly updating vehicle standards. The USEPA administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. Since the inception of the program, the average fuel economy for new light-duty vehicles steadily increased from 13.1 miles per gallon (mpg) for the 1975 model year to 30.7 mpg for the 2014 model year and can increase to 54.5 mpg by 2025.

On August 2, 2018, the NHTSA and USEPA, operating under the direction of the Trump Administration, proposed the Safer Affordable Fuel-Efficient Vehicles Rule Part One (SAFE I Rule). This rule addresses emissions and fuel economy standards for motor vehicles and is separated in two parts as described below.

Part One, "One National Program" (84 Federal Register 51310) revokes a waiver granted by USEPA to the State of California under Section 209 of the Clean Air Act to enforce more stringent emission standards for motor vehicles than those required by USEPA for the explicit purpose of GHG emission reduction, and indirectly, criteria air pollutants and ozone precursor emission reduction. This revocation became effective on November 26, 2019, potentially restricting the ability of the California Air Resources Board (CARB) to enforce more stringent GHG emission standards for new vehicles and set zero emission vehicle mandates in California.

Part Two addresses CAFE standards for passenger cars and light trucks for model years 2021 to 2026. This rulemaking proposes new CAFE standards for model years 2022 through 2026 and would amend existing CAFE standards for model year 2021. The proposal would retain the model year 2020 standards (specifically, the footprint target curves for passenger cars and light trucks) through model year 2026. The proposal addressing CAFE standards was jointly developed by NHTSA and USEPA, with USEPA simultaneously proposing tailpipe carbon dioxide standards for the same vehicles covered by the same model years.

The USEPA and NTHSA published final rules to amend and establish national carbon dioxide and fuel economy standards on April 30, 2020 (Part Two of the SAFE Vehicles Rule) (85 Federal Register 24174). On April 22, 2021, the Biden Administration formally proposed to roll back portions of the SAFE Rule, thereby restoring California's right to enforce more stringent fuel efficiency standards.

[4] A "green job," as defined by the United States Department of Labor, is a job in business that produces goods or provides services that benefit the environment or conserve natural resources.

Most recently, on December 21, 2021, the NHTSA finalized rules to repeal the SAFE I Rule. The final rule concludes the SAFE I Rule overstepped the agency's legal authority and established overly broad prohibitions that did not account for a variety of important State and local interests. The final rule ensures the SAFE I Rule will no longer form an improper barrier to states exploring creative solutions to address their local communities' environmental and public health challenges.

National Energy Policy Act of 1992

The National Energy Policy Act calls for programs that promote efficiency and the use of alternative fuels. The National Energy Policy Act requires certain federal, state, and local government and private fleets to purchase a percentage of light duty alternative fuel vehicles capable of running on alternative fuels each year. In addition, the National Energy Policy Act has financial incentives. Federal tax deductions are allowed for businesses and individuals to cover the incremental cost of alternative fuel vehicles. The National Energy Policy Act also requires states to consider a variety of incentive programs to help promote alternative fuel vehicles.

Clean Air Act

The Clean Air Act Section 211(o), as amended by the Energy Policy Act of 2005, requires the Administrator of the USEPA to annually determine a renewable fuel standard which is applicable to refineries, importers, and certain blenders of gasoline, and to publish the standard in the Federal Register by November 30 each year. On the basis of this standard, each obligated party determines the volume of renewable fuel that it must ensure it is consumed as motor vehicle fuel. This standard is calculated as a percentage, by dividing the amount of renewable fuel that the Clean Air Act requires to be blended into gasoline for a given year by the amount of gasoline expected to be used during that year, including certain adjustments specified by the Clean Air Act.

Energy Policy Act of 2005

The Energy Policy Act of 2005 provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

Construction Equipment Fuel Efficiency Standard

USEPA sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 horsepower and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements and are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Emissions requirements for new off-road Tier 4 vehicles were completely phased in by the end of 2015.

b. State Regulations

Warren-Alquist Act

The 1975 Warren-Alquist Act established the California Energy Resources Conservation and Development Commission, now known as the CEC. The Act established a State policy to reduce wasteful, uneconomical, and unnecessary uses of energy.

California Building Standards Code (Title 24)

Building Energy Efficiency Standards (Title 24, Part 6)

California Code of Regulations (CCR) Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. Title 24, Part 6 sets forth California's energy efficiency standards for residential and nonresidential buildings and was established in 1978 in response to a legislative mandate to reduce California's energy consumption. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The 2022 Title 24 standards are the applicable building energy efficiency standards for the proposed project because they became effective on January 1, 2023 (CEC 2022a). The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

California Green Building Standards (Title 24, Part 11)

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

- Twenty percent reduction in indoor water use relative to specified baseline levels;[5]
- Waste reduction:
  - Non-residential and multi-family dwellings with five or more units: Provide readily accessible areas identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastic, organic waste, and metals; and/or
  - Non-residential: Reuse and/or recycling of 100 percent of trees, stumps, rocks, and associated vegetation soils resulting from primary land clearing;
- Inspections of energy systems to ensure optimal working efficiency;

[5] Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Electric vehicle (EV) charging for new construction:[6]
  - Non-residential land uses shall comply with the following EV charging requirements based on the number of passenger vehicle parking spaces:
    - 0-9: no EV capable spaces or charging stations required;
    - 10-25: 4 EV capable spaces but no charging stations required;
    - 26-50: 8 EV capable spaces of which 2 must be equipped with charging stations;
    - 51-75: 13 EV capable spaces of which 3 must be equipped with charging stations;
    - 76-100: 17 EV capable spaces of which 4 must be equipped with charging stations;
    - 101-150: 25 EV capable spaces of which 6 must be equipped with charging stations;
    - 151-200: 35 EV capable spaces of which 9 must be equipped with charging stations; and
    - More than 200: 20 percent of the total available parking spaces of which 25 percent must be equipped with charging stations.
  - Non-residential land uses shall comply with the following EV charging requirements for medium- and heavy-duty vehicles: warehouses, grocery stores, and retail stores with planned off-street loading spaces shall install EV supply and distribution equipment, spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s), or subpanel(s) at the time of construction based on the number of off-street loading spaces as indicated in Table 5.106.5.4.1 of CalGreen Standards.
- Bicycle parking:
  - Non-residential short-term bicycle parking for projects anticipated to generate visitor traffic are required to provide permanently anchored bicycle racks that allow at least two bikes to be parked in the rack, within 200 feet of visitor entrance;
  - Non-residential bicycle racks shall be implemented at a rate of five percent of new vehicle parking spaces; and/or
  - Non-residential buildings with tenant spaces of 10 or more employees/tenant-occupants shall provide secure bicycle parking shall be provided at a rate of 5 percent of vehicle parking spaces and a minimum of one bicycle parking facility.
- Shade trees (non-residential):
  - Surface parking: minimum No. 10 container size or equal shall be installed to provide shade over 50 percent of the parking within 15 years (unless parking area covered by appropriate shade structures and/or solar); and/or
  - Landscape areas: minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years.
- Hardscape areas: minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years (unless covered by applicable shade structures and/or solar or the marked area is for organized sports activities).

[6] EV Capable = a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging; EV-ready = a vehicle space which is provided with a branch circuit and any necessary raceways to accommodate EV charging stations, including a receptacle for future installation of a charger (see 2022 California Green Building Standard Code, Title 24 Part 11 for full explanation of mandatory measures, including exceptions).

The voluntary standards, if adopted, require:

- Deconstruct existing buildings and reuse applicable salvaged materials;
- Residential – Cool roofs: have a thermal mass over the roof membrane, including green roofs weighing a minimum of 25 pounds per square foot or roof areas covered by solar photovoltaic panels and building integrated solar thermal panels;
- Residential – Reduce nonroof heat island for 50 percent of sidewalks, patios, driveways or other paved areas;
- Residential bicycle parking:
  - Multi-family/hotel/motel short-term parking: provide permanently anchored bicycle racks within 100 feet of visitor's entrance for 5 percent of visitor motorized vehicle parking capacity (minimum one 2-bike capacity rack);
  - Multi-family buildings long-term parking: provide acceptable on-site bicycle parking for at least one bicycle per every two dwelling units; and/or
  - Hotel/motel long-term parking: provide one acceptable on-site bicycle parking space for every 25,000 square feet but not less than two spaces.
- Tier I:
  - Stricter energy efficiency requirements;
  - Stricter water conservation requirements for specific fixtures;
  - Minimum 65 percent reduction in construction waste with third-party verification, Minimum 10 percent recycled content for building materials;
  - Minimum 20 percent permeable paving;
  - Minimum 20 percent cement reduction; and/or
  - Multi-family developments/hotels/motels: minimum 35 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms a minimum of 10 percent of the total number of parking spaces shall be equipped with EV charging stations.
- Tier II:
  - Stricter energy efficiency requirements,
  - Stricter water conservation requirements for specific fixtures;
  - Minimum 75 percent reduction in construction waste with third-party verification,
  - Minimum 15 percent recycled content for building materials;
  - Minimum 30 percent permeable paving;
  - Minimum 25 percent cement reduction; and/or
  - Multi-family developments/hotels/motels: minimum 40 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms, a minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations.

California Appliance Efficiency Regulations

The Appliance Efficiency Regulations (Title 20, Sections 1601 through 1608), adopted by the CEC, include standards for new appliances (e.g., refrigerators) and lighting, if they are sold or offered for

sale in California. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Senate Bill 350

SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. SB 350 implements some of the goals of Executive Order B-30-15, issued in April 2015, which established a new statewide policy goal to reduce GHG emissions 40 percent below their 1990 levels by 2030. The objective of SB 350 is to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation by 2030. The latest statewide GHG emissions target and procurement of electricity from renewable sources is discussed under Senate Bill 1020 below.

Advanced Clean Cars Regulations

The Advanced Clean Cars emissions-control program was approved by CARB in 2012 and is closely associated with the Pavley regulations.[7] The program requires a greater number of zero-emissions vehicle (ZEV) models for the years 2015 through 2025 to control smog, soot and GHG emissions. This program includes the low-emissions vehicle (LEV) regulations to reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles and the ZEV regulations to require manufacturers to produce an increasing number of pure ZEVs (meaning battery and fuel cell electric vehicles) with the provision to produce plug-in hybrid electric vehicles (PHEV) between 2018 and 2025. Implementation of the ZEV and PHEV regulations reduce transportation fuel consumption by increasing the number of vehicles that are partially or fully electric-powered (CARB 2025a).

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, CCR, Division 3, Chapter 10, Section 2485) was adopted to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. This measure does not allow diesel-fueled commercial vehicles to idle for more than five minutes at any given location. This measure applies to diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. Reducing idling of diesel-fueled commercial motor vehicles reduces the number of petroleum-based fuels used by the vehicle.

In-Use Off-Road Diesel Fueled Fleets Regulation

Since off-road vehicles that are used in construction and other related industries can last 30 years or longer, most of those that are in service today are still part of an older fleet that do not have emission controls. In 2007, CARB approved the "In-Use Off-Road Diesel Fueled Fleets Regulation" to reduce emissions from existing (in-use) off-road diesel vehicles that are used in construction and other industries. This regulation sets an idling limit of five minutes for all off-road vehicles 25 horsepower and up. It also establishes emission rates targets for the off-road vehicles that decline over time to accelerate turnover to newer, cleaner engines and require exhaust retrofits to

[7] Assembly Bill (AB) 1493 (commonly referred to as CARB's Pavley regulations). Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks) for model years 2009–2016. Pavely regulations achieve the maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles, beginning with the 2009 model year.

meet these targets. The regulation enforces restrictions against adding new equipment with older tier engines, such as Tier 0 and Tier 1 engines, effective January 1, 2014. By each annual compliance deadline, a fleet must demonstrate that it has either met the fleet average target for that year or has completed the Best Available Control Technology requirements. Large fleets have compliance deadlines each year from 2014 through 2023, medium fleets each year from 2017 through 2023, and small fleets each year from 2019 through 2028. Large and medium fleets would have 100 percent compliance with Tier 2 or higher engines by 2023. Small fleets would have 100 percent Tier 2 or higher engines by 2028.

Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act of 2008, or SB 375 (Chapter 728, Statutes of 2008), which was adopted by the State on September 30, 2008, establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. SB 375 finds that the "transportation sector is the single largest contributor of greenhouse gases of any sector." Under SB 375, CARB is required, in consultation with the Metropolitan Planning Organizations (MPOs), to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035. Southern California Association of Governments (SCAG) is the MPO in which the City of Duarte is located. CARB set targets for 2020 and 2035 for each of the 18 MPO regions in 2010 and updated them in 2018. In March 2018, CARB updated the SB 375 targets for the SCAG region to require an eight percent reduction by 2020 and a 19 percent reduction by 2035 in per capita passenger vehicle GHG emissions (CARB 2025b).

Under SB 375, the target must be incorporated within that region's Regional Transportation Plan (RTP), which is used for long-term transportation planning in Sustainable Communities Strategy (SCS). Certain transportation planning and programming activities would then need to be consistent with the SCS; however, SB 375 expressly provides that the SCS does not regulate the use of land and further provides that local land use plans and policies (e.g., general plans) are not required to be consistent with either the RTP or SCS.

Senate Bill 1389

SB 1389 (PRC Sections 25300–25323) requires the development of an integrated plan for electricity, natural gas, and transportation fuels. The CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report every two years. The 2023 Integrated Energy Policy Report, adopted in February 2024, highlights the implementation of California's policies and the role they have played in establishing a clean energy economy. The Integrated Energy Policy Report contains recommendations on energy usage policies such as decarbonizing buildings, energy efficiency savings, increasing flexibility in the electrical system to integrate more renewable energy and improve energy reliability, and reducing gasoline and diesel use in cars and trucks by up to 50 percent (CEC 2024b).

Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

Established in 2002 under SB 1078, and accelerated by SB 107 (2006), SB X 1-2 (2011), SB 100 (2018), and SB 1020, California's Renewable Portfolio Standard (RPS) obligates investor-owned utilities, energy service providers, and community choice aggregators to supply eligible renewable energy resources and zero-carbon resources for 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all State agencies by 2035. SB 1020 supersedes SB 350, signed October 7, 2015, that increases the

procurement of electricity from renewable source to 50 percent by 2030. The CPUC and the CEC are jointly responsible for implementing the program.

c. Local Regulations

2024-2050 Regional Transportation Plan/Sustainable Communities Strategy

SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties, and addresses regional issues relating to transportation, the economy, community development and the environment. On April 4, 2024, SCAG's Regional Council formally adopted the 2024-2050 RTP/SCS (titled Connect SoCal 2024). The 2024-2050 RTP/SCS builds upon the progress made through implementation of the 2020-2045 RTP/SCS and includes four core goals focused on mobility, communities, environment and economy. By 2050, the population of the region is projected in Connect SoCal 2024 to increase by two million people, or 11 percent, with an increase of 1.6 million housing units, or 26 percent, and 1.3 million jobs, or 14.2 percent. However, growth is not expected to be uniform across the region's counties or cities. Connect SoCal 2024 would increase transportation efficiency and deliver significant benefits to the region with respect to mobility, safety, health outcomes, travel-time reliability, air quality, economic productivity, environmental justice and transportation asset condition.

City of Duarte Energy Action Plan

The Energy Action Plan (EAP) identifies an overarching vision that captures the City's long-term goals for energy efficiency. The intent of this Plan is to achieve optimal energy performance throughout the community, increasing operational productivity, cost savings, and the quality of life for residents, employees, and business owners. The role of the EAP is to serve as a strategic plan to achieve electricity efficiency in the community. In addition, the EAP serves as the equivalent of an electricity efficiency chapter of a climate action plan (EECAP). Created in partnership with the San Gabriel Valley Council of Governments (SGVCOG) and SCE, the EAP identifies municipal and community-wide strategies to achieve the City's longer-term electricity efficiency goals. A key objective of this EAP is to identify prioritized, actionable, turnkey strategies and projects. Goals and policies that relate to the proposed project include the following:

Goal 1: Reduce Household Energy Costs.

> **Policy 1.3:** Facilitate voluntary residential energy efficiency improvements though energy benchmarking and retrofit programs.

Goal 3: By 2020, new residential construction with five units or more and new nonresidential construction projects of 25,000 square feet or more in Duarte will have no net impact on community-wide energy demand.

> **Policy 3.1:** The City will work with project applicants to maximize the energy-efficient design and orientation of new buildings pursuant to the City's sustainable development practices.
>
> **Actions:**
>
> - Support the use of innovative and alternative building materials and designs that improve building energy efficiency.
> - Work with project applicants to identify cost-effective measures to improve the energy efficiency of their project.
> - Encourage project applicants to participate in SCE's "Savings by Design" program.

Policy 3.2: Regularly update the City's sustainable development practices to integrate new or revised building code standards that improve energy efficiency.

Actions:

- Continue to require project applications to comply with applicable mandatory and voluntary components of the City's Sustainable Development Practices.
- Provide contractor and architect training on green building and energy efficiency design and construction practices to demonstrate compliance with the City's Sustainable Development Practices.
- Provide customized development standards for projects that voluntarily exceed the applicable minimum energy efficiency requirements of the City's Sustainable Development Practices.

Policy 3.3: The City will encourage the use of energy-efficient appliances and equipment in new buildings.

Actions:

- Encourage all size developments to install energy-efficient appliances within new and renovated buildings consistent with the City's sustainable development practices.
- Promote existing energy efficiency rebate offerings for appliances, heating, and ventilation equipment, and lighting fixtures.
- Promote the use of smart-grid-integrated appliances in new development.

Goal 5: Optimize shading and cooling to reduce community-wide energy demand.

Policy 5.1: Increase the shading and cooling capacity of the community's urban forest through the additional tree planting, preservation of existing trees, and proper maintenance.

Actions:

- Require projects to install, maintain, and replace trees on streets, parkways, and parks in compliance with the City's municipal code.
- Work with project applicants to design landscaping to shade building exteriors from the summer sun.

Policy 5.2: Maximize the use of cool roofs and surfaces to reduce building energy use.

Actions:

- Projects subject to compliance with the Sustainable Development Practices will have roofing and surface pavement materials with high-reflectivity or permeable surface installed to reduce the urban heat island effect.

City of Duarte 2021-2029 Housing Element

The current Housing Element includes an evaluation of available resources to facilitate the production and maintenance of housing, including land available for new construction, financial and administrative resources available for housing, and opportunities for energy conservation. The Housing Element recognizes that while increasing utility cost adds to reducing affordability of

housing, energy conservation reduces heating and cooling cost making housing more affordable. The Housing Element provides the parameters for Sustainable Development Practices and Energy Efficiency and Conservation Programs among new and existing residential developments in the City in order to achieve regional goals for energy efficiency. Specific sustainable development and green program related objectives aim to implement sustainable development practices in all new development and provide flexibility in allowing for reasonable substitutions to standards set forth in the ordinance. The 2021-2029 Housing Element update aims to continue to promote green programs among residents and businesses, and advertise incentives, rebates and energy audits available through utility providers.

City of Duarte Municipal Code

The City of Duarte Municipal Code adopted the 2022 Edition of the California Energy Code (Part 6 of Title 24 of the California Code of Regulations), as published by the International Code Council. Applicable goals and policies are reflected throughout.

4.4.3 Impact Analysis

a. Significance Thresholds

In accordance with Appendix G of the *CEQA Guidelines,* a significant energy impact would occur if new development carried out under the proposed project would do either of the following:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

b. Methodology

PRC Section 21100(b)(3) states that an EIR shall include "mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy." The physical environmental impacts associated with the use of energy, including the generation of electricity and burning of fuels, are discussed in Section 4.1, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*.

Energy consumption is analyzed in terms of construction and operational energy. Construction energy demand accounts for anticipated energy consumption during construction of the proposed project, such as fuel consumed by construction equipment and construction workers' vehicles traveling to and from the construction site. Operational energy demand accounts for anticipated energy consumption during operation of the proposed project, such as fuel consumed by mobile vehicles; natural gas consumed for on-site power generation and heating building spaces; and electricity consumed for building power needs including, but not limited to, lighting, water conveyance, and air conditioning.

The CalEEMod Version 2022.1 was used to estimate energy source emissions resulting from the proposed project. Construction and operational energy consumption are based on CalEEMod default assumptions for the proposed land use types in each buildout scenario. The default electricity consumption values in CalEEMod include the CEC-sponsored California Commercial End Use Survey and Residential Appliance Saturation Survey studies. The 2022.1 CalEEMod currently incorporates California's 2019 Title 24 building energy efficiency standards. CalEEMod assumption values for residential and parking lot fixtures were used in the analysis. The CalEEMod results

(Appendix E) provide the values used in this analysis to determine the anticipated energy consumption during construction and operation of the proposed project.

c. Impacts Analysis

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

Impact E-1 CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD RESULT IN THE CONSUMPTION OF GASOLINE, DIESEL, AND ELECTRICITY; HOWEVER, THE PROJECT WOULD INCORPORATE DESIGN FEATURES REQUIRED BY THE 2022 TITLE 24 STANDARDS. THEREFORE, THE PROJECT WOULD NOT RESULT IN THE WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

Construction

During construction, the proposed project would consume fuels associated with the onsite use of equipment, off-site hauling of materials and supplies, and worker transportation. The CCR requires drivers of diesel-fueled commercial motor vehicles with gross vehicle weight ratings greater than 10,000 pounds not to idle the vehicle's primary diesel engine longer than five minutes at any location.[8] Compliance with this regulation would prevent unnecessary consumption of energy from use of diesel fuel during construction. In addition, project construction phases do not typically rely on natural gas as an energy source. Therefore, substantial quantities of natural gas would not be consumed in support of project construction.

The proposed project's demand for transportation fuels (gasoline and diesel) is provided in Table 4.4-1.

Table 4.4-1 Project Construction Energy Use

Source	Energy Consumption
Transportation Fuels	
Gasoline	45,579 gal
Diesel	
On-Road Haul Trucks	1,456 gal diesel
On-Road Vendor Trucks	11,350 gal diesel
Off-Road Construction Equipment	51,001 gal diesel
Diesel Total	**63,807 gal diesel**

Notes: gal = gallons
Source: Appendix E

The fuel consumption that is necessary to power off-road equipment is based on the quantity and type of equipment that would be used for each construction phase, the duration of use each day, the total construction period duration, and the hourly construction equipment fuel consumption factors that are made available by the OFFROAD model. On-road equipment includes haul trucks and vendor trucks, which would be powered by diesel fuel, as well as vehicles associated with

[8] California Code of Regulations, Section 2485, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.

construction worker commuter trips, which are assumed to be powered by gasoline. The fuel consumption for on-road trucks is based on fuel consumption information from the USDOT's National Transportation Statistics (USDOT 2021). The fuel demand for construction worker commuter trips is based on the estimated number of workers for each phase of construction and the average distance that workers travel from CalEEMod, as well as on the emissions factors from the EMFAC model. As shown in Table 4.4-1, project construction activities would result in the consumption of approximately 63,807 gallons of diesel fuel and 45,579 gallons of gasoline.

Operation

During operations, the proposed project would consume energy for vehicle trips, water conveyance, solid waste disposal systems, lighting, and to operate electronic equipment and devices and HVAC systems. The project's energy consumption is determined by land use subtypes, land use acreage, and building square footage. Specifically, the project would include 169 low-rise apartment units (approximately 245,832 square feet), a swimming pool, 6.23 acres of public park space, and 98 parking lot spaces. The proposed project's estimated energy use during operations is summarized in Table 4.4-2.

Table 4.4-2 Project Operational Energy Use

Source	Energy Consumption
Electricity	0.65 GWh
Natural Gas	1,877 MMBtu
Transportation Fuels	
Gasoline	116,051 gallons
Diesel	19,887 gallons

Notes: GWh = gigawatt-hours; MMBTU = Million British Thermal Units
Source: Appendix E

The proposed project would generate additional demand for electricity from SCE. As estimated by CalEEMod, the proposed project's total electricity demand would be approximately 653,182kilowatt hours per year (kWh/year) or 0.65 gigawatt hours per year (GWh/year). SCE supplies more than 85,870 GWh/year of electricity to customers (CEC 2025c). The proposed project's total electricity demand would be less than one hundredth of a percent of SCE's projected low demand supply of 100,669 GWh in 2028 (CEC 2022). The project's total demand for natural gas would be 1,877 MMBtu per year, or approximately 1.84 million metric (MM) cf per year.[9] Based on the 2024 CGEU estimates that natural gas capacity per day within SoCalGas' planning area would be 3,775 MMcf in project buildout year of 2028 (CGEU 2024). Therefore, the project would not result in a substantial increase in electricity or natural gas demand compared to available supply. In addition, the proposed project would be required to comply with the applicable portions of the CEC and CALGreen Code, which establish planning and design standards for sustainable development, energy efficiency, water conservation, and material conservation. By required compliance with applicable regulations and continued energy efficient programs implemented by SCE and SoCalGas, the project's potential impacts regarding wasteful or inefficient use of electricity and natural gas would be less than significant.

[9] 1 MMcf of natural gas is approximately 1,037 MMBtu.

As shown in the Operational Fuel Use worksheet provided in Appendix E regarding vehicle use, the proposed project would generate approximately 2,640,242 VMT annually, 94 percent of which would comprise light-duty vehicles with a gross vehicle weight rating (GVWR) of up to 8,500 pounds, and approximately six percent of which would comprise heavy-duty vehicles (GVWR > 8,500 pound). For this analysis, light-duty vehicles are considered gasoline-powered and heavy-duty vehicles are considered diesel-fueled. After complete project build-out, operation of the proposed project would generate approximately 2,482,884 annual VMT with gasoline-fueled vehicles, and approximately 157,106 annual VMT with diesel-fueled vehicles. Based on the State's projected fleet fuel mileage for 2022, after complete project build-out, annual operation of the proposed project would require transportation fuels of approximately 116,051 gallons of gasoline, and approximately 19,887 gallons of diesel fuel. Diesel usage is anticipated during operation due to the default fleet mix derived from EMFAC2021 v1.0.1, which includes diesel vehicles reflecting the operational year fleet mix-average for the selected analysis scale, such as County or air basin. The anticipated transportation activity would be insignificant compared to the County's total energy consumption. As described in Section 4.4.1(e), *Transportation Energy,* the project's gasoline consumption and diesel fuel consumption represent less than one hundredth of a percent of Los Angeles County's total gasoline and diesel sales. Therefore, the proposed project's potential to result in impacts regarding wasteful or inefficient use of transportation fuels would be less than significant.

The design of the proposed project is required to comply with all standards set in the latest iteration of the California Building Standards Code (CCR Title 24). California's CALGreen standards (CCR Title 24, Part 11) require implementation of energy-efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2022 Building Energy Efficiency Standards (CCR Title 24, Part 6) require newly constructed buildings to meet energy performance standards set by the CEC. These standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. In addition, per CALGreen, all plumbing fixtures used for the proposed project would be high-efficiency fixtures, which would minimize the potential for the inefficient or wasteful consumption of energy related to water and wastewater.

In summary, the proposed project would result in the consumption of energy in the forms of electricity and transportation fuels. The proposed project would be required to comply with federal, State, and local regulations aimed to reduce the inefficient, wasteful, and unnecessary consumption of energy. The proposed project's electricity would be negligible compared to the energy demand for SCE and SoCalGas service areas. Therefore, the proposed project's energy requirements and its energy use efficiencies would result in a less than significant impact related to the wasteful, inefficient, and unnecessary consumption of energy.

Mitigation Measures

Compliance with existing regulations would reduce the proposed project's potential impact to a less than significant level by ensuring energy efficiencies are incorporated into project design and operation. No mitigation would be required.

Threshold b:	Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact E-2 THE PROPOSED PROJECT WOULD CONSUME ENERGY, BUT WOULD NOT CONFLICT WITH THE CITY OF DUARTE EAP AND SCAG 2024-2050 RTP/SCS. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The Duarte EAP contains measures intended to increase energy efficiency and expand the use of renewable energy in Duarte. As described under Impact E-1, the proposed project would comply with CALGreen, and the state's Building Energy Efficiency Standards. The proposed project would result in no net impact on community-wide energy demand, in compliance with the Duarte EAP Goal 3. The proposed project would comply with the City of Duarte EAP Policy 3.1 and 3.3 by adhering to the latest Title 24 Building Energy Efficiency Standards. Further, as described under Section 2.5.5, *Green Building Features,* the proposed project's electricity would be powered entirely by solar energy. See Section 4.6, *Greenhouse Gas Emissions,* for further details regarding solar energy consumption. In compliance with the City of Duarte EAP Policy 5.1, the park component of the proposed project would involve the addition and replacement of landscaping, including a variety of trees throughout the Otis Gordon Sports Park. The proposed project would utilize Spanish "S" tiles as the roofing materials for all buildings. Thus, the proposed project would comply with the City of Duarte EAP Policy 5.2.

With regard to transportation related energy usage, the proposed project would not conflict with the goals of SCAG's 2024–2050 RTP/SCS, which incorporates VMT targets established by SB 375. SCAG's 2024–2050 RTP/SCS focuses on creating livable communities with an emphasis on sustainability and integrated planning, and identifies mobility, economy, and sustainability as the three principles most critical to the future of the region. As part of that approach, the 2024–2050 RTP/SCS focuses on reducing fossil fuel use by decreasing VMT, reducing building energy use, and increasing use of renewable sources. The project would comply with the latest Title 24 Building Energy Efficiency Standards and install energy-efficient appliances. As described under Section 2.5.5, Green Building Features, the proposed project's electricity would be powered entirely by solar energy. The project would also adhere to CALGreen's voluntary EV charging standards for new construction of townhomes with private garages. Therefore, the project aligns with SCAG's 2024-2050 RTP environmental policies and strategies aimed related to energy efficiency. Therefore, impacts would be less than significant.

Mitigation Measures

Compliance with existing regulations would reduce the proposed project's potential impact to a less than significant level by ensuring energy efficiencies are incorporated into project design and operation, consistent with state and local plans and regulations. No mitigation would be required.

4.4.4 Cumulative Impacts

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (*CEQA Guidelines* Section 15065[a][3]). The geographic scope for analysis of the cumulative impacts of energy consumption is Los Angeles County. This geographic scope is appropriate because the smallest scale at which energy consumption information is readily available is the county level.

Cumulative development would increase demand for energy resources; however, new iterations of the California Building Energy Efficiency Standards and CALGreen would require increasingly more efficient appliances and building materials that reduce energy consumption in new development. As described under Impact E-1, the proposed project would be built in accordance with the California Building Energy Efficiency Standards and CALGreen. The proposed project's electricity consumption would be less than one hundredth of a percent of all projected low-demand supply in SCE's and SoCalGas's service area by 2028. In addition, the proposed project would result in a net increase of approximately 63,807 gallons of diesel fuel and 45,579 gallons of gasoline use for transportation fuels per year. The proposed project's transportation fuel usage would represent a small percentage of total fuel consumption within Los Angeles County. Therefore, the proposed project would not contribute to a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. While it is speculative to assess transportation fuel usage from cumulative projects (refer to Table 3-1 of Chapter 3, *Environmental Setting*), it is expected that cumulative transportation fuel usage resulting from the proposed project and cumulative projects, including projects throughout the county, would be required to be consistent with projections regarding future transportation fuel usage and supply. Additionally, the proposed project would receive electricity that would be procured in compliance with SB 1020, which would promote the use of renewable energy. Therefore, the proposed project would not contribute to a cumulatively considerable impact associated with a conflict with or obstruction of State or local plan for renewable energy or energy efficiency.

4.5 Geology and Soils

This section evaluates the proposed project's potential impacts related to geology and soils. Specifically, this analysis focuses on the project's potential of substantial adverse effects related to rupture of a known earthquake fault or seismic ground shaking, substantial risks to life or property related to expansive soils, and potential to destroy a unique paleontological resource or geological feature. Other geology and soils impacts analyzed under CEQA include the project's potential of substantial adverse effects related to seismic-related ground failure including liquefaction or landslides, substantial soil erosion or loss of topsoil, unstable geologic units or soil, or soils incapable of supporting septic tanks or alternative wastewater disposal systems. These impacts were found to be less than significant in the Initial Study (Appendix A) and are not discussed further in this section.

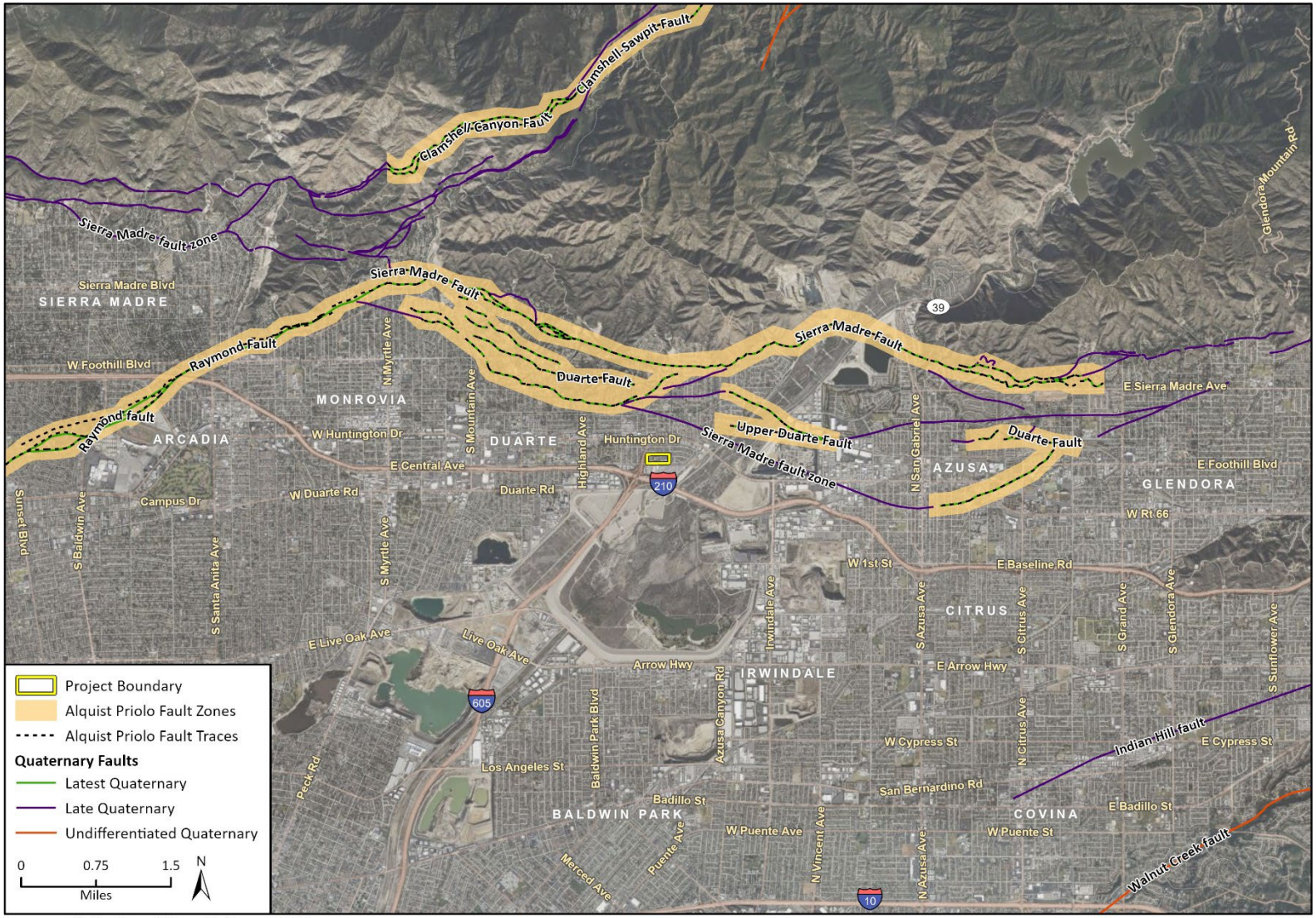
4.5.1 Setting

Geologic Resources

The project site is located within the northern portion of the San Gabriel Valley, just south of the San Gabriel Mountains. Regionally, the project site is located within the Peninsular Ranges geomorphic province, which is characterized by elongated northwest-southeast trending geologic structures such as the nearby Sierra Madre Fault system. The project site is not located within a fault zone. Under the Alquist-Priolo Earthquake Fault Zoning Act, the nearest active fault zones include the Duarte, Upper Duarte, Sierra Madre, and Raymond (CGS 2024; LGC Geotechnical, Inc. 2024). The project site is not located in an Alquist-Priolo Fault Zone and the nearest Alquist-Priolo Fault Zone is the Siera Madre Fault Zone, which is located approximately 0.5-mile north of the project site and approximately 0.5-mile northeast of the project site (CGS 2024). See Figure 4.5-1 for a map of active faults and Alquist-Priolo Earthquake Fault Zones in the project vicinity. In Section 3601 of the Alquist-Priolo Earthquake Fault Zoning Act regulations, the California State Mining and Geology Board defines an active fault as one that has had surface displacement within Holocene time (i.e., within the last approximately 11,000 years). A fault is classified as potentially active if it has experienced movement within the Quaternary period (during the last 1.6 million years). Faults that have not moved in the last 1.6 million years are generally considered inactive. Historic and Holocene age faults are also considered active, Late Quaternary and Quaternary age faults are considered potentially active, pre-Quaternary age faults are considered inactive, and an undifferentiated fault lacks enough evidence to be classified as inactive or active.

Native alluvial fan deposits encountered at a maximum depth of 15 feet below existing ground surface generally consist of silty to gravelly sand which are generally very dense. Late Holocene-age, young alluvial fan deposits primarily underlie the project site (LGC Geotechnical, Inc. 2024). Groundwater was not encountered at the maximum depth of 15 feet below existing ground surface during subsurface exploration.

Figure 4.5-1 Fault Zones in the Project Vicinity



Imagery provided by Microsoft Bing and its licensors © 2024.
Additional data provided by "California Geologic Survey," 2023, California Department of Conservation, 2023.

24-16174 EPS
Fig X Fault Zones

Paleontological Resources

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources occur within bedrock geologic deposits that underly the soil layer and are almost exclusively preserved in sedimentary rocks; however, in rare cases, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions. The Society of Vertebrate Paleontology (SVP 2010) has defined fossils as being remains or traces of plants and animals that are greater than 5,000 years old (i.e., older than middle Holocene in age). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors.

The paleontological sensitivity of the geologic units that underlie the project site were evaluated to assess the project's potential for significant impacts to scientifically important paleontological resources. Paleontological sensitivity refers to the potential for a geologic unit to produce scientifically significant fossils. Direct impacts to paleontological resources occur when earthwork activities, such as grading or trenching, cut into the geologic deposits within which fossils are buried and physically destroy the fossils. Sensitivity is determined by rock type, history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit. Paleontological sensitivity is derived from the known fossil data collected from the entire geologic unit, not just from a specific survey.

In the absence of other sensitivity criteria required by certain federal, State, or local regulatory agencies, the paleontological sensitivity scale explained in the SVP's *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* is generally used (SVP 2010). According to this system, geologic units can be assigned a high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. Following the literature review, a paleontological sensitivity classification was assigned to each geologic unit mapped within the project site. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units.

The region surrounding the project was mapped by Bedrossian et al., who mapped one geologic unit, modern alluvial fan deposits, underlying the project site,, which consists of unconsolidated silt, sand, gravel, cobbles, and boulders deposited in an alluvial fan setting (Bedrossian et al. 2010). Results from boring conducted for the project's geotechnical evaluation reached a maximum of 15 feet below the surface and, below the one- to two-foot surficial layer of asphalt and/or topsoil, encountered grayish-brown or brownish-gray silty and clayey sand to silty gravel with cobbles that frequently impeded boring efforts (LGC Geotechnical, Inc. 2024). Modern alluvial fan deposits are undergoing active deposition (i.e., late Holocene), at least prior to urban development of the area, so they are considered too young (i.e., less than 5,000 years old; SVP 2010) to preserve paleontological resources. Therefore, the modern alluvial fan deposits underlying the project site have low paleontological sensitivity.

At some depth in the subsurface, Holocene-aged geologic units, such as modern alluvial fan deposits, become old enough (i.e., more than 5,000 years old; SVP 2010) to preserve paleontological resources. The depth at which this occurs is unknown, and geotechnical analyses do not necessarily

reveal this information, because there is not an expected change in sediment characteristics at this 5,000-year boundary. The fact that the project site has experienced recent deposition, the distance (approximately 0.7-mile) to the nearest surficial exposures of older sediments (Bedrossian et al. 2010), and the lack of nearby fossil localities (Bell 2024), suggests that the transition to older sediments may be 15 feet or deeper within the project site. Therefore, the project site should be considered to have low paleontological sensitivity from the surface to 15 feet below the surface and undetermined paleontological sensitivity greater than 15 feet below the surface.

4.5.2 Regulatory Setting

a. Federal Regulations

Uniform Building Code

The Uniform Building Code (UBC) defines different regions of the United States and ranks them according to their seismic hazard potential. The four types of these regions are Seismic Zones 1 through 4, with Zone 1 having the least seismic potential and Zone 4 having the highest seismic potential. The City of Duarte is located in Seismic Zone 4.

U.S. Geological Survey Landslide Hazard Program

The United States Geological Survey created the Landslide Hazard Program in the mid-1970s; the primary objective of the program is to reduce long-term losses from landslide hazards by improving our understanding of the causes of ground failure and suggesting mitigation strategies. The federal government takes the lead role in funding and conducting this research, whereas the reduction of losses due to geologic hazards is primarily a state and local responsibility. In Los Angeles County, plans and programs designed for the protection of life and property are coordinated by the Los Angeles County Office of Emergency Services.

b. State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

The purpose of the Alquist-Priolo Earthquake Fault Zoning Act of 1972 is "to regulate development near active faults so as to mitigate the hazard of surface fault rupture." The State Geologist (chief of the Division of Mines and Geology) is required to delineate Earthquake Fault Zones along known active faults. Cities and counties affected by the zones must regulate certain development within the zones. They must withhold development permits for sites within the zones until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting. Typically, structures for human occupancy are prohibited within these zones unless a comprehensive geologic investigation shows the fault does not pose a hazard to the proposed structure.

California Building Code

The California Building Code (CBC) is contained in the California Code of Regulations (CCR), Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which by law is responsible for coordinating all building standards. The CBC incorporates by reference the federal UBC with necessary California amendments. The CBC is a regulatory tool that includes building code standards to address geologic

and seismic hazards. Approximately one-third of the text in the CBC has been tailored for California earthquake conditions.

Chapter 23 of the CBC contains specific requirements for seismic safety. Chapter 29 of the CBC regulates excavation, foundations, and retaining walls. Chapter 33 of the CBC contains specific requirements pertaining to site demolition, excavation, and construction to protect people and property from hazards associated with excavation cave-ins and falling debris or construction materials. Chapter 70 of the CBC regulates grading activities, including drainage and erosion control. Construction activities are subject to occupational safety standards for excavation, shoring, and trenching as specified in the State of California OSHA regulations (Title 8 of the CCR) and in Section A33 of the CBC.

Chapter 16A, Division IV of the CBC, entitled "Earthquake Design," states that the "purpose of the earthquake provisions herein is primarily to safeguard against major structural failures or loss of life." The CBC and UBC regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The procedures and limitations for the design of structures are based on site characteristics, occupancy type, configuration, structural system, height, and seismic zoning. Seismic zones are mapped areas (Figure 16A-2 of the CBC and Figure 16-2 of the UBC) that are based on proximity to known active faults and the potential for future earthquakes and intensity of seismic shaking. Seismic zones range from 0 to 4, with areas mapped as Zone 4 being potentially subject to the highest accelerations due to seismic shaking and the shortest recurrence intervals. The City of Duarte, along with all of Southern California, is within Seismic Zone 4, the area of greatest risk that is subject to the strictest building standards.

California Public Resources Code

Section 5097.5 of the California Public Resource Code (PRC) states "no person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface" any "vertebrate paleontological site" on public lands without the "permission of the public agency having jurisdiction over such lands." Violation of this section is a misdemeanor.

As used in this PRC section, "public lands" means lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

Seismic Hazards Mapping Act

The California Department of Conservation, Division of Mines and Geology (CDMG; now the California Geological Survey [CGS]) also provides guidance with regard to seismic hazards. Under CDMG's Seismic Hazards Mapping Act, seismic hazard zones are to be identified and mapped to assist local governments in land use planning. The intent of this publication is to protect the public from the effects of strong ground shaking, liquefaction, landslides, ground failure, or other hazards caused by earthquakes. In addition, CDMG's Special Publications 117, "Guidelines for Evaluating and Mitigating Seismic Hazards in California," provides guidance for the evaluation and mitigation of earthquake-related hazards for projects within designated zones of required investigations.

c. Local Regulations

City of Duarte General Plan

The following policy in the City of Duarte General Plan Safety Element (2021) is intended to reduce the potential risk of death, injuries, property damage, and economic and social dislocation from earthquakes, landslides, and other hazards.

Safe 4.1.13 Enforce seismic design provisions of the current California Building Standards Code related to geologic, seismic, and slope hazards for all new construction.

City of Duarte Code of Ordinances

Section 16.04.010 of the City of Duarte Code of Ordinances adopts the 2022 edition of the California Building Code.

4.5.3 Impact Analysis

a. Significance Thresholds

The following thresholds of significance are based on *CEQA Guidelines* Appendix G. For the purposes of this EIR, project implementation may have a significant adverse impact if it would do any of the following:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    1. 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);
    2. Strong seismic ground shaking;
    3. Seismic-related ground failure, including liquefaction; and/or
    4. Landslides;
b. Result in substantial soil erosion or the loss of topsoil;
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; and/or
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

As discussed in the Initial Study (Appendix A), the proposed project would have either a less than significant impact or no impact related to Threshold a.3, Threshold a.4, Threshold b, Threshold c, Threshold d, and Threshold e. Therefore, these issues are not addressed further in this EIR.

The analysis of potential geology and soils hazards is largely based on the Preliminary Geotechnical Evaluation ("geotechnical evaluation") prepared for the proposed project, as well as existing data and historical information. The geotechnical investigation for the project was prepared by LGC Geotechnical, Inc. in May 2024 which is included as Appendix G of this EIR.

b. Methodology

To evaluate potential impacts to paleontological resources, Rincon paleontologists requested and reviewed a paleontological records search from the Natural History Museum of Los Angeles County (NHMLA), as well as reviewed geologic maps and primary literature. Based on reviewed information, paleontological sensitivities pursuant to the guidelines of the SVP (2010) were assigned to the geologic units present at the surface or in the subsurface of the project site that would be impacted by ground-disturbing activities associated with project construction.

This section describes the potential environmental impacts of the proposed project relevant to geology and soils. The impact analysis is based on an assessment of baseline conditions for the project area, including topography, geologic and soil conditions, and seismic hazards, as described above under Section 4.5.1, *Setting*. This analysis identifies potential impacts based on the predicted interaction between the affected environment and construction, operation, and maintenance activities related to the development predicted to occur under the proposed project. This section describes impacts in terms of location, context, duration, and intensity, and recommends mitigation measures, when necessary, to avoid or minimize impacts.

c. Project Impacts

Threshold a1:	Would the project directly or indirectly cause 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?

Impact GEO-1 THE PROJECT IS NOT WITHIN AN ALQUIST-PRIOLO FAULT ZONE. FURTHER, THE GEOTECHNICAL EVALUATION DETERMINED THAT THE POTENTIAL FOR FAULT RUPTURE AT THE PROJECT SITE IS LOW. THE POTENTIAL OF SUBSTANTIAL ADVERSE EFFECTS INVOLVING RUPTURE OF A KNOWN EARTHQUAKE FAULT IS LOW. THUS, THE PROPOSED PROJECT WOULD NOT BE SUBJECT TO SUBSTANTIAL RISK OF GROUND RUPTURE AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The entire Southern California region, including the project area, is considered seismically active. Fault rupture can occur along pre-existing, known active fault traces; however, fault rupture also can splay from known active faults or rupture along unidentified fault traces. Therefore, the project site could be subjected to moderate to strong ground shaking in the event of an earthquake on nearby faults. However, as described in the *Environmental Setting*, the project site is not located in an Alquist-Priolo Fault Zone and the nearest Alquist-Priolo Fault Zone is the Siera Madre Fault Zone, which is located approximately 0.5 mile north of the project site and approximately 0.5 mile northeast of the project site (CGS 2024). The geotechnical evaluation concluded that the potential risk of fault rupture within the project site is low due to the lack of active faults within the project site (LGC Geotechnical, Inc. 2024).

Construction

Project construction would include utility relocations, excavation, structure construction, and landscaping and site restoration. Construction of the project would adhere to State and local seismic safety regulations including the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and Title 16 of the DMC. Chapter 16A, Division IV of the CBC, entitled "Earthquake Design," states that the "purpose of the earthquake provisions herein is primarily to safeguard against major structural failures or loss of life." The CBC and UBC regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic hazards and adverse soil conditions. The procedures and limitations for the design of structures are based on site characteristics, occupancy type, configuration, structural system, height, and seismic zoning.

Upon compliance with the applicable regulations, construction of the proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Construction impacts would be less than significant.

Operation

As described above, the risk of fault rupture at the site is low, and the project structures would be constructed in accordance with the requirements of the CBC, UBC, and Title 16 of the DMC. Duarte has adopted the CBC by reference pursuant to DMC Section 16.04.010 of the DMC which contains specific requirements for structural design, including seismic loads. The CBC requires that structures be designed and constructed to resist seismic hazards, through foundation design and the completion of soil investigations prior to construction. Duarte would ensure that the project would be designed and constructed consistent with the current CBC, thereby ensuring that appropriate investigations and design measures have been employed to effectively minimize or avoid potential hazards associated with redevelopment or new building construction. Therefore, operation of the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Potential impacts associated with rupture of the ground surface within the vicinity of the project site would be less than significant.

Further, the project would comply with Title 24 of the 2022 CBC, which establishes minimum standards to safeguard the public health, safety, and general welfare through structural strength, means of egress, and general stability by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all building and structures within its jurisdiction. The impact to people, buildings, or structures from fault rupture would be further reduced by the required conformance with applicable building codes and accepted engineering practices. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Potential impacts associated with rupture of the ground surface within the vicinity of the project site would be less than significant.

Threshold a2: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Impact GEO-2 THE PROJECT COULD RESULT IN EXPOSURE OF PEOPLE OR STRUCTURES TO A RISK OF LOSS, INJURY, OR DEATH INVOLVING STRONG SEISMIC GROUND SHAKING. HOWEVER, THE GEOTECHNICAL EVALUATION DETERMINED THAT THE POTENTIAL OF SUBSTANTIAL ADVERSE EFFECTS INVOLVING GROUND SHAKING IS LOW UPON COMPLIANCE WITH THE APPLICABLE CODES AND STANDARDS AND IMPLEMENTATION OF THE GEOTECHNICAL EVALUATION'S RECOMMENDATIONS. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The project site is within a seismically active region and could be subject to strong ground shaking in the event of an earthquake at one of the local or regional faults. This hazard is common in Southern California and the effects of ground shaking and ground failure can be minimized if the proposed structures are designed and constructed in conformance with current building codes and engineering practices.

Construction

As discussed in Section 4.5.2, *Regulatory Setting*, the proposed project would be required to comply with State and local seismic safety regulations to ensure that development is constructed in a manner that would minimize risk of damage from earthquakes. These regulations include the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, UBC, CBC, and Title 16 of the DMC. In particular, the proposed project would be required to demonstrate compliance with Title 16 of the DMC, which incorporates current seismic design provisions of the current CBC to minimize seismic ground shaking impacts. Upon compliance with the applicable regulations, construction of the proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving seismic ground shaking. Construction impacts would be less than significant.

Operation

The project must demonstrate compliance with the applicable seismic safety provisions of the regulations discussed above prior to construction and occupancy of the proposed structures. To ensure compliance, the design and construction of the proposed project would include proven construction engineering practices in accordance with the recommendations of an approved geotechnical report. The Duarte Building & Safety Division of the Community Development Department is responsible for implementing the provisions of the Title 16 of the DMC, and the proposed project would be required to comply with the plan review and permitting requirements of the Building & Safety Division, including the recommendations provided in final site-specific geotechnical reports subject to review and approval by the City. The potential impact to people, buildings, or structures on the project site from strong seismic ground shaking during project operation would be reduced by the required conformance with applicable building codes and accepted engineering practices.

Furthermore, operation of the proposed project would not involve mining operations, deep excavation into the earth, or boring of large areas creating unstable seismic conditions or stresses in the earth's crust that could exacerbate seismic hazards. Therefore, operation of the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking and impacts would be less than significant.

Threshold f:	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact GEO-3 GROUND-DISTURBING ACTIVITIES FOR THIS PROJECT ARE NOT EXPECTED TO IMPACT SEDIMENTS WITH HIGH PALEONTOLOGICAL SENSITIVITY. IMPACTS TO PALEONTOLOGICAL RESOURCES WOULD BE LESS THAN SIGNIFICANT.

Significant impacts to paleontological resources include the destruction, damage, or loss of scientifically important paleontological resources or associated stratigraphic data. Ground-disturbing activities (i.e., grading, excavating, trenching) in undisturbed sediments or geologic units with high paleontological sensitivity have the potential to significantly impact paleontological resources under CEQA. The project site is underlain by modern alluvial fan deposits (Bedrossian et. al. 2010) that have low paleontological sensitivity from the surface to 15 feet below the surface and undetermined paleontological sensitivity greater than 15 feet below the surface.

Ground-disturbing activities for this project are anticipated to include overall site grading, which would reach a maximum of five feet below the surface, and excavations for utilities, which would reach a maximum of 13 feet below the surface. These activities would only impact sediments with low paleontological sensitivity, and therefore, are not expected to significantly impact paleontological resources.

4.5.4 Cumulative Impacts

The geographic extent of cumulative analysis for geology and soils is the cumulative projects in Duarte and the surrounding areas as listed in Table 3-1 in Section 3, *Environmental Setting,* of this EIR, which includes 15 projects. Cumulative impacts may occur if impacts of the proposed project combine with similar impacts of other projects in the cumulative scenario that could result in similar impacts to geology and soils. As such, cumulative impacts to geology and soils could occur if impacts from the proposed project combine with similar impacts to geology and soils from other construction activities throughout the cumulative analysis setting as described in Section 3, *Environmental Setting,* of this EIR.

The project, in conjunction with other planned and pending projects in the project site vicinity, would cumulatively increase the potential to encounter geologic phenomena (faults, seismic ground shaking, landslides, etc.), similar soil conditions, and paleontological resources.

Geology and soil impacts are generally site-specific and there is typically little, if any cumulative relationship between the development of a project and development within a large cumulative area (e.g., city-wide development). For example, development at the project site would not alter. Each individual project would be required to investigate and address the site specific geologic and soil conditions in conjunction with engineering recommendations incorporated into the final design, consistent with CBC requirements. Similarly, in the event that paleontological resources are discovered, each individual project would be required to comply with the applicable regulatory requirements and mitigate any potential impacts to resources on the individual project site.

The proposed project, in conjunction with the cumulative development projects listed in Section 3, *Environmental Setting*, could lead to accelerated degradation of previously unknown paleontological resources. However, each development proposal received by the City would undergo environmental review and would be subject to the same resource protection requirements as the project as outlined in the Duarte General Plan. Compliance with CEQA requirements, including the implementation of recommendations provided in project-specific resource studies, on all new

developments, would reduce impacts at a project level, and in-turn avoid significant impacts on a cumulative basis. In the event that paleontological resources are uncovered, each individual project would be required to comply with the applicable regulatory requirements to mitigate potential impacts. Such recommendations may include implementation of a mitigation plan, monitoring, recovery and curation. Therefore, the proposed project's contribution to cumulative impacts associated with geology and soils, including paleontological resources, would not be considerable.

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4.6 Greenhouse Gas Emissions

This section evaluates the potential impacts of greenhouse gas (GHG) emissions associated with the proposed project. Construction and operational GHG emissions associated with the proposed project are calculated using the California Emissions Estimator Model (CalEEMod), version 2022.1, (Appendix E).

The proposed project's consistency with applicable GHG reduction plans is also analyzed. The information in this section is based in part on applicable regional and local plans relevant to GHG emissions, such as the State's 2022 Scoping Plan; the Southern California Association of Governments' (SCAG's) 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS); the City of Durate General Plan (2007); and the City of Durate Energy Action Plan (2012).

4.6.1 Setting

Climate Change and Greenhouse Gases

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO_2e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO_2 on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2021).

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The IPCC expressed that the rise and continued growth of atmospheric CO_2 concentrations is unequivocally due to human activities in the IPCC's Sixth Assessment Report (2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, that a total of 2,390 gigatonnes of

anthropogenic CO_2 was emitted. It is likely that anthropogenic activities have increased the global surface temperature by approximately 1.07 degrees Celsius (°C) between the years 2010 through 2019 (IPCC 2021).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 33 degrees °C cooler (World Meteorological Organization 2024). However, since 1750, estimated concentrations of CO_2, CH_4, and N_2O in the atmosphere have increased by 47 percent, 156 percent, and 23 percent, respectively, primarily due to human activity (IPCC 2021). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

Greenhouse Gas Emissions Inventory

Global Emissions Inventory

In 2015, worldwide anthropogenic GHG emissions totaled 47,000 million metric tons (MMT) of CO_2e, which is a 43 percent increase from 1990 GHG levels. Specifically, 34,522 MMT of CO_2e, 8,241 MMT of CO_2e of CH_4, 2,997 MMT of CO_2e of N_2O, and 1,001 MMT of CO_2e of fluorinated gases were emitted in 2015. The largest source of GHG emissions were energy production and use (includes fuels used by vehicles and buildings), which accounted for 75 percent of the global GHG emissions. Agriculture uses and industrial processes contributed 12 percent and six percent, respectively. Waste sources contributed three percent, international transport contributed two percent, and land-use changes and forestry contributed to two percent of the total global GHG emissions (United States Environmental Protection Agency [USEPA] 2024a).

United States Emissions Inventory

United States GHG emissions were 6,341.2 MMT of CO_2e in 2022 or 5,487 MMT CO_2e after accounting for sequestration. Emissions decreased by 3.1 percent from 2021 to 2022. Between 2021 and 2022, the increase in total GHG emissions was driven largely by an increase in CO_2 emissions from fossil fuel combustion across most end-use sectors due in part to increased energy use from the continued rebound of economic activity after the height of the COVID-19 pandemic. In 2022, the energy sector (including transportation and industrial) accounted for 76.4 percent of nationwide GHG emissions while agriculture, commercial, and residential sections accounted for approximately 23.6 percent of nationwide GHG emissions (USEPA 2024b).

California Emissions Inventory

Based on California Air Resource Board's (CARB) California Greenhouse Gas Inventory for 2000-2022, California produced 371.1 MMT of CO_2e in 2022, which is 9.3 MMT of CO_2e lower than 2021 levels. The major source of GHG emissions in California is the transportation sector, which comprises 37.7 percent of the state's total GHG emissions. The industrial sector is the second largest source, comprising 19.6 percent of the state's GHG emissions while electric power accounts for approximately 16.1 percent (California Air Resources Board [CARB] 2024). The magnitude of California's total GHG emissions is due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions as compared to other states is its relatively mild climate. In 2016, California achieved its 2020 GHG

emission reduction target of reducing emissions to 1990 levels as emissions fell below 431 MMT of CO_2e. The annual 2030 statewide target emissions level is 260 MMT of CO_2e (CARB 2017).

Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources though potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. The year 2023 was the warmest year since global records began in 1885 at 1.18°C (2.12°F) above the 20th century average of 13.9°C (57.0°F). This value is 0.15°C (0.27°F) less than the record set in 2016. The 10 warmest years in the 174-year record have all occurred during the last decade (2014–2023) (National Oceanic and Atmospheric Administration 2024). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature obtained from station observations jointly indicate that Land Surface Air Temperature and sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014, 2018).

Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years. *California's Fourth Climate Change Assessment* (California Natural Resource Agency 2019) includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the State and regionally specific climate change case studies. However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. A summary follows that includes some of the potential effects that climate change could generate in California.

Air Quality and Wildfires

Scientists project that annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century. Higher temperatures are conducive to air pollution formation and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the State has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (California Natural Resource Agency 2019). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. With increasing temperatures, shifting weather patterns, longer dry seasons, and more dry fuel loads, the frequency of large wildfires and area burned is expected to increase (California Natural Resources Agency 2021).

Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west,

including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources 2018). For example, the winter of 2022-2023 had severe storms and flooding from increased rainfall and snowmelt, which the California Department of Water Resources identified as "the latest example that California's climate is becoming more extreme" (California Department of Water Resources 2023). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western United States, including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (California Natural Resource Agency 2019). The Sierra Nevada Mountains snowpack provides the majority of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack. Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (California Natural Resource Agency 2019).

Hydrology and Sea Level Rise

Climate change could affect the intensity and frequency of storms and flooding (California Natural Resource Agency 2019). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2023, observed by satellites, is approximately 3.4 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2024). Global mean sea levels in 2013 were about 0.23 meter higher than those of 1880 (National Oceanic and Atmospheric Administration 2023). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea level rise ranging between 0.25 to 1.01 meters by 2100 with the sea level ranges dependent on a low, intermediate, or high GHG emissions scenario (IPCC 2021). A rise in sea levels could erode 31 to 67 percent of southern California beaches and cause flooding of approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California's water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (California Natural Resource Agency 2019). Furthermore, increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture

In 2022, the market value of agricultural products sold in California totaled $59.0 billion, up $13.8 billion from 2017, that produces over a third of the country's vegetables and three-quarters of the country's fruits and nuts (California Department of Food and Agriculture 2024). Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter

conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (California Natural Resource Agency 2019). Temperature increases could also change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

Ecosystems

Climate change and the potential resultant changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions due to higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; California Natural Resource Agency 2019).

4.6.2 Regulatory Setting

a. Federal Regulations

The United States Supreme Court determined in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) that the USEPA has the authority to regulate motor vehicle GHG emissions under the federal Clean Air Act (CAA). The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when CAA permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the United States Supreme Court held the USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

b. State Regulations

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. There are numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below. For more information on the Senate and Assembly Bills (AB), executive orders, building codes, and reports discussed below, and to view reports and research referenced below, refer to the following websites: https://www.energy.ca.gov/data-reports/reports/californias-fourth-climate-change-assessment, www.arb.ca.gov/cc/cc.htm, and https://www.dgs.ca.gov/BSC/Codes.

California Advanced Clean Cars Program

AB 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, the USEPA granted the waiver of CAA preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the USEPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "Low Emission Vehicle III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicle, Zero Emissions Vehicles, and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

California Global Warming Solutions Act of 2006 (Assembly Bill 32 and Senate Bill 32)

The "California Global Warming Solutions Act of 2006," (AB 32), outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 MMT of CO_2e, which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others (CARB 2008). Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Scoping Plan's approval.

CARB approved the 2013 Scoping Plan update in May 2014. The plan update defined CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the state's longer term GHG reduction strategies with other State policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use (CARB 2014).

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100 (discussed later). The 2017 Scoping Plan also puts increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with statewide per capita goals of six MT of CO_2e by 2030 and two MT of CO_2e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level

analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the State (CARB 2017).

Assembly Bill 1279

AB 1279, "The California Climate Crisis Act," was passed on September 16, 2022, and declares the State will achieve net zero GHG emissions as soon as possible, but no later than 2045, and will achieve and maintain net negative GHG emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045.

In response to the passage of AB 1279 and the identification of the 2045 GHG reduction target, CARB published the Final 2022 Climate Change Scoping Plan in November 2022 (CARB 2022). The 2022 Update builds upon the framework established by the 2008 Climate Change Scoping Plan and previous updates while identifying new, technologically feasible, cost-effective, and equity-focused paths to achieve California's climate target. The 2022 update includes policies to achieve a significant reduction in fossil fuel combustion, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands (NWL) to reduce emissions and sequester carbon, and the capture and storage of carbon.

The 2022 update assesses the progress California is making toward reducing its GHG emissions by at least 40 percent below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan; addresses recent legislation and direction from Governor Newsom; extends and expands upon these earlier plans; implements a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045; and takes an additional step of adding carbon neutrality as a science-based guide for California's climate work. As stated in the 2022 update, "The plan outlines how carbon neutrality can be achieved by taking bold steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the state's NWL and using a variety of mechanical approaches" (CARB 2022). Specifically, the 2022 update includes the following:

- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs
- Integrates equity and protection for California's most impacted communities as driving principles throughout the document
- Incorporates the contribution of NWL to the State's GHG emissions, as well as their role in achieving carbon neutrality
- Relies on the most up-to-date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration, as well as direct air capture
- Evaluates the substantial health and economic benefits of taking action
- Identifies key implementation actions to ensure success

In addition to reducing emissions from transportation, energy, and industrial sectors, the 2022 update includes emissions and carbon sequestration in NWL and explores how NWL contributes to long-term climate goals. Under the Scoping Plan Scenario, California's 2030 emissions are anticipated to be 48 percent below 1990 levels, representing an acceleration of the current SB 32 target. Cap-and-Trade regulation continues to play a large factor in the reduction of near-term emissions for meeting the accelerated 2030 reduction target. Every sector of the economy will need to begin to transition in this decade to meet our GHG reduction goals and achieve carbon neutrality no later than 2045. The 2022 update approaches decarbonization from two perspectives, managing a phasedown of existing energy sources and technologies, as well as increasing, developing, and deploying alternative clean energy sources and technology.

Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed into law by the Governor Schwarzenegger in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. SCAG was assigned targets of an 8 percent reduction in per capita GHG emissions from passenger vehicles by 2020[1] and a 19 percent reduction in per capita GHG emissions from passenger vehicles by 2035. In the SCAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements.

Senate Bill 1383

Adopted in September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

SB 1383 also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 100

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the State's Renewables Portfolio Standard Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from

[1] SCAG met the 2020 GHG emissions reduction target, as described in the 2024-2050 RTP/SCS.

eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Executive Order B-55-18

On September 10, 2018, former Governor Brown issued Executive Order (EO) B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

California Building Standards Codes

The California Code of Regulations (CCR) Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The current iteration is the 2022 Title 24 standards. The California Building Standards Code's energy-efficiency and green building standards are outlined below.

Part 6 – Building Energy Efficiency Standards/Energy Code

CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The 2022 Title 24 standards are the applicable building energy efficiency standards for the proposed project because they became effective on January 1, 2023.

Part 11 – California Green Building Standards

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective on January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards applicable to air quality require:

- Minimum 20 percent reduction in indoor water use relative to specified baseline levels[2]
- Waste Reduction – Minimum 65 percent non-hazardous construction/demolition waste diverted from landfills
- Inspections of energy systems to ensure optimal working efficiency

[2] Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards
- Electric Vehicle (EV) Charging for New Construction:[3]
  - One- and two-family dwellings and town houses with attached private garages: Dedicated circuitry to facilitate installation of EV charging
  - Spaces shall be equipped with a Level 2 charging station

The voluntary standards include:

- Residential – Cool Roofs that have a thermal mass over the roof membrane, including green roofs weighing a minimum of 25 pounds per square foot or roof areas covered by solar photovoltaic panels and building integrated solar thermal panels
- Residential – Reduce nonroof heat island for 50 percent of sidewalks, patios, driveways or other paved areas
- One- and two-family dwelling units and townhouses with attached garages – Install a dedicated 208/250-volt branch circuit for EV charging
- Tier I:
  - Stricter energy efficiency requirements
  - Stricter water conservation requirements for specific fixtures
  - minimum 65 percent reduction in construction waste with third-party verification, Minimum 10 percent recycled content for building materials
  - Minimum 20 percent permeable paving
  - Minimum 20 percent cement reduction
- Tier II:
  - Stricter energy efficiency requirements
  - Stricter water conservation requirements for specific fixtures
  - Minimum 75 percent reduction in construction waste with third-party verification
  - Minimum 15 percent recycled content for building materials
  - Minimum 30 percent permeable paving

California Integrated Waste Management Act (Assembly Bill 341)

The California Integrated Waste Management Act of 1989, as modified by AB 341 in 2011, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities and (2) diversion of 50 percent of all solid waste on and after January 1, 2000.

[3] EV Capable = a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging; EV-ready = a vehicle space which is provided with a branch circuit and any necessary raceways to accommodate EV charging stations, including a receptacle for future installation of a charger (see 2022 California Green Building Standard Code, Title 24 Part 11 for full explanation of mandatory measures, including exceptions).

Executive Order N-79-20

On September 23, 2020, Governor Newsom issued EO N-79-20, which established the following new statewide goals:

- All new passenger cars and trucks sold in-state to be zero-emission by 2035
- All medium- and heavy-duty vehicles in the state to be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks
- All off-road vehicles and equipment to be zero-emission by 2035 where feasible

EO N-79-20 directs CARB, the Governor's Office of Business and Economic Development, the California Energy Commission, the California Department of Transportation, and other State agencies to take steps toward drafting regulations and strategies and leveraging agency resources toward achieving these goals.

Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

Adopted on September 16, 2022, SB 1020 creates clean electricity targets for eligible renewable energy resources and zero-carbon resources to supply 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all State agencies by 2035. This bill shall not increase carbon emissions elsewhere in the western grid and shall not allow resource shuffling.

c. Local Regulations

2024-2050 Regional Transportation Plan/Sustainable Communities Strategy

SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties, and addresses regional issues relating to transportation, the economy, community development and the environment. On April 4, 2024, SCAG's Regional Council formally adopted the 2024-2050 RTP/SCS (titled Connect SoCal 2024). The 2024-2050 RTP/SCS builds upon the progress made through implementation of the 2024-2050 RTP/SCS and includes four core goals focused on mobility, communities, environment and economy. By 2050, the population of the region is projected in Connect SoCal 2024 to increase by two million people, or 11 percent, with an increase of 1.6 million housing units, or 26 percent, and 1.3 million jobs, or 14.2 percent. However, growth is not expected to be uniform across the region's counties or cities. Connect SoCal 2024 would increase transportation efficiency and deliver significant benefits to the region with respect to mobility, safety, health outcomes, travel-time reliability, air quality, economic productivity, environmental justice and transportation asset condition. The SCS outlines growth strategies for land use and transportation and helps reduce the State's GHG emissions from cars and light-duty trucks (SCAG 2024).

City of Duarte General Plan

The City of Duarte General was adopted in August 2007 and provides goals, objectives and policies aimed at reducing GHG emissions. The following goals, objectives, and policies are applicable to the proposed project (Duarte 2007):

Conservation Goal 2: To protect and maintain the local water supply to ensure that the city's growing demand for water can be met.

Objective 2.1: Assist in the preservation, recharge and clean-up of water as a precious natural resource.

> **Policy Con 2.1.4:** Require the installation of water saving irrigation systems for all new development.
>
> **Policy Con 2.1.6:** Encourage water conservation in residential, commercial, and industrial development.

Air Quality Goal 2: Reduce air pollution from mobile sources

Objective 2.1: Reduce motor vehicle trips and vehicle miles traveled.

Circulation Goal 3: To increase the use of alternative modes of transportation for travelling to, from, or through Duarte.

Objective 3.1: Encourage and promote the use of travel modes other than the single occupancy vehicle, such as bus transit, rail transit, carpools, vanpools, bicycling, and walking.

Goal 4: Assist the private, public and non-profit sectors in providing affordable housing opportunities and services.

Objective 4.1: Expand affordable housing options within the City of Duarte.

> **Policy 4.1.7:** Green Building: Encourage use of sustainable and green building design in new and existing housing, including in disadvantaged communities.

City of Duarte Energy Action Plan

The Duarte Energy Action Plan (EAP) was adopted November 2012 (City of Duarte 2012). The EAP demonstrates the City's commitment to pursue energy efficiency and reduce GHG emissions. The purpose of the EAP is to identify the City of Duarte's long-term vision and commitment to achieve energy efficiency in the community and in municipal operations. The following goals, policies, and actions are applicable to the proposed project (City of Duarte 2012):

Goal 3: By 2020, New Residential Construction with Five Units or More and New Nonresidential Construction Projects of 25,000 Square Feet or More in Duarte Will Have No Net Impact on Community-Wide Energy Demand.

> **Policy 3.1:** The City will work with project applicants to maximize the energy-efficient design and orientation of new buildings pursuant to the City's Sustainable Development Practices.
>
> > **Action:** Support the use of innovative and alternative building materials and designs that improve building energy efficiency.
> >
> > **Action:** Work with project applicants to identify cost-effective measures to improve the energy efficiency of their project.

Policy 3.2: Regularly update the City's Sustainable Development Practices to integrate new or revised building code standards that improve energy efficiency.

Action: Continue to require project applications to comply with applicable mandatory and voluntary components of the City's Sustainable Development Practices.

Policy 3.3: The City will encourage the use of energy-efficient appliances and equipment in new buildings.

Action: Encourage all size developments to install energy-efficient appliances within new and renovated buildings consistent with the City's Sustainable Development Practices.

Goal 6: Integrate water conservation efforts into new and existing development to conserve energy used to pump, treat, and convey water.

Policy 6.2: Promote water efficient landscaping practices.

Action: Promote water landscaping efficiency and the use of irrigation controls.

Policy 6.4: Maximize the efficient use of limited water resources through efficient building and landscaping practices in new development.

Action: Require new development to comply with applicable water conservation measures of the City's Sustainable Development Practices and the California Green Building Code requirements for water conservation.

4.6.3 Impact Analysis

a. Significance Thresholds

To determine whether a project would result in a significant impact related to GHG emissions, Appendix G of the *CEQA Guidelines* requires consideration of whether a project would:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines* Section 15064[h][1]). Per *CEQA Guidelines* Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with a previously approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem within the geographic area of the project. Therefore, *CEQA Guidelines* Section 15064(h)(3) allows a lead agency to make a finding of less than significance for GHG emissions if a project complies with adopted plans, programs, policies, and/or other regulatory strategies to reduce GHG emissions.

Section 15064.4 of the *CEQA Guidelines* recommends that lead agencies quantify the GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, which include the following: the extent to which the project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a reduction or mitigation of GHG emissions.

Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), as long as any threshold is supported by substantial evidence. See *CEQA Guidelines* Section 15064.7(c). The City of Durarte has not adopted a numerical significance threshold for assessing impacts related to GHG emissions. Neither Governor's Office of Land Use and Climate Innovation (formerly known as the Governor's Office of Planning and Research), CARB, California Air Pollution Control Officers Association (CAPCOA), nor any other State or applicable regional agency has adopted a numerical significance threshold for assessing GHG emissions that is applicable to the proposed project. The Southern California Air Quality Management District (SCAQMD)'s GHG CEQA Significance Threshold Working Group proposed numeric thresholds for stationary sources as well as land use projects under their jurisdiction. In December of 2008, the SCAQMD's Governing Board adopted Interim CEQA GHG Significance Thresholds for Stationary Sources for projects where the SCAQMD is the lead agency. While there were additional proposals for land use thresholds through November of 2009, there were no numeric land use related GHG thresholds adopted either for use where the SCAQMD is the lead agency or for use by other agencies. Further, these proposed thresholds were developed to meet the State thresholds in place in 2008 and not the 2045 Net Zero threshold identified by the 2022 Scoping Plan. As the 2022 Scoping Plan indicates, the majority of the reductions needed to meet the 2045 Net Zero threshold would need to be accomplished through policies and practices instituted at the State and local jurisdiction levels and are not achievable at the individual project level.

In the absence of any adopted or accepted numeric threshold, the significance of the proposed project's GHG emissions for both Thresholds a and b are evaluated consistent with *CEQA Guidelines* Sections 15064.4(b) and 15064(h)(3) by considering whether the proposed project complies with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

Therefore, the significance of the proposed project's potential impacts regarding GHG emissions and climate change is evaluated based on the threshold of significance established by the City for the project, namely whether the project complies with applicable plans, polices, regulations and requirements adopted to implement a statewide, regional or local plan for the purposes of reducing GHG emissions and mitigating the effects of climate change. For this project, as a land use development project, the most applicable adopted regulatory plans to reduce GHG emissions and mitigate the effects of climate change are the 2022 Scoping Plan, SCAG 2024 RTP/SCS, City of Duarte General Plan, and the City of Duarte EAP. The GHG emissions from the construction and operation of the proposed project are provided for informational purposes.

b. Methodology

Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential effects of the proposed project related to GHG emissions. The analysis focuses on CO_2, CH_4, and N_2O because these comprise 98 percent of all GHG emissions by volume and are the GHG emissions the proposed project would emit in the largest quantities (IPCC 2014). Emissions of all GHGs are converted into their equivalent GWP in terms of CO_2 (i.e., CO_2e). Minimal amounts of other GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would not substantially add to the total. GHG emissions associated with proposed project construction and operational activity were calculated using the CalEEMod version 2022.1 (see Appendix E for calculations).

Construction

During construction, the proposed project would generate GHG emissions primarily from the use of internal combustion engines to power on-site equipment as well as off-site transportation of workers and materials. Further detail for the assumptions included in the modeling of GHG emissions is provided in Section 4.1, *Air Quality*. Because construction emissions occur for a limited period of a project's lifetime, as a standard practice, GHG emissions from construction are amortized over a presumed project lifetime. In accordance with SCAQMD's recommendation, GHG emissions from construction of the proposed project were amortized over a 30-year period and added to annual operational emissions to determine the project's total annual GHG emissions (SCAQMD 2008).

Operation

Operation of the project would begin in 2028. Details for mobile source and area source inputs included in the modeling of GHG emissions are provided in Section 4.1, *Air Quality.* Additional sources detailed in Section 4.1, *Air Quality,* that contribute to the release of GHG emissions include the following:

ENERGY SOURCES

Energy source emissions are based on CalEEMod default assumptions for the proposed land use types in each buildout scenario. Emissions from energy use include electricity and natural gas use. The proposed project would generate GHG emissions from electricity use associated with household appliances and lighting for the proposed residential units and the park. The proposed project would be served by Southern California Edison (SCE) and Southern California Gas (SoCalGas). Specific energy intensity factors (i.e., the amount of CO_2e per megawatt-hour) from SCE are used in the calculation of GHG emissions. As listed under Section 2.5.5, *Green Building Features,* the proposed project's electricity would be provided by solar energy. Therefore, the CalEEMod model includes 100 percent renewable solar energy for electricity consumption, which is reflected in the CalEEMod "mitigated" outputs. However, this represents the project's design feature and is not a mitigation strategy.

The default electricity consumption values in CalEEMod include the CEC-sponsored California Commercial End Use Survey and Residential Appliance Saturation Survey studies. The 2022.1 CalEEMod currently incorporates California's 2019 Title 24 building energy efficiency standards. CalEEMod assumption values for residential and parking lot fixtures were used in the analysis.

WASTE SOURCES

GHG emissions from waste generation were also calculated in CalEEMod and are based on CARB's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CARB 2010). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the CalRecycle.

WATER AND WASTEWATER SOURCES

The analysis used CalEEMod default water and wastewater consumption rates to determine GHG emissions from water and wastewater sources. CalEEMod calculated GHG emissions from water and wastewater usage based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California and the average values for northern and southern California.

b. Project Impacts and Mitigation Measures

Threshold a:	Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
Threshold b:	Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact GHG-1 ALTHOUGH CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD GENERATE GHG EMISSIONS, THE PROJECT WOULD INCORPORATE FEATURES THAT WOULD REDUCE GHG EMISSIONS AND ALIGN WITH THE GOALS OF THE APPLICABLE PLANS, POLICIES, AND REGULATIONS RELATED TO GHG EMISSIONS. THEREFORE, THE PROPOSED PROJECT WOULD NOT GENERATE EMISSIONS THAT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT, NOR WOULD THE PROPOSED PROJECT CONFLICT WITH THE APPLICABLE PLANS, POLICIES, AND REGULATIONS ADOPTED FOR THE PURPOSE OF REDUCING GHG EMISSIONS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As discussed under Section 4.6.3, *Significance Thresholds*, there is no numeric threshold adopted for determining significance of quantified GHG emissions. Therefore, the emission of GHG emissions having significant impacts on the environment is evaluated based on the project's compliance with plans and policies adopted for the reduction of GHG emissions. Several plans and policies have been adopted to reduce GHG emissions in the Southern California region, including the State's 2022 Scoping Plan, SCAG's 2024-2050 RTP/SCS, City of Duarte's General Plan and EAP. The project's consistency with these plans and applicable policies is discussed in the following subsections. As discussed herein, the project would not conflict with plans and policies aimed at reducing GHG emissions, and therefore would be less than significant for both Thresholds a and b. Project GHG emissions are provided for informational purposes following the consistency analysis.

Consistency with Applicable Plans and Policies

2022 Scoping Plan

The principal State plan to monitor and regulate GHGs is AB 32, the California Global Warming Solutions Act of 2006, which was followed by SB 32. The quantitative goal of AB 32 was to reduce GHG emissions to 1990 levels by 2020. According to CARB, California achieved its 2020 GHG emission reduction target in 2016. The goal of SB 32 is to reduce GHG emissions to 40 percent below 1990 levels by 2030. In 2022, the State passed AB 1279, which declares the State would

achieve net-zero GHG emissions by 2045 and would reduce GHG emissions by 85 percent below 1990 levels by 2045. The latest iteration of the Scoping Plan is the 2022 Scoping Plan, which focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities. The 2022 Scoping Plan's strategies that apply to the proposed project include the following:

- Reducing fossil fuel use, energy demand, and VMT;
- Building decarbonization; and
- Maximizing recycling and diversion from landfills.

The 2022 Scoping Plan Appendix D, Local Actions, provides suggestions (also referred to as "priority area") for prioritizing the various types of mitigation, starting with on-site GHG-reducing design features and mitigation measures, such as methods to reduce VMT and support building decarbonization, access to shared mobility services or transit, and EV charging. The 2022 Scoping Plan's Transportation Electrification priority area recommends providing EV charging infrastructure based on the most ambitious voluntary standards in the latest CALGreen standard. The project would align with the voluntary standard for townhouses with attached private garages by providing EV-ready infrastructure in the private garages.The 2022 Scoping Plan's VMT Reduction priority area focuses on projects that are infill sites, located near existing urban uses, do not result in the loss or conversion of natural and working lands, and are in proximity to existing transit stops. The project site would utilize existing utilities onsite and is within 0.25-mile of the nearest transit bus stop along Huntington Drive. Additionally, the Duarte/City of Hope A-Line station, located 1.2 miles southwest of the project site, includes a parking lot for commuters. The A Line, intended for suburban commuters, would accomdate future residents at the project site, potentially reduce VMT, and provide more sustainable transportation options. The project site is not considered natural working land and would be consistent with this priority area. The project would install a photovoltaic system in accordance with the Building Efficiency Energy Standards. Furthermore, as listed under Section 2.5.5, *Green Building Features,* the proposed project's electricity would be provided by solar energy. Therefore, the proposed project would not conflict with the 2022 Scoping Plan.

SCAG's 2024-2050 RTP/SCS

On April 4, 2024, SCAG's Regional Council formally adopted the 2024-2050 RTP/SCS (titled Connect SoCal 2024). The SCAG 2024-2050 RTP/SCS is forecast to help California reach its GHG reduction goals by reducing GHG emissions from passenger cars in the SCAG region by 19 percent by 2035 in accordance with the most recent CARB targets adopted in March 2018.[4] The 2024-2050 RTP/SCS focuses on four core categories: mobility, communities, environment, and economy. In addition, the SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The project's consistency with the 2024-2050 RTP/SCS is discussed in Table 4.6-1. As shown therein, the proposed project would not conflict with the 2024-2050 RTP/SCS.

[4] Eight percent emissions reduction from 2005 levels by 2020 target was achieved (SCAG 2024).

Table 4.6-1 Project Consistency with Applicable SCAG RTP/SCS Strategies

Reduction Strategy	Project Consistency
Mobility/Communities ▪ Pursue the development of Complete Streets that comprise a safe, multimodal network with flexible use of public rights-of-way for people of all ages and abilities using a variety of modes (e.g., people walking, biking, rolling, driving, taking transit). ▪ Encourage and support the implementation of projects, both physical and digital, that facilitate multimodal connectivity, prioritize transit and shared mobility, and result in improved mobility, accessibility and safety. ▪ Promote the growth of origins and destinations, with a focus on future housing and population growth, in areas with existing and planned urban infrastructure that includes transit and utilities ▪ Encourage housing development in transit-supportive and walkable areas to create more interconnected and resilient communities.	**Consistent.** The proposed project would be an infill site with existing utility infrastructure. The residential portion of the project would add 169 residential units and would provide connectively with several residential neighborhoods and commercial areas. The project site would be within a quarter of a mile from existing transit bus stops along Huntington Drive, which could potentially promote walking and biking near the project site. Additionally, the project site is approximately 1.2 miles from Duarte/City of Hope A Line station, which could potentially reduce VMT for commuters. Therefore, the project would be consistent with SCAG 2024-2050 RTP/SCS mobility and community strategies.
Environment ▪ Support communities across the region to advance innovative sustainable development practices. ▪ Support investments that reduce hazardous air pollutants and greenhouse gas emissions. ▪ Accelerate the deployment of a zero-emission transportation system and use near-zero-emission technology to offer short-term benefits where zero-emissions solutions are not yet feasible or commercially viable. ▪ Promote sustainable water use planning, practices and storage that improve regional water security and resilience in a drier environment.	**Consistent.** The project would comply with the latest Title 24 Building Energy Efficiency Standards and install energy-efficient appliances. As described under Section 2.5.5, *Green Building Features,* the proposed project's electricity would be powered entirely by solar energy. The project would also adhere to CALGreen's voluntary EV charging standards for new construction of townhomes with private garages. Furthermore, it will include automatic irrigation systems designed to conserve water and ensure efficient and uniform distribution. Therefore, the project aligns with SCAG's 2024-2050 RTP environmental policies and strategies aimed at reducing GHG emissions.

Source: SCAG 2024

City of Duarte General Plan

In August 2007, the City of Duarte adopted the City of Duarte General Plan to establish a consistent framework for land use decisions. This plan includes goals, strategies, and policies that are applicable to the proposed project. Section 4.6.2(c), *Local Regulations*, summarizes these goals and policies, and Table 4.6-2details the project's consistency with the City of Duarte General Plan goals and policies indirectly related to GHG emissions.

Table 4.6-2 Project Consistency with the City of Duarte General Plan

Goal/Objective/Policy	Consistency
Policy Con 2.1.4*:* Require the installation of water saving irrigation systems for all new development. **Policy Con 2.1.6:** Encourage water conservation in residential, commercial, and industrial development.	**Consistent.** The project would be consistent with the 2022 CALGreen standards and incorporate water efficient appliances, fixtures, and irrigation systems consistent with green building features. Given that construction would commence in 2026, the project would adhere to the 2025 Title 24 water conservation requirements, which take effect in January 2026. Therefore, the project would implement water efficient measures to conserve water.
Air Quality Goal 2: Reduce air pollution from mobile sources **Circulation Goal 3:** To increase the use of alternative modes of transportation for travelling to, from, or through Duarte.	**Consistent**. The proposed project would add 169 residential units and redevelop the existing public park, which would provide connectively with several residential and commercial land uses. The residential area of the project site would be within a quarter of a mile from existing transit bus stops along Huntington Drive. Additionally, the project site is approximately 1.2 miles southwest of the Duarte/City of Hope A-Line station and would provide parking for nearby commuters. The public park area of the proposed project would install two bike racks. Therefore, the project could potentially reduce motor vehicle GHG emissions by decreasing the number of solo vehicle trips, reduce vehicle miles through rail transit, and promoting walking and biking near the project site.
Policy 4.1.7 Green Building*:* Encourage use of sustainable and green building design in new and existing housing, including in disadvantaged communities.	**Consistent.** The project must comply with the latest Title 24 standards, which promote energy conservation in new buildings. As listed in Section 2.5.5, *Green Building Features,* electricity needs would be met through solar power. Therefore, the project would also adhere to the solar provisions for condos and townhomes as outlined in the 2022 Building Energy Efficiency Standards.

Source: City of Duarte 2007

City of Duarte Energy Action Plan

The Durate's EAP demonstrates the City's commitment to pursue energy efficiency and reduce GHG emissions. The EAP Identifies a comprehensive set of electricity-related energy efficiency targets, goals, policies, and actions to help the community and the city become more energy efficient. Additionally, the EAP provides policies and actions to assist with the implementation of the energy efficiency strategy. While the policies of the EAP are the City's responsibility, the project aligns with these policies and supports the City's efforts in achieving them Table 4.6-3 summarizes the project's consistency with the City of Duarte EAP policies related to GHG emissions.

Table 4.6-3 Project Consistency with the City of Duarte Energy Action Plan

Policy	Consistency
Policy 3.1: The City will work with project applicants to maximize the energy-efficient design and orientation of new buildings pursuant to the City's Sustainable Development Practices. **Policy 3.3:** The City will encourage the use of energy-efficient appliances and equipment in new buildings.	**Consistent.** The project would adhere to the latest Title 24 Building Energy Efficiency Standards for new residential buildings, which promote energy conservation and efficiency. Furthermore, the project's electricity needs would be met through solar energy.
Policy 6.2: Promote water efficient landscaping practices. **Policy 6.4:** Maximize the efficient use of limited water resources through efficient building and landscaping practices in new development.	**Consistent.** The project would be consistent with the 2022 CALGreen standards and incorporate water efficient appliances, fixtures, and irrigation systems consistent with green building features.

Source: City of Duarte 2012

In summary, the plan consistency analysis provided above demonstrates that the project complies with or exceeds the plans, policies, regulations and GHG reduction actions/strategies outlined in the 2022 Scoping Plan, the 2024-2050 RTP/SCS, the City of Duarte's General Plan, and the City of Duarte EAP. Consistency with the above plans, policies, regulations and GHG reduction actions/strategies would reduce the project's incremental contribution of GHG emissions. Therefore, the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and impacts would be less than significant.

GHG Emissions

As discussed in detail in Section 4.6.3a *Significance Thresholds*, neither the SCAQMD nor other applicable regional agencies have a numerical threshold to determine significance of the proposed project's GHG emissions. Therefore, GHG impacts are determined above, and GHG emissions below are provided for informational purposes. Construction of the proposed project would generate temporary GHG emissions primarily from the operation of construction equipment on-site as well as from vehicles transporting construction workers to and from the project site and heavy trucks to transport building materials. Project construction would begin in April 2026. As shown in Table 4.6-4, construction of the proposed project would generate an estimated total of 968 MT CO_2e. Amortized over a 30-year period per SCAQMD guidance, construction of the proposed project would generate an estimated 32 MT CO_2e per year.

Table 4.6-4 Estimated Construction Emissions of Greenhouse Gases

Construction	Project Emissions MT CO_2e
2026	374
2027	436
2028	158
Total	**968**
Amortized over 30 Years	**32**

MT CO_2e = metric tons of carbon dioxide equivalent
Source: Appendix E, CalEEMod worksheets, see Table 2.3 "Construction Emissions by Year, Mitigated" annual emissions.

Operation of the proposed project would generate GHG emissions associated with mobile sources, area sources, energy and water usage, and wastewater and solid waste generation. Table 4.6-5 combines the estimated construction and operational GHG emissions associated with development of the project. As shown therein, annual emissions from the proposed project would be approximately 1,136 MT of CO_2e per year.

Table 4.6-5 Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (MT CO_2e)
Construction[1]	**32**
Operational	**1,104**
Mobile	906
Area	39.3
Energy	103
Water	15.4
Waste	40
Refrigerant	<1
Total	**1,136**

MT CO_2e = metric tons of carbon dioxide equivalent

[1] Amortized construction related GHG emissions over 30 years

Source: Appendix E, CalEEMod worksheets, see Table 2.6 "Operational Emissions by Sector, Mitigated" annual emissions. The mitigated emissions account for project sustainability features and/or compliance with specific regulatory standards.

As noted above, GHG impacts are determined through analysis of consistency with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and GHG emissions shown in Table 4.6-4 and Table 4.6-5 are provided for informational purposes. The proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases, therefore, impacts would be less than significant.

4.6.4 Cumulative Impacts

GHG emissions and climate change are, by definition, cumulative impacts. Although GHG emissions have worldwide repercussions, the contribution of the project to cumulative impacts is addressed in light of the goals for reducing statewide emissions. Therefore, the geographic scope for considering cumulative impacts related to GHG emissions is the State of California.

Statewide GHG emissions are an existing significant cumulative impact. As such, the State has established the following statewide emissions reductions targets:

- By 2020, reduce GHG emissions to 1990 levels
- By 2030, reduce GHG emissions to 40 percent below 1990 levels
- By 2045, to achieve carbon neutrality

GHG impacts are assessed in a cumulative context since no single project can cause a discernible change to the climate. Therefore, cumulative significance is based on the same thresholds as the proposed project. In the absence of an adopted numeric threshold for the City of Duarte, the

significance of the project's GHG emissions is evaluated on the consistency with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The analysis provided GHG emissions for informational purposes. For this project, the most directly applicable adopted regulatory plans to reduce GHG emissions are the 2022 Scoping Plan, SCAG's 2024-2050 RTP/SCS, City of Duarte's General Plan, and City of Duarte EAP.

As discussed under Impact GHG-1 for GHG significance Thresholds a and b, the proposed project would be consistent with the statewide, regional, and local plans by including energy conservation measures consistent with the latest Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11) and would comply with the latest iterations of the Title 24 Standards. The proposed project's electricity usage would be provided with 100 percent solar energy and private garages would be EV ready. Additionally, the project would incorporate low-flow fixtures for indoor water use, efficient landscape irrigation, and water reuse systems, aligning with the water conservation measures outlined in the 2022 CALGreen Standards to promote residential water conservation. The project is within a quarter of a mile of existing commercial land uses, as well as public transit options, and approximately 1.2 miles southwest of the Duarte/City of Hope A Line, which could potentially reduce VMT per capita. Therefore, the project would promote alternative modes of transportation that would have the effect of reducing VMT and associated mobile GHG emissions.

As discussed in the impact analysis, the proposed project would be consistent with the 2022 Scoping Plan, 2024-2050 RTP/SCS, and City of Duarte General Plan and EAP. Thus, based on the *CEQA* Guidelines for determining the significance of GHG emissions, while cumulative impacts are considered significant, the proposed project's contribution to cumulative GHG emissions impacts would not be cumulatively considerable.

4.7 Hazards and Hazardous Materials

This section analyzes the proposed project's impacts related to hazards and hazardous materials, specifically wildland fires. Other hazards and hazardous materials impacts analyzed under CEQA include the project's potential to create a significant hazard related to the transport use, or disposal of hazardous materials, create upset and accident conditions involving the release of hazardous materials into the environment, emit hazardous emissions or waste within 0.25-mile of a school, be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, result in a safety hazard or excessive noise related to a nearby public airport, and impair implementation of an adopted emergency response plan. However, as discussed in the Initial Study (Appendix A), impacts related to these hazards and hazardous materials issue areas were found to be less than significant, and therefore, are not discussed further in this section.

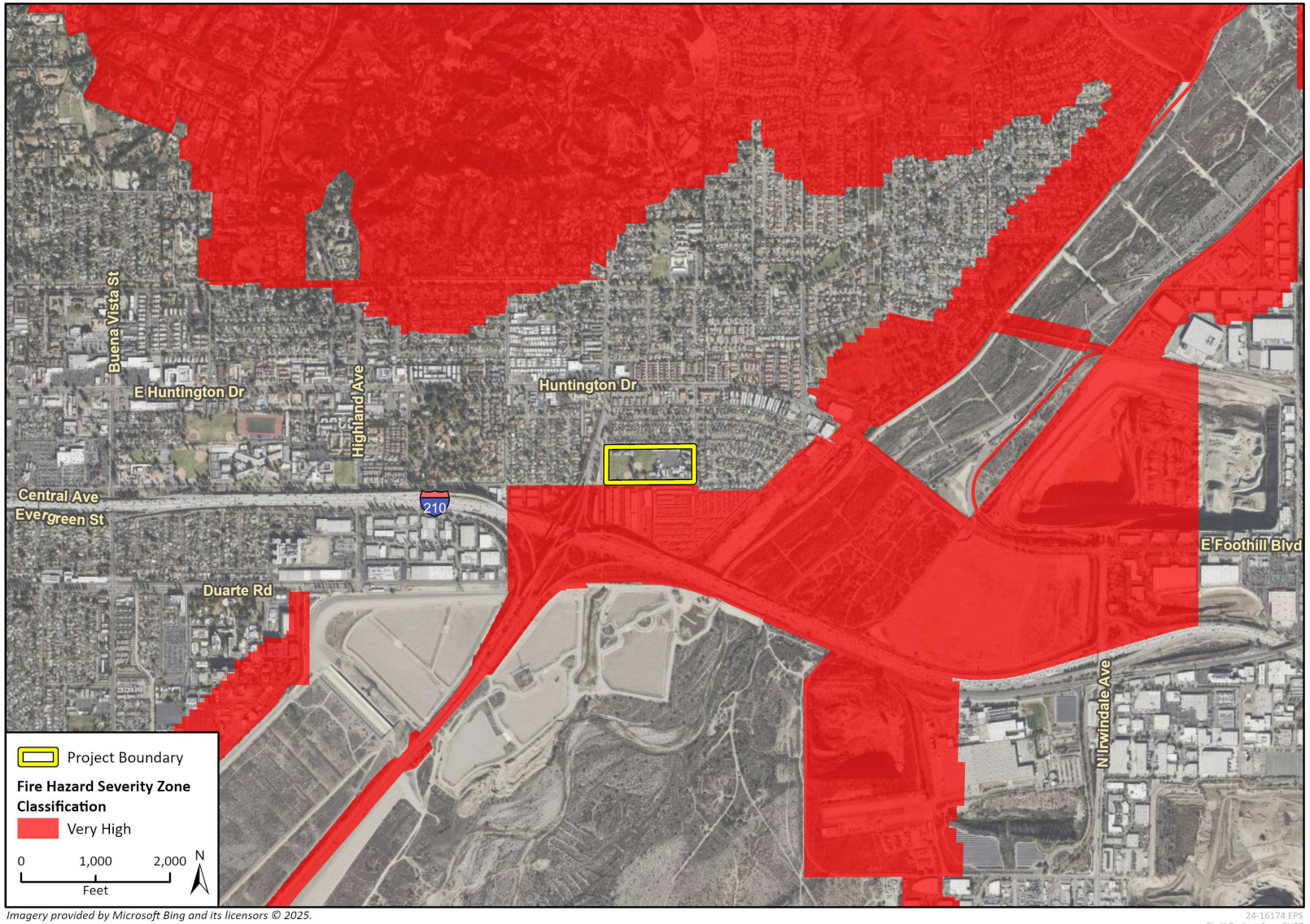
4.7.1 Setting

The city is in an urbanized area that is not within a State Responsibility Area (SRA) for wildland fires, according to the California Department of Forestry and Fire Protection (CAL FIRE) (CAL FIRE 2024). However, as shown in Figure 4.7-1, the southern boundary of the project site directly borders a Very High Fire Hazard Severity Zones (VHFHSZ) in a Local Responsibility Area (LRA), and the site is surrounded by areas designated as VHFHSZs to the north.

The Santa Fe Dam and Reservoir are located approximately 0.5 mile east of the project site, which consists of the flood-control dam along the San Gabriel River that extends from the base of the San Gabriel Mountains to Interstate 210 (I-210); and south and southeast of the I-210, the dam area consists of the 836-acre Santa Fe Dam Recreational Area. The dam and reservoir areas consist of a variety of habitat types, including native communities, disturbed vegetation communities, agricultural land, constructed open water, disturbed wetlands, and developed parks. Annual maintenance activities at United States Army Corps of Engineers (USACE) operated dams include grading of access roads, vegetation removal, and an annual safety inspection (USACE 2025).

The San Gabriel Mountains are north of the project site. The wildland-urban interface are considered areas where homes and wildlands intermix, such as the foothills of the San Gabriel Mountains. These are the areas in the city that are designated as VHFHSZs, and the area nearest to the site is approximately 0.5 mile to the northwest.

Figure 4.7-1 VHFHSZ Near the Project Site



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Additional data provided by FRAP, 2024.

24-16174 EPS
Fig X Project Area FHSZ

4.7.2 Regulatory Setting

a. State Regulations

California Fire and Building Codes

The California Fire Code (CFC) is Chapter 9 of California Code of Regulations (CCR) Title 24. It establishes the minimum requirements consistent with nationally recognized good practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structure, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC and the California Building Code (CBC) use a hazard classification system to determine what protective measures are required to ensure fire safety and protect lives. These measures may include construction standards, separations from property lines and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The provisions of this Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout California.

More specifically, the CFC is included in Title 24 of the CCR. Title 24, Part 9, Chapter 7 addresses fire-resistance-rated construction; CBC Code (Part 2), Chapter 7A addresses materials and construction methods for exterior wildfire exposure; Fire Code Chapter 8 addresses fire related Interior finishes; CFC Chapter 9 addresses fire protection systems; and CFC Chapter 10 addresses fire-related means of egress, including fire apparatus access road width requirements. CFC Section 4906 also contains existing regulations for vegetation and fuel management to maintain clearances around structures. These requirements establish minimum standards to protect buildings in FHSZs within SRAs and wildland-urban interface fire areas. This code includes provisions for ignition-resistant construction standards for new buildings.

California Fire Plan

The Strategic Fire Plan for California (California Fire Plan) is the State's roadmap for reducing the risk of wildfire. The most recent version of this plan was finalized in January 2019 and directs each CAL FIRE unit to prepare a locally specific fire management plan (CAL FIRE 2019a). In compliance with the California Fire Plan, individual CAL FIRE units are required to develop fire management plans for their areas of responsibility. These documents assess the fire situation within each of the 21 CAL FIRE units and six contract counties. The plans include stakeholder contributions and priorities and identify strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem. The plans are required to be updated annually. The CAL FIRE/Los Angeles County Fire Department Strategic Fire Plan seeks to reduce firefighting costs and property losses, increase firefighter safety, and educate the public on fire prevention throughout Los Angeles County, including unincorporated areas. With California's extensive wildland-urban interface situation, the list of high-risk communities extends beyond just those adjacent to federal lands. The California State Forester (CAL FIRE Director) has the responsibility for managing the list of those high-risk communities.

California Disaster Mitigation Act

The California Office of Emergency Services prepares the State of California Multi-Hazard Mitigation Plan (SHMP). The SHMP identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy. The SHMP is federally required under the Disaster Mitigation Act of 2000 for the State to receive federal funding. The Disaster Mitigation Act of 2000 requires a State mitigation plan as a condition of disaster assistance.

Public Resources Code

The Public Resources Code (PRC) includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that use an internal combustion engine; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided on-site for various types of work in fire-prone areas. These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (PRC Section 4442)
- Appropriate fire suppression equipment would be maintained during the highest fire danger period—from April 1 to December 1 (PRC Section 4428)
- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor would maintain the appropriate fire suppression equipment (PRC Section 4427)
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (PRC Section 4431)

b. Regional and Local Regulations

Los Angeles County 2008 Fire Code

The 2008 Los Angeles County Fire Code refers to the set of regulations to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancies, location and maintenance of all buildings and structures erected or to be erected within the city.

City of Duarte General Plan

The Safety Element (2021) of the City of Duarte General Plan includes goals, objectives, and policies that are intended to minimize the risks to lives and property associated with fire hazards. Applicable policies are as follows:

Safe 5.1.5: Require all new development and re-development in the VHFSZ to comply with the following standards, codes, and regulations:

- Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structured Regulations) for SRAs and VHFSZ, and with the California Government Codes 51175-57789 (Very High Fire Severity Zones),

- The latest fire-safe standards,
- The Board of Forestry and Fire Protection Fire Safe Regulations; and,
- The most current version of the California Building Codes and California Fire Code.

Safe 5.1.6: Require all new development in the VHFSZ to develop site-specific fire management plans addressing fuel modification or incorporating open space and other defensible space areas, as well as multiple points of ingress and egress for evacuation and emergency vehicle access before approval.

Safe 5.1.8: Minimize new development in the Very High Fire Hazard Severity Zone, and, when feasible, locate all new essential public facilities outside of the Very High Fire Hazard Severity Zone.

Safe 5.1.9: Minimize risks to existing development in Very High Fire Hazard Severity Zones by identifying existing nonconforming development to contemporary fire safe standards, in terms of road standards and vegetative hazard, and requiring all development to meet or exceed the City of Duarte Title 15 – Fire under the Duarte Municipal Code and applicable updates.

Safe 5.1.12: Require that all homes and businesses have visible street addressing and signage.

City of Duarte Code of Ordinances

Title 15 of the City of Duarte Code of Ordinances describes the City's regulations related to fire hazards. Chapter 15.04 of the City of Duarte Code of Ordinances adopts the 2008 Los Angeles County Fire Code as adopted by Title 32 of the County of Los Angeles. Chapter 15.09 of the City of Duarte Code of Ordinances designates VHFHSZs as recommended by the Director of CAL FIRE.

4.7.3 Impact Analysis

a. Thresholds of Significance

This section adheres to the CEQA Guidelines Appendix G significance criteria questions related to hazards and hazardous materials to assess the proposed project. For the purposes of this EIR, project implementation may have a significant adverse impact if it would do any of the following:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

As discussed in the Initial Study (refer to Appendix A), the proposed project would have either a less than significant impact or no impact related to Thresholds a through f. Therefore, these criteria questions are not addressed further in this EIR.

b. Impact Analysis

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

Impact HAZ-1 THE SOUTHERN BOUNDARY OF THE PROJECT SITE IS ADJACENT TO A DESIGNATED VERY HIGH FIRE HAZARD SEVERITY ZONE IN A LOCAL RESPONSIBILITY AREA. DUE TO THE PROXIMITY TO THE FIRE ZONE, THE PROPOSED PROJECT WOULD INCREASE THE POTENTIAL RISK OF LOSS, INJURY, OR DEATH INVOLVING WILDLAND FIRES DUE TO THE INTRODUCTION OF RESIDENTIAL DEVELOPMENT TO THE PROJECT SITE. HOWEVER, COMPLIANCE WITH BUILDING AND DESIGN REGULATIONS WOULD REDUCE THE WILDLAND FIRE RISK IMPACTS TO A LESS-THAN-SIGNIFICANT LEVEL.

As described in the *Setting* above, the project site is in an urbanized area and is not within an SRA or VHFHSZ for wildland fires (CAL FIRE 2024). As shown in Figure 4.7-1, the Santa Fe Dam is located approximately 0.5-mile south and east of the project site which is designated as a VHFHSZ in an LRA; and the VHFHSZs associated with the San Gabriel Mountains are located approximately 0.5-mile northwest of the project site at the nearest point. The southern boundary of the project site directly borders a VHFHSZ; however, this area is developed with industrial buildings, which reduces the potential for the spread of wildland fires in the area and to the project site.

The proposed project involves the construction of 169 multi-family residential units and redevelopment of the existing public park. The proposed project would result in an increase in the overall density of development in the residential portion of the project, which would increase the potential to expose people and structures to wildland fire risk. The proposed project does not include any components that would exacerbate wildfire risks, such as power lines. In addition, as discussed in Section 15, *Public Services*, of the Initial Study (Appendix A), the project site is in an urbanized area already served by the LACFD and the proposed project would not have a significant impact on fire response times nor create a substantially greater need for additional fire protection services above current capacity.

The proposed project would be required to include the fire protection measures for consistency with the CBC and CFC. The safety measures under the CFC include ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system, and sealing any gaps around doors, windows, eaves and vents to prevent intrusion by flame or embers. Development would also be required to meet CBC requirements, including CCR Title 24, Part 2, which includes specific requirements related to exterior wildfire exposure. CCR Title 14 sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards risk. Compliance with existing regulatory requirements for implementation of fire protection measures (e.g., ignition-resistant construction materials and measures) would further reduce impacts associated with wildfire spread. Although the project site is near a VFHSZ in an LRA, compliance with building and design regulations would reduce the wildland fire risk impacts to a less-than-significant level.

4.7.4 Cumulative Impacts

The geographic extent of cumulative analysis for wildland fire hazards is cumulative projects listed in Table 3-1 in Section 3, *Environmental Setting,* of this EIR, which are within FHSZs. Cumulative impacts may occur if impacts of the proposed project combine with similar impacts of other projects in the cumulative scenario that could result in similar impacts to wildland fire hazards. There are three cumulative developments occurring within FHSZs which would be subject to risk of wildfire hazards. Of the three projects, one is an entitled project, not currently under construction, and the other two are currently under construction. Development of cumulative projects occurring within FHSZs would be subject to compliance with the CBC and CFC. All proposed construction would be required to meet minimum standards for fire safety. Implementation of these plans and policies, in conjunction with compliance with the CBC and CFC, would minimize potential cumulative impacts with respect to wildland fire hazards.

As indicated above, the project would not result in significant wildland fire hazard impacts following conformance with the CBC and CFC requirements. Therefore, the proposed project would not contribute to a cumulatively significant impact.

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4.8 Land Use and Planning

This section analyzes the proposed project's consistency with relevant land use policies of applicable regional and local plans, including the Southern California Association of Government's (SCAG) 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the City of Duarte General Plan, and Duarte Development Code. The analysis contains a description of the planning context of the project site, the regulatory setting for project site land use and zoning, and a discussion of the project's consistency with applicable land use plans, policies, and regulations.

4.8.1 Setting

a. Existing Project Site

The project site is a 13-acre area located at 1433 Crestfield Drive in the City of Duarte, as shown in Figure 2-1 and Figure 2-2 in Section 2, *Project Description*. The Otis Gordon Sports Park is on the western portion of the site, and the operational Mount Olive Innovation and Technology High School (MIT) is on the northwestern portion of the project site. The eastern portion of the site consists of the vacant school buildings that were previously occupied by the Andres Duarte Arts Academy, a kindergarten through 8th grade school. A portion of the school is currently occupied by the Duarte Preschool.

The project site has a general plan land use designation of Public Facility and is zoned PF (Public Facility), as defined by the City's Development Code and the Land Use Element of the City of Duarte General Plan, respectively. Uses permitted in the PF Public Facility Zone include a wide range of facilities intended to provide government function, including community centers, cultural institutions, government facilities, libraries, public utilities, and public schools.

b. Surrounding Land Uses

The Los Angeles County Flood Control District (LACFCD) Bradbury Channel (zoned Open Space) is located approximately 30 feet west of the project site, an industrial office (zoned Manufacturing) is located approximately 90 feet west of the project site, Interstate 605 (I-605) off-ramp is located approximately 200 feet west of the project site, single-family residential development (zoned R-1 Singel Family Residential) located immediately north and east of the project site, and industrial development (zoned Heavy Manufacturing in Irwindale) located 50 feet south of the project site.

4.8.2 Regulatory Setting

a. Reginal Regulations

Southern California Association of Governments

SCAG is a council of governments representing Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. SCAG is the federally recognized Metropolitan Planning Organization (MPO) for the Southern California region. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and State law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As

Southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District (SCAQMD), California Department of Transportation, and other agencies in preparing regional planning documents. SCAG has developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment, and the 2024-2050 Regional Transportation Plan/Sustainability Communities Strategy (2024-2050 RTP/SCS).

On April 4, 2024, the SCAG Regional Council adopted the 2024-2050 RTP/SCS, also known as Connect SoCal, which presents a long-term transportation vision through the year 2050 for the six-county plan area that consists of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. The 2024-2050 RTP/SCS contains baseline socioeconomic projections that are used as the basis for SCAG's transportation planning, and the provision of services by other regional agencies. SCAG's overarching strategy for achieving its goals is integrating land use and transportation. SCAG policies are directed towards the development of regional land use patterns that contribute to reductions in vehicle miles traveled and improvements to the transportation system. Policies of the 2024-2050 RTP/SCS applicable to the project include the following:

Priority Development Areas Policies:

> **Policy 32:** Promote the growth of origins and destinations, with a focus on future housing and population growth, in areas with existing and planned urban infrastructure that includes transit and utilities.

Housing the Region Policies:

> **Policy 35:** Encourage housing development in areas with access to important resources and amenities (economic, educational, health, social and similar) to further fair housing access and equity across the region.
>
> **Policy 37:** Support local, regional, state and federal efforts to produce and preserve affordable housing while meeting additional housing needs across the region.

a. Local Regulations

City of Duarte General Plan

The City of Duarte General Plan is the City's comprehensive planning document governing development. The General Plan contains goals, policies, and implementation actions describing the community's vision for economic viability, livable neighborhoods, and environmental protection. The General Plan contains the following chapters related to the State mandated elements required for a General Plan: Safety, Open Space and Conservation, Noise, Land Use, Housing, Historic Preservation, Economic Development, and Circulation. The General Plan also includes Environmental Justice Policies Memorandum and a Climate Change Vulnerability Assessment. According to the Land Use Element, the project site is designated as PF – Public Facility General Plan land use. The proposed project involves a General Plan Amendment to change the land use designation from Public Facility to HDR - High Density Residential and Open Space land uses. Policies of the Safety, Open Space and Conservation, Noise, Land Use, 2021-2029 Housing, and Circulation Elements applicable to the project include the following:

Safety Element Policies:

> **Safe 5.1.12:** Require that all homes and businesses have visible address and signage.

Open Space and Conservation Element Policies:

Con 2.1.3: Require the use of native and other drought-resistant plants to reduce the amount of water for landscaping.

Con 2.1.4: Require the installation of water saving irrigation systems for all new development.

Con 2.1.5: Reduce the amount of impervious surfaces through the use of porous ground cover materials.

OS 2.1.2: Require new development to mitigate the burden it creates on existing parks through parkland dedication, recreational space development, and/or mitigation.

OS 3.1.1: Multiple recreation uses for open space areas should be encourages. For example, horseback trails entwined with pedestrian paths can be enjoyable for both parties. Trail markers can be used to point out interesting views and directions (e.g., the direction to the waterfall in Fish Canyon).

Noise Element Policies:

Noise 1.1.1: Ensure noise mitigation measures are included in the design of new developments.

Noise 3.1.3: Ensure that construction noise does not cause an adverse impact to the residents of the City.

Land Use Element Policies:

LU 2.1.1: New infill residential development should be compatible in design, bulk, and height with existing nearby residential development as referenced in Duarte's Architectural Design Guidelines and applicable Specific Plans.

2021-2029 Housing Element Policies:

Policy 4.1.3: Affordable Housing on Public/Quasi-Public Land. Encourage residential development on surplus public/quasi-public land, including properties owned by the City and County, Duarte Unified School District, and local congregations, and require a portion of any new development to be affordable to low and moderate income households.

Policy 4.1.7: Green Building. Encourage use of sustainable and green building design in new and existing housing, including in disadvantaged communities.

Circulation Element Policies:

Circ 1.1.4: Evaluate the traffic impacts of new development and require developers to employ appropriate mitigation measures to reduce traffic or improve roadway and traffic conditions.

Duarte Development Code

Title 19 of the Duarte Municipal Code is known as the Duarte Development Code, which establishes the City's zoning districts, specific plans, zoning requirements, and development standards. According to the City's Zoning Map, the project site is designated as PF (Public Facility). The proposed project involves a zone change from PF to R-4 Multiple-Family Residential Zone (High Density) and Open Space. Development standards of the R-4 zone are shown below in Table 4.8-1.

Table 4.8-1 R-4 Zone Development Standards

Characteristics	Development Standard
Lot Size	10,000 sf minimum
Lot Depth	120 feet minimum
Residential Lot Coverage	60 percent maximum
Site Density	28 du/ac maximum
Height/Stories	4 stories or 50 feet maximum
Setbacks	
Front Street Setback	30 foot minimum
Rear Setback adjacent to Single Family Development Zone	25 feet, plus 10 foot additional setback for 3rd story
Interior Side Setback	5 foot minimum
Corner Street Side Setback	10 foot minimum
Reverse Corner Setback (Street Side)	15 foot minimum
Floor Area of Dwelling Units	
3 Bedroom Units	1,000 sf minimum for 3-bedroom units
4 Bedroom Units	1,175 sf minimum for 4-bedroom units
Open Space	
Private Open Space (Ground Floor)	33,800 sf (200 sf/unit) required
Common Open Space	33,800 sf (200 sf/unit) required
Total Open Space	67,600 sf required
Parking	
Garage	380 spaces (2 spaces/unit plus 1 overflow space/4 units) required
Guest	42 spaces (1 guest space/4 units) required
Total Parking	422 spaces required

4.8.3 Impact Analysis

a. Significance Threshold

Based on Appendix G of the *CEQA Guidelines*, land use and planning impacts are significant if the proposed project would:

a. Physically divide an established community,
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.

Impacts related to land use and planning were analyzed in the Initial Study (Appendix A). The Initial Study determined that there would be no impact related to Threshold a. Therefore, this impact is not discussed further in this section.

b. Methodology

Land use and planning impacts are assessed based on whether the revised project would conflict with plans, policies, and regulations, which have been adopted for the purpose of avoiding or mitigating an environmental effect. This analysis evaluates the project's consistency with applicable plans and regulations included in the City's General Plan and Development Code.

c. Project Impacts and Mitigation Measures

Threshold 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?

Impact LU-1 THE PROPOSED PROJECT IS CONSISTENT WITH THE CITY OF DUARTE GENERAL PLAN, DUARTE DEVELOPMENT CODE, AND SCAG 2024-2050 RTP/SCS UPON APPROVAL OF THE PROJECT'S GENERAL PLAN AMENDMENT, ZONE CHANGE, PLANNED DEVELOPMENT PERMIT, PARCEL MAP, AND SITE PLAN & DESIGN REVIEW. THEREFORE, THE PROPOSED PROJECT WOULD NOT CONFLICT WITH APPLICABLE LAND USE PLANS, POLICIES, OR REGULATIONS ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

City of Duarte General Plan and Development Code Consistency

The proposed residential portion (east half of the site) of the project would not comply with the project site's existing zoning and general plan land use designation of public facilities. However, the proposed project involves a General Plan Amendment to change the land use designation from Public Facility to HDR - High Density Residential, and a zone change from PF to R-4 Multiple-Family Residential Zone (High Density) for the east side of the site. The HDR - High Density Residential land use designation and R-4 Multiple-Family Residential Zone were established to accommodate higher-density, multi-story residential developments with a maximum intensity of 28 dwelling units per net acre (du/ac).

The park portion (west half of the site) of the project site would require land use designation and zoning changes from Public Facility to Open Space. The Open Space land use designation and zone were established to maintain and protect open spaces for the purposes of recreation, natural resource protection, hazards management, utility corridors, and the protection of prehistoric places, features, and objects. The park portion of the proposed project would be allowed by the Open Space land use designation and zone and would comply with the corresponding development standards.

Table 4.8-2 provides an analysis of the project's consistency with applicable goals and policies of the City of Duarte General Plan. Consistent with the scope and purpose of this EIR, the discussion focuses on goals and policies that relate to avoiding or mitigating environmental impacts associated with construction and operation of the proposed project, and an assessment of whether any inconsistency with these goals and policies creates a potentially significant physical impact on the environment. The ultimate determination of whether the proposed project is consistent with the City of Duarte General Plan lies with the decision-making bodies (Planning Commission and City Council). Only goals and policies relevant and applicable to the proposed project are included. Goals and policies that are redundant between elements of the City of Duarte General Plan are omitted, as well as goals and policies that call for City actions that are independent of review and approval or denial of the proposed project.

Table 4.8-2 City of Duarte General Plan Policy Consistency

General Plan Goal or Policy	Discussion
Safety Element	
Policy Safe 5.1.12: Require that all homes and businesses have visible address and signage.	Consistent. All buildings and residential units would include visible address and signage. The proposed signage in the park and residential portion of the site have been designed for consistency with Duarte Development Code Section 19.42.120 and 19.42.180 as instructed by the Community Development Department.
Open Space and Conservation Element	
Policy Con 2.1.3: Require the use of native and other drought-resistant plants to reduce the amount of water for landscaping.	Consistent: The proposed project involves landscaping plans that include native plants such as purple needlegrass and deer grass. Additionally, the majority of plants and trees included in the proposed project are designated as low to moderate water use levels.
Policy Con 2.1.4: Require the installation of water saving irrigation systems for all new development.	Consistent: The proposed project would include spray and/or drip irrigation systems for all landscaping.
Policy Con 2.1.5: Reduce the amount of impervious surfaces through the use of porous ground cover materials.	Consistent: The proposed project would utilize ground cover plants and materials throughout the landscaping of the project, which would reduce the amount of impervious surfaces. Additionally, the proposed project would involve the redevelopment of the Otis Gordon Sports Park and expand the park by 0.42 acres from approximately 5.9 acres to 6.32 acres due to the relocation and demolition of the MIT school. Expansion of the Otis Gordon Sports Park would reduce the amount of impervious surfaces compared to existing conditions.
Policy OS 2.1.2: Require new development to mitigate the burden it creates on existing parks through parkland dedication, recreational space development, and/or mitigation.	Consistent: The proposed project would involve the redevelopment of the Otis Gordon Sports Park and expand the park by 0.42 acres from approximately 5.9 acres to 6.32 acres due to the relocation and demolition of the MIT school. The residential portion would also include 64,701 square feet of qualified open space.
Policy OS 3.1.1: Multiple recreation uses for open space areas should be encourages. For example, horseback trails entwined with pedestrian paths can be enjoyable for both parties. Trail markers can be used to point out interesting views and directions (e.g., the direction to the waterfall in Fish Canyon).	Consistent: The proposed project would involve the redevelopment and improvement of the Otis Gordon Sports Park. The proposed project would expand the park by 0.42-acre from approximately 5.9 acres to 6.32 acres due to the relocation and demolition of the MIT school. The redevelopment of the Otis Gordon Sports Park would involve a variety of recreational uses including an outdoor gym park, tot lot, barbeque and picnic areas, open turf areas, meandering pedestrian paseos, a soccer field, and two baseball fields.
Noise Element	
Policy Noise 1.1.1: Ensure noise mitigation measures are included in the design of new developments.	Consistent: Section 4.8, *Noise*, of this EIR determined construction of the proposed project would intermittently generate noise and vibration within and adjacent to the project site, the construction noise levels would not exceed the FTA's noise and vibration thresholds; however, vibration levels generated by paving activities (i.e., use of a vibratory roller) during construction would exceed the FTA's threshold of 0.2 in/sec PPV at offsite residential structures. Impacts would be less than significant with implementation of Mitigation Measure NOI-1 which requires alternative construction equipment. The analysis found that operational noise and vibration levels would not exceed the FTA's noise and vibration thresholds and would result in a less than significant impact without mitigation.

General Plan Goal or Policy	Discussion
Policy Noise 3.1.3: Ensure that construction noise does not cause an adverse impact to the residents of the City.	Consistent: Section 4.8, *Noise*, of this EIR concluded that noise levels generated during construction of the proposed project would not exceed the FTA's threshold. Impacts would be less than significant with implementation of Mitigation Measure NOI-1 which requires alternative construction equipment.
Land Use Element	
Policy LU 2.1.1: New infill residential development should be compatible in design, bulk, and height with existing nearby residential development as referenced in Duarte's Architectural Design Guidelines and applicable Specific Plans.	Consistent: The proposed project's building design would be consistent with local and regional architectural styles as shown in Figures 2-5 through 2-10 in Section 2, *Project Description*. All proposed residential buildings would be three stories which would be compatible with the nearby one- and two-story single-family residences. Further, the project design has been reviewed by the Community Development Department to ensure compliance with all applicable standards and regulations. Upon approval of the project, the development process involves final Site Plan & Design Review prior to the issuance of construction and building permits.
2021-2029 Housing Element	
Policy 4.1.3: Affordable Housing on Public/Quasi-Public Land. Encourage residential development on surplus public/quasi-public land, including properties owned by the City and County, Duarte Unified School District, and local congregations, and require a portion of any new development to be affordable to low and moderate income households.	Consistent: The proposed project would involve the development of 169 multi-family residential units, including 26 units provided as affordable at a moderate income level on land owned by DUSD.
Policy 4.1.7: Green Building. Encourage use of sustainable and green building design in new and existing housing, including in disadvantaged communities.	Consistent: As detailed in Section 2, *Project Description*, the proposed project involves green building features, such as all-solar energy, EV-ready private garages, and two EV parking spaces for public areas. As discussed in Section 4.5, *Greenhouse Gas Emissions*, the project would be consistent with the applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions.
Circulation Element	
Policy Circ 1.1.4: Evaluate the traffic impacts of new development and require developers to employ appropriate mitigation measures to reduce traffic or improve roadway and traffic conditions.	Consistent: As detailed in Section 4.11, *Transportation*, the proposed project would result in a net increase of 646 daily trips, but the proposed project satisfies the screening criteria for projects located in a Transit Priority Area (TPA), low VMT area, and project type screening (local park). The Level of Service (LOS) analysis determined that with left turn restriction on Elmhurst Avenue and traffic calming strategies, the proposed project would not impact the surrounding intersections' LOS (Appendix I). Therefore, the proposed project is determined to result in a less than significant impact related to transportation.

As shown in Table 4.8-2, the proposed project is consistent with the City of Duarte General Plan. Table 4.8-3 details the residential portion of the proposed project's consistency with the development standards for the R-4 zone as described in Section 19.10.030 of the Duarte Development Code.

Table 4.8-3 R-4 Development Standards Consistency

Characteristics	Project Details	Development Standard	Consistency
Lot Size	306,662 sf	10,000 sf minimum	Consistent
Lot Depth	668 feet	120 feet minimum	Consistent
Residential Lot Coverage	39.7 percent (121,040 sf)	60 percent maximum	Consistent
Site Density	24.14 du/ac	28 du/ac maximum	Consistent
Height/Stories	3 stories, 38 feet maximum	4 stories or 50 feet maximum	Consistent
Setbacks			
Front Street Setback (Crestfield Drive)	16 foot 10 inch average	30 foot minimum	Requires Planned Development Permit (PDP)
Front Street Setback (Central Avenue)	16 foot 4 inch average	30 foot minimum	Requires PDP
Rear Setback (Otis Gordon Sports Park)	22foot average	20 feet minimum	Consistent
Interior Side Setback (North Property Line)	15 foot 4 inches, 32 foot additional setback for 3rd story	5 foot minimum	Consistent
Floor Area of Dwelling Units			
Plan 1 (3 bed/2.5 bath)	1,358 sf	1,000 sf minimum for 3-bedroom units	Consistent
Plan 1Y (3 bed/2.5 bath)	1,377 sf	1,000 sf minimum for 3-bedroom units	Consistent
Plan 2 (3 bed/2.5 bath)	1,455 sf	1,000 sf minimum for 3-bedroom units	Consistent
Plan 3 (3 bed/3 bath)	1,377 sf	1,000 sf minimum for 3-bedroom units	Consistent
Plan 4 (3 bed/3.5 bath)	1,475 sf	1,000 sf minimum for 3-bedroom units	Consistent
Plan 5 (4 bed/3 bath)	1,465 sf	1,175 sf minimum for 4-bedroom units	Consistent
Residential Open Space			
Public Open Space	33,849 sf (200 sf/unit) provided	33,800 sf (200 sf/unit) required	Consistent
Private Open Space (Qualified)	30,852 sf (183 sf/unit) provided	33,800 sf (200 sf/unit) required	Requires PDP
Total Qualified Open Space	64,701 sf (383 sf/unit)		
Residential Parking			
Garage	338 spaces	338 garage spaces and 42 overflow spaces (2 spaces/unit plus 1 overflow space/4 units) required	Requires PDP
Open (includes 4 ADA spaces)	39 spaces	42 spaces (1 guest space/4 units) required	Requires PDP
Total Parking	**377 spaces provided**	**422 spaces required**	Requires PDP
Tandem	166 spaces (49% of total spaces)	75 spaces (20% of total spaces) maximum	Requires PDP

sf = square feet

As detailed in Table 4.8-3 above, the majority of the residential portion of the proposed project would be consistent with the development standards of the R-4 zone. The inconsistent characteristics of the proposed project are the front street setback and rear setback adjacent to a Single Family Development zone, private open space, and parking, as detailed below.

Section 19.10.30 of the Duarte Development Code provides the City's requirements for setbacks which includes a minimum of 30 feet for the front setback, a minimum of five feet for the interior side setback, and a minimum of 20 feet for the rear setback. Crestfield Drive and Central Avenue are identified as front setbacks for the project site, Otis Gordon Sports Park is identified as the rear setback, and the northern property line is identified as the interior side setback. As shown in Table 4.8-3, the proposed average front setbacks would not meet the City's setback requirements. Therefore, the project requires a PDP to address these setback requirements.

Section 19.10.30 of the Duarte Development Code also provides the City's requirements for the minimum private open space square footage per unit, which is identified as 200 square feet of private open space per unit. As shown in Table 4.8-3, the average private open space provided by the proposed project would be 183 square feet per unit. Therefore, the project requires a PDP to address this private open space requirement. The proximity of the residential portion of the project site to the Otis Gordon Sports Park and the introduction of the proposed project recreational area would also address this private open space requirement.

Chapter 19.38.050 of the Duarte Development Code addresses the parking requirements for multi-family dwelling units and requires two garage spaces per unit plus one guest space for every four units (338 garage spaces and 42 guest spaces required) and one overflow space for every four units (43 overflow spaces required). The proposed project would provide adequate garage spaces, but would not provide adequate guest spaces or any overflow spaces. Therefore, the project requires a PDP to address this parking requirement. Further, the property owner would be required by the City to develop a Parking Management Plan that would prohibit more than two cars per unit to be parked within the project site, as a condition of approval. The property owner would also be required to include a requirement in all future leases that the two car garages shall be kept free of storage and be usable for two car parking at all times. The property owner would be required to regularly monitor compliance with these conditions of approval.

Additionally, Section 19.38.110 of the Duarte Development Code sates that tandem spaces shall not constitute more than 20 percent of all required spaces within a multi-family development project. However, 49 percent of the total provided parking spaces would be provided as tandem spaces. Therefore, the project requires a PDP to address this tandem space requirement. The property owner will be required to comply with the City's conditions of approval related to parking as detailed above.

The entitlements requested under the proposed project includes a PDP, which was established to encourage innovative site planning and project design by allowing flexibility regarding development standards. In return for flexibility in some development standards, the proposed project would provide a design quality that is substantially higher than would be achieved through conventional design standards. The proposed project would have modified development standards in the areas identified above and in Table 4.8-3 to accommodate for the inconsistencies with the Duarte Development Code. To balance modified standards, the proposed project would provide additional project amenities, such as three unique, but compatible architectural styles, fifteen percent of the housing units provided at the moderate-income level, public art, the proposed renovations to the Otis Gordon Sports Park, and direct access for future residents to the Otis Gordon Sports Park.

SCAG 2024-2050 RTP/SCS Consistency

Table 4.8-4 contains a discussion of the proposed project's consistency with applicable goals and policies of SCAG's 2024-2050 RTP/SCS. As detailed above, the discussion focuses on goals and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these goals and policies creates a potentially significant physical impact on the environment. Only goals and policies relevant and applicable to the proposed project are included.

Table 4.8-4 SCAG's 2024-2050 RTP/SCS Policy Consistency

RTP/SCS Policy	Discussion
Priority Development Areas	
Policy 32: Promote the growth of origins and destinations, with a focus on future housing and population growth, in areas with existing and planned urban infrastructure that includes transit and utilities.	Consistent: The proposed project would involve the development of 169 multi-family housing units within an urbanized area that is well served by the and public bus stops. The nearest Metro A line stop is located approximately 1.15 miles southeast of the project site and the nearest public bus stops are located approximately 0.15-mile north of the project site. As detailed in Section 4.11, *Transportation*, the proposed project would result in a net increase of 646 daily trips, but the proposed project satisfies the screening criteria for projects located in a TPA, low VMT area, and project type screening (local park); therefore, the proposed project is determined to result in a less than significant impact related to VMT. The proposed project would involve connections to existing local utilities. The proposed project's impacts on utilities systems are analyzed in Section 4.12, *Utilities and Service Systems*, of this EIR and the Initial Study prepared. Impacts to utilities were determined to be less than significant. Therefore, the proposed project would be consistent with this policy.
Housing the Region	
Policy 35: Encourage housing development in areas with access to important resources and amenities (economic, educational, health, social and similar) to further fair housing access and equity across the region.	Consistent: As detailed in Section 19, *Utilities and Service Systems,* of the Initial Study (Appendix A) and Section 4.13, *Utilities and Service Systems,* of this EIR, the proposed project would involve the development of 169 multi-family housing units within an urbanized area that is well served by public services and utilities. The proposed project would be served by Cal-Am Water Company for water supply, the City and Los Angeles County Sanitation District for wastewater, the City for stormwater, Southern California Edison for electricity, SoCalGas for natural gas, and various private providers for telecommunications. Therefore, the proposed project would be consistent with this policy.
Policy 37: Support local, regional, state and federal efforts to produce and preserve affordable housing while meeting additional housing needs across the region.	Consistent: The proposed project would involve multi-family residential development including fifteen percent of the proposed units provided as affordable units at a moderate income level.

As shown in Table 4.8-2, Table 4.8-3, and Table 4.8-4, the proposed project is consistent with the City of Duarte General Plan, the City of Duarte Development Standards, and SCAG's 2024-2050 RTP/SCS. Moreover, upon approval of the PDP, General Plan Amendment, Zone Change, Parcel Map, and Site Plan & Design Review, the project would also be consistent with the City's Development Standards. Thus, the project would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating and environmental effect, and impacts would be less than significant.

4.8.4 Cumulative Impacts

The geographic extent of cumulative analysis for land use and planning is the cumulative projects which include general plan amendments and zoning changes in Duarte and the surrounding areas as listed in Table 3-1 in Section 3, *Environmental Setting,* of this EIR. Cumulative project number 13, Westminster Gardens Specific Plan, involves an amendment to the existing Westminster Gardens Specific Plan. Cumulative land use and planning impacts for the Westminster Gardens Specific Plan would be analyzed in the project's project-specific CEQA document. Remaining cumulative projects would not involve land use amendments which would contribute to cumulative land use and planning impacts.

Similar to the project, land use regulations and policy consistency impacts associated with other cumulative projects would be addressed on a case-by-case basis to determine their consistency with applicable plans and policies, including the City's General Plan and Development Standards. Moreover, because the proposed project's impacts related to land use compatibility and consistency with local plans and goals would be less than significant, the proposed project's contribution to land use and planning impacts would not be cumulatively considerable.

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4.9 Noise

This section describes the existing noise environment at the project site, presents applicable standards used to evaluate potential noise impacts, and analyzes potential noise impacts resulting from construction and operation of the proposed project.

4.9.1 Setting

a. Overview of Sound

Sound is a vibration that transmits through a medium (such as a gas, liquid, or solid) created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired, and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 hertz (Hz) and less sensitive to frequencies around and below 100 Hz (Kinsler et al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as the doubling of vehicle traffic volumes, results in a noise level increase of 3 dB, whereas dividing the energy in half results in a 3 dB decrease (Crocker 2007). Figure 4.9-1 presents typical noise levels for a variety of noise sources.

Human perception of noise has no simple correlation with sound energy (i.e., the perception of sound is not linear in terms of dBA or in terms of sound energy). Two sources, each containing the same sound energy, do not "sound twice as loud" as one source. It is widely accepted that the average healthy human ear can detect changes (either increases or decreases) of 3 dBA, which is recognized as being barely perceptible to most people. Similarly, a change of 5 dBA is readily perceptible and a change of 10 dBA sounds twice (or half) as loud (Crocker 2007).

The level and frequency content of sound changes as it travels from the source to a receiver. The most obvious change is the decrease in level as the distance from the source increases. The manner by which sound is reduced with distance depends on factors, such as the type of source (e.g., a point or line source), the path the sound travels, site conditions, and the presence of intervening structures or other obstacles. Noise from a point source (e.g., construction equipment, industrial machinery, ventilation units) typically is reduced at a rate of 6 dBA per each doubling of distance away from the source. Noise from a line source (e.g., roadway, pipeline, railroad) typically is reduced at a rate of 3 dBA per each doubling of distance away from the source (Caltrans 2013). The propagation of noise is also affected by the absorption characteristics of the ground: a hard site, such as a parking lot or smooth body of water, provides no absorption/attenuation and the changes in noise levels with distance result simply from the geometric spreading of the source (i.e., 3 or 6 dBA reduction per doubling of distance for a point source or line source, respectively). Conversely, a soft site, such as soft dirt, grass, or scattered bushes and trees, may provide additional absorption/attenuation, potentially reducing noise levels an additional 1.5 dBA per doubling of distance away from the source (Caltrans 2013). Noise levels may also be reduced by intervening

structures. The amount of reduction provided by the "shielding" of these features depends on the size of the structure/s, the location of the structure/s relative to the noise source and receivers, and the frequency content of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight between a noise source and receiver will provide at least a 5 dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). The presence of building structures can substantially reduce noise levels from the exterior to the interior as well. The FHWA's guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

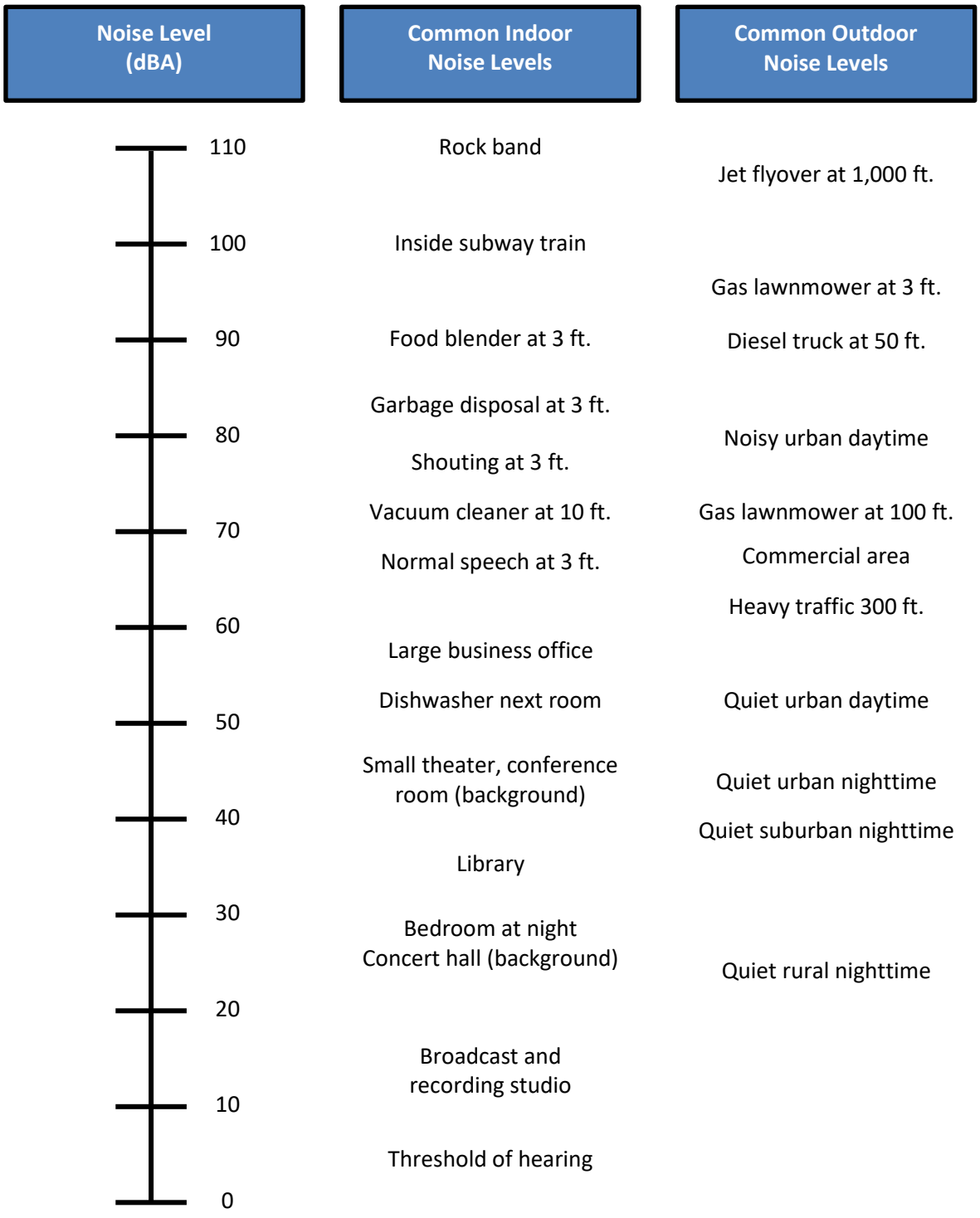
Descriptors

The impact of noise is not a function of loudness alone. The time of day at which noise occurs and the duration of the noise are also important factors when considering potential noise impacts. Most noise that lasts for more than a few seconds is variable in its amplitude (i.e., the noise level continuously fluctuates over time). Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent continuous sound level (L_{eq}), which considers both duration and the sound power level of the source. L_{eq} is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over time. The extent of sound level fluctuations over a period of time is characterized by the minimum (L_{min}) and maximum (L_{max}) sound pressure levels, which represent the lowest and highest sound pressure levels measured during a given period, respectively.

The sound level that is exceeded "n" percent of time during a given sample period in the percentile noise level is represented as L_n. For example, the L_{50} level is the statistical indicator of the time-varying noise signal that is exceeded 50 percent of the time (during each sampling period); that is, half of the sampling time, the changing noise levels are above this value and half of the time they are below it. This is called the "median sound level." The L_{10} level, likewise, is the value that is exceeded 10 percent of the time (i.e., near the maximum), and this is often known as the "intrusive sound level." The L_{90} is the sound level exceeded 90 percent of the time and is often considered the "effective background level" or "residual noise level."

Noise that occurs at night tends to be more disturbing than noise that occurs during the day. Community noise is usually measured using the Day-Night Average Level (L_{dn}), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.) hours. It is also measured using the Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring during evening hours (7:00 p.m. to 10:00 p.m.) and a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.) (Caltrans 2013). Noise levels described by the L_{dn} and CNEL usually differ by about 1 dBA. The relationship between the peak-hour L_{eq} value and the L_{dn}/CNEL depends on the distribution of traffic during the day, evening, and night.

Figure 4.9-1 Examples of Typical Noise Levels



Source: Caltrans 2013

b. Overview of Vibration

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hz. The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body ranges between less than 1 Hz to 200 Hz (Crocker 2007).

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as that from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (Federal Transit Administration [FTA] 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern of vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration amplitudes are usually expressed in peak particle velocity (PPV), or root mean squared (RMS) vibration velocity. The PPV and RMS velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings (Caltrans 2020).

c. Existing Noise Environment

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The Noise Element of the City of Duarte General Plan identifies "…residences, schools, libraries, hospitals, nursing and care homes, and some types of commercial activities" as noise-sensitive uses within the city (City of Duarte 2007).

The nearest noise-sensitive receptors to the project site include adjacent single-family residences located north of the project site and single-family residences located east of the project site, across Crestfield Drive.

Ambient Noise Measurements

To characterize the ambient noise environment in the project vicinity, four short-term (15-minute) noise measurements were conducted on November 12, 2024, and two long-term (24-hour) noise level measurements were conducted between November 13-14, 2024. Two SoftdB Piccolo-II, ANSI Type 2 integrating sound level meters were used to conduct the measurements. The sound level meters were field calibrated before and after the measurements. Short-term measurement 1 (ST 1) was conducted along Central Avenue, approximately 70 feet south of the project site and near the proposed playground area; ST 2 was conducted along the eastern project site boundary, approximately 45 feet from the centerline of Crestfield Drive; ST 3 was conducted near the northeastern corner of the project site and near the adjacent residential properties to the north;

and ST 4 was conducted at the northwestern corner of the project site and near the adjacent residential properties to the north. Long-term measurement 1 (LT 1) was conducted onsite near the western boundary of the project site, and LT 2 was conducted onsite near the southeastern boundary of the project site. Approximate noise measurement locations are shown on Figure 4.9-2. Table 4.9-1 presents the results of the short-term noise measurements, Table 4.9-2 presents the results of the long-term noise measurements at LT 1, and Table 4.9-3 presents the results of the long-term noise measurements at LT 2.

Table 4.9-1 Short-Term Noise Measurement Results

Measurement Location	Location Description	Measurement Times[1]	Distance to Primary Noise Source	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)
ST 1	Along Central Avenue, approximately 70 feet south of project site	10:49 – 11:04 a.m.	Approximately 40 feet from centerline of Central Avenue	60.2	50.7	73.2
ST 2	Along Crestfield Drive, at approximate location of proposed residential building footprint	10:28 – 10:43 a.m.	Approximately 45 feet from centerline of Crestfield Drive	61.6	50.7	77.1
ST 3	Near northeastern corner of project site, close to adjacent residential properties to the north	11:37 – 11:52 a.m.	Approximately 155 feet from centerline of Crestfield Drive	56.4	50.5	71.8
ST 4	Near northwestern corner of project site, close to adjacent residential properties to the north	11:09 – 11:24 a.m.	Approximately 160 feet from centerline of I-605 northbound lanes	59.2	53.1	66.7

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level; L_{min} = minimum sound level, L_{max} = maximum sound level

[1] All measurements were conducted on November 12, 2024.

See Figure 4.9-2 for approximate noise measurement locations; see Appendix H for short-term noise measurement data.

Table 4.9-2 Long-Term Noise Measurement Results (LT 1)

Measurement Time	dBA L_{eq}	Measurement Time[1]	dBA L_{eq}
24-hour Measurement – Western Edge of Project Site, November 13 – 14, 2024			
10:00 a.m.	60	10:00 p.m.	58
11:00 a.m.	59	11:00 p.m.	57
12:00 p.m.	60	12:00 a.m.	55
1:00 p.m.	60	1:00 a.m.	55
2:00 p.m.	60	2:00 a.m.	54
3:00 p.m.	61	3:00 a.m.	55
4:00 p.m.	63	4:00 a.m.	59
5:00 p.m.	62	5:00 a.m.	61
6:00 p.m.	62	6:00 a.m.	63
7:00 p.m.	61	7:00 a.m.	63
8:00 p.m.	60	8:00 a.m.	61
9:00 p.m.	60	9:00 a.m.	60
24-hour Noise Level (dBA CNEL)			**65.4**

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level; CNEL = Community Noise Equivalent Level

See Figure 4.9-2 for approximate noise measurement locations; see Appendix H for graphical long-term noise measurement results.

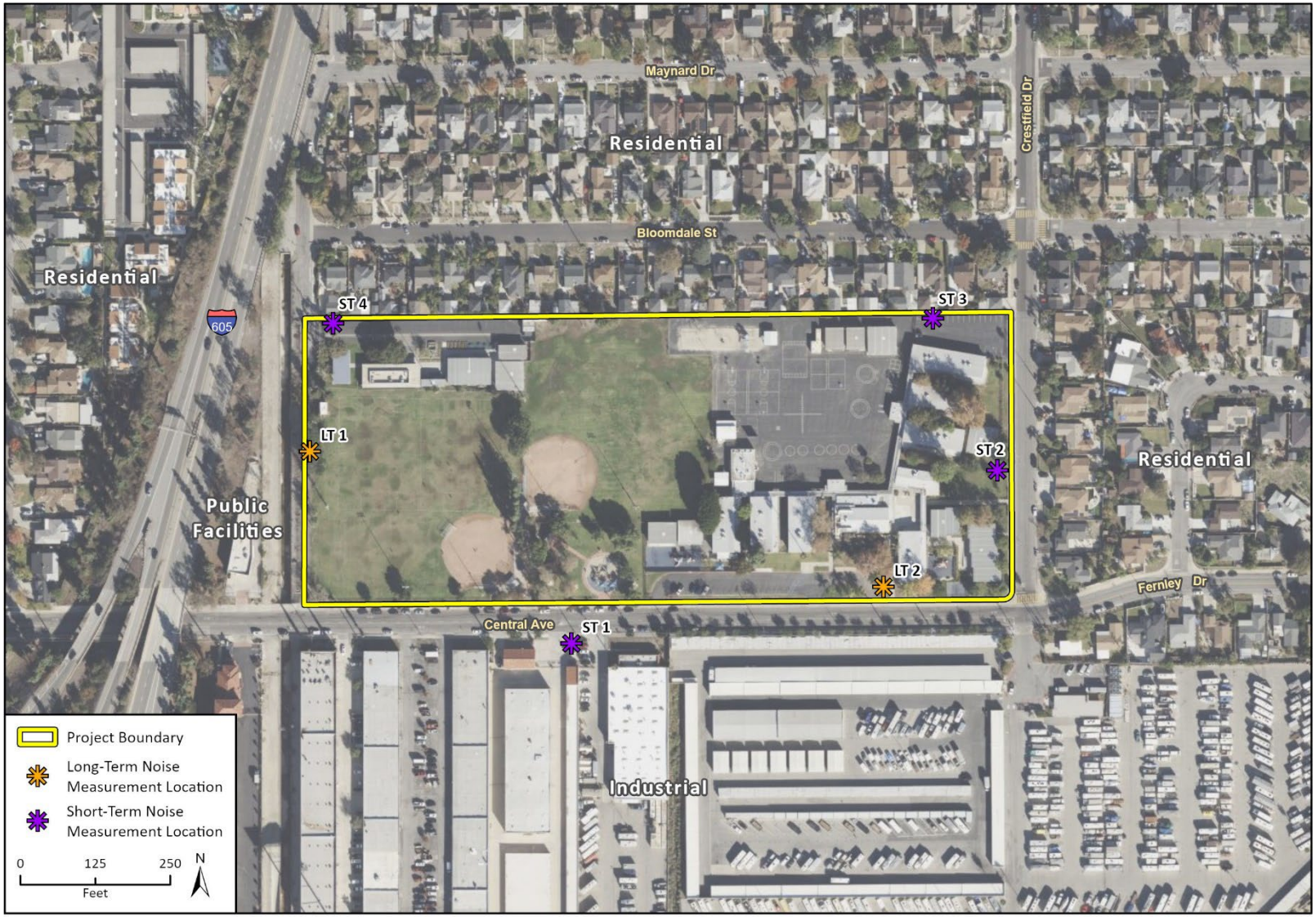
Table 4.9-3 Long-Term Noise Measurement Results (LT 2)

Measurement Time	dBA L_{eq}	Measurement Time[1]	dBA L_{eq}
24-hour Measurement – Southeastern Corner of Project Site, November 13 – 14, 2024			
10:00 a.m.	58	10:00 p.m.	54
11:00 a.m.	57	11:00 p.m.	54
12:00 p.m.	61	12:00 a.m.	53
1:00 p.m.	60	1:00 a.m.	57
2:00 p.m.	59	2:00 a.m.	53
3:00 p.m.	63	3:00 a.m.	53
4:00 p.m.	64	4:00 a.m.	55
5:00 p.m.	61	5:00 a.m.	61
6:00 p.m.	61	6:00 a.m.	60
7:00 p.m.	61	7:00 a.m.	62
8:00 p.m.	57	8:00 a.m.	61
9:00 p.m.	55	9:00 a.m.	58
24-hour Noise Level (dBA CNEL)			**63.7**

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level; CNEL = Community Noise Equivalent Level

See Figure 4.9-2 for approximate noise measurement locations; see Appendix H for graphical long-term noise measurement results.

Figure 4.9-2 Approximate Noise Measurement Locations



4.9.2 Regulatory Setting

Federal Regulations

Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual

The FTA provides criteria for assessing noise and vibration impacts during construction in the *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018). This document establishes construction noise limits based on the potential for adverse community reaction and construction vibration limits based on the potential for minor architectural damage (i.e., non-structural) to nearby structures. Construction noise and vibration limits are shown in Table 4.9-4 and Table 4.9-5, respectively.

Table 4.9-4 FTA Construction Noise Criteria

	L_{eq}, equip (8-hour), dBA	
Land Use	**Day (7:00 a.m. to 10:00 p.m.)**	**Night (10:00 p.m. to 7:00 a.m.)**
Residential	80	70
Commercial	85	85
Industrial	90	90

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level
Source: FTA 2018

Table 4.9-5 FTA Criteria for Vibration Damage

Building Category	PPV (in/sec)
I. Reinforced concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Nonengineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

PPV = peak particle velocity; in/sec = inches per second
Source: FTA 2018

State Regulations

2022 California Building Code

The California Building Code (CBC) is Title 24 of the California Code of Regulations (CCR). The 2022 CBC Part 2, Volume 1, Chapter 12, Section 1206.4, *Allowable interior noise levels*, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the L_{dn} or the CNEL, consistent with the noise element of the local general plan.

Local Regulations

City of Duarte General Plan

The City of Duarte General Plan Noise Element provides a framework to limit noise exposure within the City and contains goals, objectives, and policies for meeting specified noise standards. Goals, objectives, and policies of the Noise Element applicable to the project include the following:

Noise Goal 1: To reduce noise impacts from transportation sources.

Objective 1.1: Maintain and reduce where feasible background noise levels emanating from citywide transportation sources.

Policies:

Noise 1.1.1: Ensure noise mitigation measures are included in the design of new developments.

Noise 1.1.4: Encourage acoustical materials in all new residential and commercial developments where noise levels exceed the compatibility standards outlined in the Noise Element [shown in Table 4.9-6].

Noise 1.1.5: Limit construction, delivery, and through truck traffic to designated routes.

Noise 1.1.6: Ensure Community Noise Equivalent Levels (CNEL) for noise sensitive land uses meet or exceed normally acceptable levels, as defined by State of California standards.

Noise Goal 2: Develop measures to control non-transportation noise impacts.

Objective 1.2: Commercial and industrial uses, construction activity and other non-transportation related sources of noise can contribute negatively to the noise environment. Identifying and mitigating these potential noise sources will reduce negative impacts.

Policy:

Noise 2.1.2: Strive to resolve existing and potential conflicts between noise generating uses and human activities.

Noise Goal 3: To establish land uses which are compatible with noise levels within the community.

Objective 1.3: Land use planning decisions directly relate to potential noise impacts. Therefore, careful consideration of noise impacts should be a part of all land use decisions.

Policies:

Noise 3.1.3: Ensure that construction noise does not cause an adverse impact to the residents of the City.

Noise 3.1.4: Minimize noise and light spillage onto other residential properties.

Table 4.9-6 Duarte Land Use Compatibility Noise Guidelines

Land Use Category	Exterior Noise Exposure L_{dn} or CNEL (dB)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low Density, Single-Family, Duplex, Mobile Homes	50–60	55–70	70–75	75–85
Residential – Multiple Family	50–65	60–70	70–75	70–85
Transient Lodging – Motels and Hotels	50–65	60–70	70–80	80–85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50–70	60–70	70–80	80–85
Auditoriums, Concert Halls, Amphitheaters	N/A	50–70	N/A	65–85
Sports Arenas, Outdoor Spectator Sports	N/A	50–75	N/A	70–85
Playgrounds, Neighborhood Parks	50–70	N/A	67.5–75	72.5–85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50–70	N/A	70–80	80–85
Office Buildings, Business Commercial and Professional	50–70	67.5–77.5	75–85	N/A
Industrial, Manufacturing, Utilities, Agriculture	50–75	70–80	75–85	N/A

Source: City of Duarte General Plan Noise Element, Table N-1 (City of Duarte 2007).

Duarte Municipal Code

Chapter 9.68 of the Duarte Municipal Code (DMC) contains regulations pertaining to noise generated within the City. Specifically, Section 9.68.050 of the DMC provides ambient base noise levels that are not to be exceeded at various zones. These noise limits are shown in Table 4.9-7.

Table 4.9-7 Duarte Municipal Code Ambient Base Noise Levels

Zone	Day 7:00 a.m. – 9:00 p.m.	Night 9:00 p.m. – 7:00 a.m.
R-1 and R-2	55 dBA	45 dBA
R-3 and R-4	55 dBA	50 dBA
Commercial	60 dBA	55 dBA
Industrial and Light Manufacturing	70 dBA	70 dBA

Source: DMC, Section 9.68.050(a) (City of Duarte 2024).

Section 9.68.050(b) provides corrections to the noise limits shown above in Table 4.9-7. These noise level corrections are shown in Table 4.9-8.

Table 4.9-8 Duarte Municipal Code Corrections to Noise Limits

Noise Condition	Correction (in dB)
Repetitive impulsive noise, pure tones and sound with cyclically varying amplitude	-5
Steady whine, screech or hum	-5
Noise occurring more than 5 but less than 15 minutes per hour[1]	+5
Noise occurring more than 1 but less than 5 minutes per hour[1]	+10
Noise occurring less than 1 minute per hour[1]	+15

[1] This correction applies to the daytime noise limits only.

Source: DMC, Section 9.68.050(b) (City of Duarte 2024).

Section 9.68.120 of the DMC addresses noise produced during construction within 500 feet of a residential zone, prohibiting "construction or repair work on buildings, structures, or projects or to operate any pile-driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device (between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefore has been duly obtained from the planning and zoning division, department of public services" (City of Duarte 2024).

4.9.3 Impact Analysis

a. Methodology and Significance Thresholds

As listed in Appendix G of the *CEQA Guidelines*, a project is considered to have a significant impact related to noise if it would result in:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
b. Generation of excessive groundborne vibration or groundborne noise levels; or
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, exposure of people residing or working in the project area to excessive noise levels.

Construction Noise

Construction Equipment

Construction noise was estimated using the FHWA Roadway Construction Noise Model (RCNM) (FHWA 2006). RCNM predicts construction noise levels for a variety of construction operations based on empirical data and the application of acoustical propagation formulas. Using RCNM, construction noise levels were estimated at noise sensitive receptors near the project site based on the default equipment list output from the California Emissions Estimator Model (CalEEMod) based on a project of this type and size. RCNM provides reference noise levels for standard construction equipment, with an attenuation of 6 dBA per doubling of distance for stationary equipment.

Construction activity would result in temporary noise in the project area, exposing surrounding sensitive receptors to increased noise levels. Construction of the project would involve demolition, site preparation, grading, building construction, paving, and architectural coating phases. Construction noise would typically be higher during the heavier periods of initial construction (i.e., demolition and grading) and would be lower during the later construction phases (i.e., architectural coating). Construction equipment would continually move around the project site over the course of a typical workday. Due to the complex and mobile nature of construction activity within a project site, the FTA *Transit Noise and Vibration Impact Assessment Manual* document recommends evaluating construction noise impacts from the center of the construction site, stating that the distance variable in its recommended construction noise calculation "assumes that all equipment operates at the center of the project" (FTA 2018). Therefore, construction noise impacts were evaluated from the approximate center of the project site, which was assumed to be at the approximate center of the Building B-9 footprint (approximately 240 feet from the southern property line and 580 feet from the western property line).

In absence of quantitative construction noise limits established by the City, the limits recommended by the FTA (shown in Table 4.9-4) were used to evaluate the project's construction noise impacts at nearby sensitive receptors. Based on the limits shown in Table 4.9-4, the project's construction noise impacts would be significant if construction noise levels exceed 80 dBA L_{eq} (8-hour) at nearby residential uses located to the north and east.

Construction Vehicle Trips

The project would generate additional construction-related vehicle trips on nearby roadways (primarily Central Avenue and Crestfield Drive). Existing traffic volumes are compared with proposed construction vehicle trips along these roadways to estimate the potential project-related traffic noise increase during construction. Existing daily traffic volumes were determined using the afternoon (PM) peak hour turning movement volumes contained in the Transportation Impact Study completed for the project (Ganddini Group, Inc. 2025) based on the assumption that the peak hour volumes represent 10 percent of the average daily traffic (ADT) volumes on these roadways. As discussed in Section 4.1, *Air Quality*, the project would generate a maximum 140 one-way trips each day from workers and vendors during the peak phases of construction (building construction phase). Total construction traffic generated by the project would include both inbound and outbound traffic, therefore the project would generate 280 daily vehicle trips during the peak periods of construction, assumed to occur primarily on roadways adjacent to the project site (Central Avenue and Crestfield Drive). Table 4.9-9 presents existing daily vehicle volumes and daily construction vehicle trips associated with the project for these roadways.

Table 4.9-9 Comparison of Existing Vehicle Volumes and Project Construction Vehicle Trips

Roadway	Existing Daily Vehicle Trips[1]	Daily Vehicle Trips During Project Construction	Existing + Daily Vehicle Trips During Project Construction
Central Avenue	36,330	280	36,610
Crestfield Drive	7,920	280	8,200

[1] Existing daily vehicle trips were based on PM peak turning movement volumes contained in the Transportation Impact Study (Ganddini Group, Inc. 2025). Note that daily vehicle trips were determined assuming that peak hour volumes represent approximately 10 percent of the average daily traffic (ADT) volume for each roadway.

Traffic noise increases associated with the project were estimated using a relative increase in traffic volumes based on the following equation:

$$Traffic\ Noise\ Increase = 10 * LOG(\frac{Future\ Traffic\ Volume}{Existing\ Traffic\ Volume})$$

Because the City does not contain specific thresholds for assessing traffic noise increases, the following thresholds of significance, similar to those recommended by the Federal Aviation Administration (FAA), were used to assess traffic noise impacts at sensitive receptor locations (FAA 2023):

- Greater than 1.5 dBA CNEL/L_{dn} increase for ambient noise environments of 65 dBA CNEL/L_{dn} and higher.
- Greater than 3 dBA CNEL/L_{dn} increase for ambient noise environments of 60 to 64 dBA CNEL/L_{dn}.
- Greater than 5 dBA CNEL/L_{dn} increase for ambient noise environments of less than 60 dBA CNEL/L_{dn}.

As discussed in the *Ambient Noise Measurements* section, the existing noise environment at the project site (noise measurement location LT 1, along Mount Olive Drive) is approximately 65 dBA CNEL. Therefore, significant noise impacts resulting from the project's offsite traffic would occur if project-related construction traffic were to increase noise levels on nearby roadways by 1.5 dBA CNEL or more.

Operational Noise

Onsite Stationary Noise Sources

The project would introduce new stationary sources of noise in the vicinity of the site, consisting of a park (which would include a soccer field, two baseball fields, a turf area, a playground area, and associated outdoor gathering areas) and outdoor heating, ventilation, and air-conditioning (HVAC) equipment throughout the residential portion of the site.

PARK

Recreational use of the proposed park and its amenities would generate noise at nearby receptors. Noise generated by the park was calculated at nearby sensitive receptors based on reference noise level measurements and distances to nearby sensitive receptors. Noise from use of the soccer field would consist of players kicking the ball and yelling, which produce a sound pressure level of 54 dBA at 100 feet away (KM Acoustics 2010). Note that this reference noise level is conservative as this noise level was measured during a youth soccer tournament while three games were occurring simultaneously. Noise produced from use of the soccer field was calculated from the center of the field to account for the dynamic nature of play as it moves around the entire field during the course of a game.

Noise from each baseball field would consist primarily of bat/ball impacts, which produce an average sound pressure level of 57 dBA L_{eq} at 100 feet away from the center of the infield based on noise measurements taken during a baseball game (Illingworth & Rodkin, Inc. 2019). The corrections to the City's noise limits (shown in Table 4.9-8) were applied to evaluate noise produced by bat/ball impacts, as these sources could be considered a repetitive impulsive noise (-5 dB correction) and would likely not occur for more than five minutes of each hour (+10 dB correction). Therefore, a net +5 dB correction was applied to noise produced by the baseball fields.

Noise generated in the playground area would result from children playing. One child playing in an outdoor play area produces a noise level of approximately 68 dBA at one meter (3.3 feet) away (Scannell 2006). Assuming that 20 children may be present in the playground area at a given time, the combined noise level from 20 children playing would be approximately 80 dBA at 3.3 feet away. Noise levels generated by use of the open turf area were assumed to be similar to those produced by use of the playground area (80 dBA at 3.3 feet).

The outdoor gathering areas (overhead structures with BBQs and picnic tables) would consist of conversations, including talking and laughter, which produces a sound pressure level of 65 dBA at 4 feet away (Engineering Toolbox 2004). Noise levels associated with each picnic table area were calculated from the center of the area and assumed to produce 65 dBA at 4 feet away.

Note that as discussed in the *Ambient Noise Measurements* section, the daytime ambient noise level at the northwestern corner of the project site (measurement location ST 4, which was conducted near residential receptors along the northern project boundary) was measured to be 59 dBA, which exceeds the City's base ambient daytime noise level of 55 dBA for R-1 and R-2 zones (Table 4.9-7).

Therefore, the applicable ambient base level was adjusted upward to match the measured noise level. Noise impacts from the noise sources associated with the park portion of the project would be significant if noise levels from these sources were to exceed a daytime noise level of 59 dBA at the nearest residences to the north.

HVAC EQUIPMENT

Reference noise levels generated by the project's HVAC equipment were estimated based on review of various manufacturer specifications for residential applications. A 2.5-ton Carrier 24ABA4030 was assumed for this analysis, which has a sound power level of 76 dBA (see Appendix H for equipment specification sheets). This equates to a sound pressure level of 65 dBA at 3.3 feet away.

HVAC equipment would be located within the residential portion of the project, situated at the exterior of each building. The HVAC units associated with the buildings along the northern and eastern project property lines represent the units with the greatest potential to result in noise impacts to adjacent sensitive receptors due to the close proximity of these units to the nearest residential property lines to the north and east, respectively. Based on the provided site layout, HVAC units associated with the buildings along the northern project boundary would be placed in groupings of 4 units per building, with units located as close as approximately 50 feet from the nearest residences located to the north. HVAC units associated with the buildings along the eastern project boundary would be placed in groupings of up to 8 units per building, with units located as close as approximately 24 feet from residences located to the east. Combined noise levels produced by each grouping of HVAC units would emit from the approximate center of the grouping. The combined noise level from a grouping of HVAC units operating simultaneously was determined from the center of the grouping to the nearest residence to the north and the nearest residence to the east. The proposed six-foot-tall stucco over CMU wall along the northern project boundary with the residential portion of the project and the potential noise reduction provided by this site feature was accounted for in the calculations.

Noise impacts from the project's residential noise sources would be significant if noise levels were to exceed the daytime or nighttime noise thresholds for R-1 and R-2 zones shown in Table 4.9-7 at the nearest residences to the north and east.

Offsite Mobile Noise Sources

The project would also generate offsite noise in the form of increased vehicle traffic on nearby roadways (primarily Central Avenue and Crestfield Drive). Existing traffic volumes on these roadways were compared to the expected number of trips generated by the project to determine the relative noise increase associated with project-generated vehicle trips. Based on the Transportation Impact Study, the project is expected to generate 646 additional daily trips (Ganddini Group, Inc. 2025). Table 4.9-10 presents a comparison of existing daily vehicle volumes and daily operational vehicle trips associated with the project for roadways included in this analysis.

Table 4.9-10 Comparison of Existing Vehicle Volumes and Project Operational Vehicle Trips

Roadway	Existing Daily Vehicle Trips[1]	Daily Vehicle Trips During Project Operation	Existing + Daily Vehicle Trips During Project Operation
Central Avenue	36,330	646	36,976
Crestfield Drive	7,920	646	8,566

[1] Existing daily vehicle trips were based on PM peak turning movement volumes contained in the Transportation Impact Study (Ganddini Group, Inc. 2025). Note that daily vehicle trips were determined assuming that peak hour volumes are approximately 10 percent of the average daily traffic (ADT) volume for each roadway.

Traffic noise increases associated with the project were estimated using a relative increase in traffic volumes following the same methodology and using the same significance threshold discussed in the *Construction Vehicle Trips* section.

Groundborne Vibration

Operation of the project would not include any substantial vibration sources. Therefore, construction activities would have the greatest potential to generate levels of groundborne vibration affecting nearby receptors. Neither blasting nor pile driving would be required for construction of the proposed project, therefore the greatest source of vibration during construction would be a large bulldozer and a vibratory roller. Table 4.9-11 shows typical vibration levels for these pieces of construction equipment.

Table 4.9-11 Typical Vibration Levels Generated by Construction Equipment

Equipment	PPV at 25 ft. (in./sec.)
Vibratory Roller	0.210
Large Bulldozer	0.089

Source: FTA 2018

Vibration levels were estimated using the reference vibration levels shown in Table 4.9-11 and the distances of the proposed work areas to nearby offsite structures.

Significant vibration impacts would occur if vibration levels produced during construction exceed the limits established by the FTA in *Transit Noise and Vibration Impact Assessment Manual*, shown in Table 4.9-5. As shown in Table 4.9-5, limiting vibration levels to below 0.2 in/sec PPV at residential and other non-engineered structures would prevent minor architectural (i.e., non-structural) damage. Therefore, significant vibration impacts would occur if vibration levels produced during construction exceed 0.2 in/sec PPV at offsite residential structures.

Exposure of Project Residents to Existing Noise Conditions

As a result of the Supreme Court decision regarding the assessment of the environment's impacts on projects (*California Building Industry Association [CBIA] v. Bay Area Air Quality Management District [BAAQMD]*, 62 Cal. 4th 369 [No. S 213478] issued December 17, 2015), it is generally not considered the purview of the CEQA process to evaluate the impact of existing environmental conditions on a proposed project. Therefore, this environmental analysis does not consider the potential impacts of the environment (i.e., existing noise) on the project.

b. Project Impacts and Mitigation

Threshold a:	Would the project result in 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?

IMPACT N-1 CONSTRUCTION AND DEMOLITION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROJECT WOULD INTERMITTENTLY GENERATE NOISE WITHIN AND ADJACENT TO THE PROJECT SITE. HOWEVER, CONSTRUCTION NOISE LEVELS WOULD NOT EXCEED THE APPLICABLE NOISE LEVEL THRESHOLDS. NOISE ASSOCIATED WITH OPERATION OF THE PROJECT WOULD NOT EXCEED THE CITY'S NOISE LIMITS AT THE NEAREST RESIDENTIAL PROPERTIES TO THE NORTH AND EAST. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction Equipment

As described above, construction equipment would be moving around the project site over the course of a workday. Therefore, due to the complex nature of construction activity throughout a typical workday, construction noise was evaluated at the approximate center of the project site. Table 4.9-12 shows the estimated construction noise levels at sensitive receptors by phase of construction. Note that noise levels shown in Table 4.9-12 conservatively do not account for shielding from any intervening buildings, terrain, or other nearby structures or site features.

Table 4.9-12 Estimated Construction Noise Levels by Phase at Nearby Sensitive Receptors

	dBA L_{eq} (8-hour)		
Construction Phase	**RCNM Reference Noise Level**	**Single-Family Residences to the North**	**Single-Family Residences to the East**
Distance (feet)	**50**	**240**	**645**
Demolition[1]	89	75	66
Site Preparation[2]	86	73	64
Grading[3]	88	75	66
Building Construction[4]	85	72	63
Paving[5]	87	73	64
Architectural Coating[6]	76	62	54

RCNM = Roadway Construction Noise Model

[1] Demolition phase was evaluated assuming simultaneous operation of two dozers, two excavators, and a concrete saw.

[2] Site Preparation phase was evaluated assuming simultaneous operation of two dozers, a backhoe, a front-end loader, and a tractor.

[3] Grading phase was evaluated assuming simultaneous operation of a dozer, a grader, an excavator, a backhoe, a tractor, and a scraper.

[4] Building Construction phase was evaluated assuming simultaneous operation of two forklifts, a generator, a crane, a welder/torch, a backhoe, and a front-end loader.

[5] Paving phase was evaluated assuming simultaneous operation of two pavers and two rollers.

[6] Architectural Coating phase was evaluated assuming operation of an air compressor.

Source: Roadway Construction Noise Model. See Appendix H for construction noise modeling outputs.

As shown in Table 4.9-12, noise levels generated during construction of the project would not exceed the FTA's threshold of 80 dBA L_{eq} (8-hour) at the nearest residential receptors to the north throughout a typical construction day. Therefore, temporary noise impacts from construction equipment would be less than significant.

Construction Vehicle Trips

During construction, the project would generate new, temporary vehicle trips that would increase noise levels on nearby roadways (primarily Central Avenue and Crestfield Drive). The project is anticipated to generate a maximum of 280 daily one-way vehicle trips (140 roundtrips) between worker and vendor trips during the peak phases of construction. The project would not make alterations to roadway alignments or substantially change the vehicle classifications mix on these nearby roadways; therefore, the primary factor affecting off-site noise levels would be increased traffic volumes on these roadways. A temporary increase of 280 daily vehicle trips would result in a noise increase of less than 0.1 dBA CNEL on Central Avenue and a noise increase of 0.2 dBA CNEL on Crestfield Drive. Therefore, temporary noise increases associated with construction vehicle trips on nearby roadways would be below the 1.5 dBA CNEL threshold for an ambient noise environment of 65 dBA CNEL or higher (as presented in the *Ambient Noise Measurements* section, the onsite noise measurement survey determined the ambient noise level at the site was 65 dBA CNEL). In addition, these noise increases would not be perceptible to the average human ear, which can only detect changes of 3 dBA or more (Crocker 2007). Therefore, noise impacts associated with construction vehicle trips on nearby roadways would be less than significant.

Operation

Onsite Stationary Noise Sources

Following the methodology discussed in the *Onsite Stationary Noise Sources* section above, operational noise levels from the various sources associated with the project were calculated at the nearest sensitive receptors (i.e., the nearest residential property lines to the north). A summary of operational noise levels resulting from the various noise sources associated with the project are shown in Table 4.9-13.

Table 4.9-13 Summary of Project Operational Noise Levels

Noise Source	Portion of Project	Approximate Distance to Nearest Receptor (ft)	Noise Level (dBA)	Applicable City Noise Threshold (dBA)[1,2]	Exceeds City Threshold?
Soccer Field	Park	205	48	59	No
Baseball Field (north)	Park	70	60	64[4]	No
Baseball Field (south)	Park	325	47	64[4]	No
Playground Area	Park	440	38	59	No
Outdoor Gathering Area (north)	Park	145	34	59	No
Outdoor Gathering Area (middle)	Park	225	30	59	No
Outdoor Gathering Area (south)	Park	295	28	59	No
Open Turf Area	Park	75	53	59	No
HVAC Equipment (north)	Residential	50	38[3]	45[5]	No
HVAC Equipment (east)	Residential	120	43	45[5]	No

[1] Thresholds for the sources associated with the park portion of the project are based on the City's daytime (7:00 a.m. to 9:00 p.m.) noise thresholds, as the park is assumed to be operational only during daytime hours. Thresholds for the sources associated with the residential portion of the project (i.e., HVAC equipment) are based on the City's nighttime (9:00 p.m. to 7:00 a.m.) noise thresholds, as these sources are assumed to operate continuously 24 hours per day.

[2] Note that the measured ambient noise level near residential receptors along the northern project site boundary was measured to be 59 dBA, which exceeds the City's ambient daytime base noise level of 55 dBA for R-1 and R-2 zones. Therefore, the City's daytime ambient base noise threshold was adjusted upward to account for the noise level measured at the site, as discussed in the *Onsite Stationary Noise Sources* section.

[3] This noise level accounts for the noise reduction provided by the six-foot-tall stucco over CMU wall along the northern project boundary.

[4] As discussed in the *Onsite Stationary Noise Sources* section, a net +5 dBA adjustment was applied to the adjusted City's daytime threshold of 59 dBA for noise produced by the baseball fields, as these noise sources (primarily bat/ball impacts) could be considered repetitive impulsive sounds (-5 dBA) but as each bat/ball impact is of a very short duration, would likely not occur for a period of more than 5 minutes out of every hour (+10 dBA).

[5] Note that HVAC equipment may operate continuously during both daytime and nighttime hours; however, the nighttime noise limit (45 dBA) is lower than the daytime limit (55 dBA) and represents a more conservative threshold. Therefore, compliance with the stricter nighttime threshold would also result in compliance with the daytime threshold. As such, the nighttime threshold was used to evaluate HVAC noise impacts.

As shown in Table 4.9-13, onsite stationary noise sources associated with the park and residential portions of the project would not generate noise levels exceeding the City's applicable daytime and nighttime noise thresholds at the nearest residences, and noise impacts associated with the project's onsite stationary noise sources would be less than significant.

Combined Onsite Stationary Noise Levels

The project's onsite stationary noise sources may operate simultaneously and combine to increase operational noise levels at nearby sensitive receptors. To account for this, the combined noise levels from recreational use of the park area and operation of HVAC equipment were calculated at the nearest residential receptor located north of the project site. It is assumed that the park area would be used only during daytime hours, while HVAC units may operate during both daytime and nighttime hours; therefore, combined operation of the project's onsite stationary noise sources would occur only during daytime hours. Combined noise levels were calculated for two scenarios: one consisting of use of all park areas, except for the baseball fields, plus HVAC units and one consisting of use of all park areas plus HVAC units. When accounting for the simultaneous use of all park areas, except for the baseball fields, plus HVAC units, the combined noise level at the nearest

residence to the north would be approximately 50 dBA, which would not exceed the City's adjusted noise threshold of 59 dBA.[1] When accounting for the simultaneous use of all park areas plus HVAC units, the combined noise level at the nearest residence to the north would be approximately 61 dBA, which would not exceed the City's adjusted noise threshold of 64 dBA.[2] Therefore, combined operation of the project's onsite stationary noise sources would be less than significant.

Offsite Mobile Noise Sources

During operation, the project would generate new vehicle trips that would increase noise levels on nearby roadways (primarily Central Avenue and Crestfield Drive). The project is anticipated to generate a maximum of 646 daily vehicle trips according to the Transportation Impact Study completed for the project (Ganddini Group, Inc. 2025). The project would not make alterations to roadway alignments or substantially change the vehicle classifications mix on these nearby roadways; therefore, the primary factor affecting off-site noise levels would be increased traffic volumes on these roadways. An increase of 646 daily vehicle trips would result in a noise increase of less than 0.1 dBA CNEL on Central Avenue and a noise increase of 0.3 dBA CNEL on Crestfield Drive. Therefore, temporary noise increases associated with construction vehicle trips on nearby roadways would be below the 1.5 dBA CNEL threshold for an ambient noise environment of 65 dBA CNEL and higher (as presented in the *Ambient Noise Measurements* section, the onsite noise measurement survey determined the ambient noise level at the site was 65 dBA CNEL). In addition, these noise increases would not be perceptible to the average human ear, which can only detect changes of 3 dBA or more (Crocker 2007). Therefore, noise impacts associated with offsite vehicle traffic on nearby roadways would be less than significant.

Threshold b:	Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

IMPACT N-2 CONSTRUCTION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT WOULD INTERMITTENTLY GENERATE GROUNDBORNE VIBRATION LEVELS EXCEEDING APPLICABLE THRESHOLDS AT RESIDENTIAL STRUCTURES ADJACENT TO THE PROJECT SITE. HOWEVER, IMPLEMENTATION OF MITIGATION MEASURE NOI-1 WOULD REQUIRE THE USE OF ALTERNATIVE EQUIPMENT THAT PRODUCES LOWER LEVELS OF VIBRATION; THEREFORE, PROJECT-GENERATED VIBRATION IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Construction

Construction of the project would include sources of vibration, including a vibratory roller for paving activities and a large bulldozer for grading/earthwork activities. A vibratory roller generates a vibration level of 0.210 in/sec PPV at a reference distance of 25 feet (FTA 2018), while a large bulldozer generates a vibration level of 0.089 in/sec PPV at a reference distance of 25 feet (FTA 2018). A vibratory roller may be used approximately 20 feet from the nearest offsite residential structure, resulting in vibration levels up to 0.293 in/sec at this structure. A large bulldozer may be

[1] As discussed in the *Onsite Stationary Noise Sources* section, the ambient noise level at the residences located north of the project site was measured to be 59 dBA (measurement location ST 4, as shown in the *Ambient Noise Measurements* section), which exceeds the City's daytime ambient base noise limit of 55 dBA at R-1 and R-2 zones. Therefore, the City's daytime ambient base noise level of 55 dBA was adjusted upward to 59 dBA to match the measured noise level.

[2] As discussed in the *Onsite Stationary Noise Sources* section, noise associated with the baseball fields was adjusted according to the City's corrections to the ambient base noise limits shown in Table 4.9-8. A net +5 dBA correction (-5 dBA correction for repetitive impulsive noise and a +10 dBA correction for noise occurring for more than 1 but less than 5 minutes per hour) was applied to the adjusted City threshold of 59 dBA, resulting in a further adjusted threshold of 64 dBA for noise generated by use of the baseball fields.

used within 15 feet of the nearest offsite residential structure to the north, resulting in vibration levels up to 0.191 in/sec PPV at this structure. Vibration levels generated by grading/earthwork activities (i.e., use of a large bulldozer) during construction would not exceed the FTA's threshold of 0.2 in/sec PPV at offsite residential structures; however, vibration levels generated by paving activities (i.e., use of a vibratory roller) during construction would exceed the FTA's threshold of 0.2 in/sec PPV at offsite residential structures. Therefore, vibration impacts generated during construction of the project would be potentially significant.

Operation

Operation of the proposed project would not include any substantial vibration sources; therefore, operational vibration impacts would be less than significant.

Mitigation Measures

NOI-1 Alternative Construction Equipment

Prior to the issuance of a grading and building permit, the following measure shall be included as notes on all construction plans:

- Construction activities that utilize a roller within 26 feet of offsite residential structures shall be conducted with a static or pneumatic roller in lieu of a vibratory roller.

Significance After Mitigation

Implementation of Mitigation Measure NOI-1 would require the use of alternative construction equipment that generates lower vibration levels to reduce vibration impacts upon nearby offsite residential structures. Alternative construction equipment would include use of a static/pneumatic roller, which generates vibration levels up to 0.05 in/sec PPV at a reference distance of 25 feet (McIver 2012). At the nearest offsite residential structure located 20 feet away, a static/pneumatic roller would generate vibration levels up to 0.07 in/sec PPV, which would not exceed the FTA's vibration threshold of 0.2 in/sec PPV. Therefore, implementation of Mitigation Measure NOI-1 would reduce construction-generated vibration levels to those below the thresholds recommended by the FTA for potential minor architectural (i.e., non-structural) damage. Vibration impacts would be less than significant with mitigation.

Threshold 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?

Impact N-3 THE PROJECT SITE IS NOT LOCATED WITHIN THE NOISE CONTOURS OF THE NEAREST AIRPORT. THEREFORE, PEOPLE RESIDING AND WORKING IN THE PROJECT AREA WOULD NOT BE EXPOSED TO EXCESSIVE AIRPORT-RELATED NOISE LEVELS AND NO IMPACTS WOULD OCCUR.

The airport nearest to the project site is the San Gabriel Valley Airport (EMT), located approximately 5.5 miles southwest of the project site. According to the Master Plan prepared for the airport, the project site would not be located within the noise contours of the airport (Hodges & Shutt 1995). Therefore, the project would not expose people residing or working in the project area to excessive airport-related noise exposure, and no impacts would occur.

4.9.4 Cumulative Impacts

Construction Noise

Cumulative noise assessment considers development of the project in combination with ambient growth and development projects within the vicinity of the project site. As discussed in Chapter 3, *Environmental Setting*, there are numerous cumulative project sites in the city. However, noise from construction of development projects is typically localized and has the potential to affect noise-sensitive uses within approximately 500 feet from the construction site. Thus, noise from construction activities for two projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. Of the cumulative projects, none are located within 1,000 feet of the project site. The nearest cumulative project is the Westminster Gardens Specific Plan project, located approximately 1,400 feet west of the Andres Duarte project site. At 700 feet away (i.e., the midway point between both project sites), construction of the Andres Duarte project would produce noise levels up to approximately 66 dBA L_{eq} (8-hour). Conservatively assuming that construction of the Westminster Gardens Specific Plan project would involve similar equipment and produce a similar noise level, the cumulative noise level from simultaneous construction of both projects at receptors located at the midway point between the two project sites would be approximately 69 dBA L_{eq} (8-hour). This cumulative noise level would not exceed the FTA's construction noise threshold of 80 dBA L_{eq} (8-hour). In addition, if construction noise associated with the Westminster Gardens Specific Plan project were to propagate to the nearest residence located near the Andres Duarte project site (or vice versa), there would be no perceptible increase in noise level at receptors located near either project site above construction noise generated by each respective project due to the large distances involved. In other words, neither project would generate a perceptible noise increase at the other project site. Therefore, cumulative construction noise impacts would be less than significant.

Operational Noise

Cumulative development would result in stationary (non-traffic) operational noise increases in the project vicinity. Similar to construction noise, operational noise impacts may occur to sensitive receptors within approximately 500 feet from a project site; therefore, operational noise from two projects located within 1,000 feet of each other has the potential to result in cumulative noise impacts at receptors located between both project sites. As mentioned above, no cumulative projects are located within 1,000 feet of the proposed Andres Duarte project site. The nearest cumulative project is the Westminster Gardens Specific Plan project, located approximately 1,400 feet west of the Andres Duarte project site. The onsite stationary noise sources associated with the proposed Andres Duarte project would include stationary noise sources in the park and residential portions of the project site. Assuming that the combined noise level from operation of all onsite stationary noise sources associated with the Andres Duarte project were to emit from the center of the project site, the combined daytime noise level would be approximately54 dBA at 235 feet away. At a distance of 700 feet (the midway point between the Andres Duarte and Westminster Gardens Specific Plan project sites), these noise sources would generate a combined noise level of approximately 45 dBA. Assuming the Westminster Gardens Specific Plan project were to generate this same daytime noise level at 700 feet, the cumulative noise level from both projects would be approximately 48 dBA at receptors located in between both project sites. This cumulative noise level would not exceed the City's daytime noise limit of 55 dBA. In addition, each cumulative project would be required to complete project- and site-specific noise and vibration assessments for operational impacts and mitigate each project accordingly since operational noise and vibration

impacts would be greatest on each project site. Therefore, cumulative operational noise impacts would be less than significant.

Groundborne Vibration

Although there could be other cumulative projects simultaneously under construction near the proposed project, the potential for cumulative construction groundborne vibration impacts is within relatively close distances (e.g., within approximately 25 feet for a vibratory roller) due to the fact that groundborne vibration levels attenuate rapidly through the ground at large distances. The nearest cumulative project is the proposed Westminster Gardens Specific Plan project, located approximately 1,400 feet away from proposed vibration-generating construction activity at the Andres Duarte project site. At this large distance, vibration levels generated during simultaneous construction of both projects would not generate vibration levels exceeding applicable thresholds at structures located between both project sites, as vibration that travels this large of a distance would be negligible. Cumulative groundborne vibration impacts would be less than significant.

4.10 Public Services

This section focuses on the project's potential of substantial adverse effects related to public services. Specifically, this analysis focuses on the project's potential to require new or physically altered schools. Other public services impacts analyzed under CEQA include the project's potential of substantial adverse effects related to fire protection services, police protection services, public parks and recreational facilities, and libraries, associated with implementation of the project. However, impacts related to these issue areas were found to be less than significant in the Initial Study (Appendix A) and are not discussed further in this section.

4.10.1 Setting

Schools

The project site is located within the Duarte Unified School District (DUSD), which operates one elementary school, four middle schools, and two high schools with an enrollment of 7,465 students (California Department of Education [DOE] 2024). The nearest schools include the Andres Duarte Arts Academy, kindergarten through 8th grade, Duarte Preschool, and the operational Mount Olive Innovation and Technology (MIT) School. Other nearby schools include Duarte High School, located 0.8-mile southwest of the project site at 1565 Central Avenue.

The Andres Duarte Arts Academy closed after the 2021-2022 school year due to low enrollment. A portion of the former school is currently in use by the Duarte Preschool. The school buildings consist of 47,399 total square feet of 21 permanent classrooms and 14 portable classrooms. The Duarte Preschool is currently in operation at the project site and would relocate to the northwestern portion of the Beardslee Dual Language campus prior to the demolition phase of the proposed project.

The MIT school is located on the northwestern portion of the project site, which currently consists of five buildings totaling 8,160 square feet. In October 2023, the Duarte Unified School District approved Resolution Number 04-23-24 of the Board of Education which declared the MIT school property as surplus land and allowed the process to consider proposal for development of the site. Due to this resolution, the MIT school is tentatively proposed to vacate by the end of June 2025 and will be relocated to the western portion of the Duarte High School Campus.

As detailed in Section 2, *Project Description*, further details of relocation and construction activities associated with Duarte Preschool and MIT school were not available at the time of preparation of this EIR. Section 15145 of the CCR states that "if, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." Therefore, the environmental impacts of the school relocations and construction activities are not further analyzed throughout this EIR.

4.10.2 Regulatory Setting

a. State Regulations

California Education Code and Assembly Bill 2926

CCR Title 5 (Education Code) governs all aspects of education within the State. California State Assembly Bill (AB) 2926 – School Facilities Act of 1986 – was enacted by the State of California in

1986 and was added to the California Government Code (Section 65995). It authorizes school districts to collect development fees, based on demonstrated need, and generate revenue for school districts for capital acquisitions and improvements. It also established that the maximum fees which may be collected under this statute and any other school fee authorization are $1.50 per square foot for residential development and $0.25 per square foot for commercial and industrial development.

Assembly Bill 1600

AB 2926 was expanded and revised in 1987 through the passage of AB 1600, which added Section 66000 of the California Government Code. Under this statute, payment of statutory fees by developers serves as total mitigation under CEQA to satisfy the impact of development on school facilities. Subsequent legislative actions have alternatively expanded and contracted the limits placed on school fees by AB 2926.

Senate Bill 50

The Leroy F. Greene School Facilities Act of 1998 (known as the Greene Act), enacted in 1998, is a program for funding school facilities largely based on matching funds. For new school construction, grants provide funding on a 50/50 State and local match basis. For school modernization, grants provide funding on a 60/40 State and local match basis. Districts that are unable to provide some, or all, of the local match requirement and can meet the financial hardship provisions may be eligible for additional State funding.

The Greene Act permits the local district to levy a fee, charge, dedication, or other requirement against any development project within its boundaries, for the purpose of funding the construction or reconstruction of school facilities. The Greene Act also sets a maximum level of fees a developer may be required to pay. Pursuant to Government Code Section 65996, the payment of these fees by a developer serves to mitigate all potential impacts on school facilities that may result from implementation of a project to a less-than-significant level.

b. Local Regulations

The 2021-2029 Housing Element of the City of Duarte General Pan provides a plan to meet the existing and projected housing needs of all economic segments of the community. Goals and policies that relate to schools and would apply to the project include the following:

Goal 4: Assist the private, public and non-profit sectors in providing affordable housing opportunities and services.

> **Policy 4.1.2 Affordable Housing on Public/Quasi-Public Land.** Encourage residential development on surplus public/quasi-public land, including properties owned by the City and County, DUSD, and local congregations, and require a portion of any new development to be affordable to low and moderate income households.

4.10.3 Impact Analysis

a. Significance Thresholds

According to Appendix G of the *CEQA Guidelines*, impacts related to public services from implementation of the proposed project would be significant if it would:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered government 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 objectives for any of the following public services:

   1. Fire protection
   2. Police protection
   3. Schools
   4. Parks; or
   5. Other public facilities

As described in the Initial Study (Appendix A), the proposed project would have either a less than significant impact or no impact related to Thresholds a.1, a.2, a.4, and a.5. Therefore, the potential impacts associated with these issues are not further addressed in this EIR.

b. Methodology

In determining whether project implementation would result in impacts related to schools, this analysis considers the baseline conditions, existing regulatory framework, and readily available data from additional sources, including the DUSD website and direct communication with the DUSD. In reference to the *CEQA Guidelines* Appendix G significance thresholds, the determination whether the project would result in a potentially significant adverse impact is based on the physical impacts associated with demolition and relocation of the Andres Duarte Academy and the MIT school, and the potential need for new school facilities as a result of the proposed project.

c. Project Impacts

Threshold a.3: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Impact PS-1 THE PROPOSED PROJECT WOULD NOT RESULT IN A SIGNIFICANT INCREASE IN ENROLLMENT WITHIN THE DUARTE UNIFIED SCHOOL DISTRICT WHICH WOULD REQUIRE NEW OR PHYSICALLY ALTERED SCHOOLS. THE RELOCATIONS OF THE DUARTE PRESCHOOL AND THE MIT SCHOOL WERE SEPARATELY CONSIDERED AND APPROVED BY THE BOARD OF EDUCATION IN OCTOBER 2023. THEREFORE, THE RELOCATIONS ARE NOT CONSIDERED PART OF THE PROPOSED PROJECT AND THE PROPOSED PROJECT WOULD NOT RESULT IN PHYSICAL IMPACTS ASSOCIATED WITH THE PROVISION OF NEW OR PHYSICALLY ALTERED SCHOOLS. THE PROJECT APPLICANT WOULD ALSO PAY APPLICABLE DEVELOPER FEES PER AB 2926 AND SB 50 WHICH WOULD CONTRIBUTE TO LOCAL SCHOOL FUNDING. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Enrollment

The project site is located within the DUSD which oversees one elementary school, four middle schools, and two high schools, with an enrollment of 7,465 students (DOE 2024). As stated in Section 14, *Population and Housing*, of the Initial Study (Appendix A), the proposed project would

generate approximately 470 residents, which would result in an increase of less than two percent of Duarte's projected population growth ending in 2050, and a six percent increase in enrollment within DUSD.

The Andres Duarte Arts Academy ceased operations in 2022 due to low enrollment. Assuming full relocation of the Duarte Preschool and MIT school, the proposed project would not affect the current serving capacity since all existing and future students would be accommodated at the relocated Duarte Preschool and MIT school, or other DUSD facilities. Additionally, the project applicant would be required to pay applicable developer fees at the time of issuance of building permits per AB 2926 and SB 50, which would contribute to local school funding, reducing the proposed project's impact on DUSD facilities. Thus, the project would not result in the provision or need of new or expanded school facilities to maintain acceptable performance standards and DUSD's ability to serve Duarte residents. Impacts would be less than significant.

School Relocations

As detailed above, further details of relocation and construction activities of the Duarte Preschool and MIT school were not available at the time of preparation of this EIR and analysis of these impacts would be speculative. Therefore, the environmental impacts of the school relocations and construction activities are not further analyzed throughout this EIR.

The proposed project includes the demolition of the Andres Duarte Arts Academy buildings on the eastern portion of the project site, which would be redeveloped with the proposed residential buildings and amenities. The Andres Duarte Arts Academy ceased operations in May 2022 due to low enrollment. The Duarte Preschool is currently in operation at the project site, and based on plans provided by DUSD, the preschool would relocate to the northeastern portion of the Beardslee Dual Language Academy campus prior to the demolition phase of the proposed project. The Beardslee School is located approximately 1.4 miles southwest of the project site at 1212 Kellwil Way. The relocation of the Duarte Preschool is planned to consist of moving four buildings from the project site, five existing Beardslee Dual Language Academy buildings, and four new shade structures.

The redevelopment of the Otis Gordon Sports Park would involve the relocation of the MIT school, which consists of five buildings totaling 8,160 square feet. In the academic year 2022-2023, the MIT school had a total enrollment of 89 students (CA DOE 2024). Based on plans provided by DUSD, the MIT school is tentatively proposed to vacate by the end of June 2025 and will be relocated to the western portion of the Duarte High School campus, located approximately 0.8-mile west of the project site at 1565 Central Avenue.

At the regular meeting of the City's Board of Education (BOE) on October 19, 2023, the BOE determined that the project site was surplus land no longer needed for educational purposes by the District. Thus, the proposed project would involve residential development on surplus public/quasi-public land, specifically property owned by DUSD, which fulfills Policy 4.1.2. of the 2021-2029 Housing Element of the City of Duarte General Plan.

The proposed project would also involve multi-family residential development including 25 affordable units at a moderate income level, as required by Policy 4.1.2. Although school facilities on the project site will be moved or demolished, the school relocation was separately considered and approved by the BOE and is not a part of the proposed project. Therefore, the demolition activities that would occur at the project site as part of the construction of the proposed project are included in the applicable analyses of this EIR, such as air quality and noise; however, the relocation activities

that will occur at the Beardslee Academy and Duarte High School are not discussed further in this EIR and would be addressed if required under their own CEQA analysis. Therefore, potential impacts associated with the proposed project would be less than significant.

4.10.4 Cumulative Impacts

Planned and pending projects in Duarte and surrounding areas are listed in Table 3-1 in Section 3, *Environmental Setting*. The relocation of the Duarte Preschool and MIT School are included in the cumulative projects list.

The relocation of the Duarte Preschool will consist of moving four buildings from the project site, five existing Beardslee Dual Language Academy buildings, and four new shade structures on the northeastern portion of the Beardslee Dual Language Academy. The Beardslee Dual Language Academy currently exists on a developed site and the addition of four new shade structures, as proposed, would have minimal impact due to the previously developed nature of the site. Relocation of the buildings and construction of the new shade structures would be temporary and would not impact school operations. Operation of the Beardslee Dual Language Academy would not be significantly impacted by the relocation of the Duarte Preschool, as the Beardslee Dual Language Academy would remain in its existing use as a school and school operations of the Beardslee Dual Language Academy and Duarte Preschool would be condensed into one site. As the relocation of Duarte Preschool would not involve extensive construction activities or operational changes, the relocation of Duarte Preschool would not have any potential physical impacts on the environment. As such, cumulative impacts on public services would be less than significant.

As detailed above, further details of relocation and construction activities of the existing schools were not available at the time of preparation of this EIR and analysis of these impacts would be speculative. Therefore, the cumulative impacts of the school relocation and construction activities are not further analyzed.

As discussed in this section, the proposed project would not result in the provisions or need of new or expanded public services and facilities such as schools to maintain acceptable performance standards. The project would generate approximately 470 residents, which would result in an increase of less than two percent of Duarte's projected population growth ending in 2050, and a six percent increase in enrollment within DUSD. Assuming the full relocation of the MIT school and Duarte Preschool, the project would not affect the current serving capacity of DUSD. The project applicant would be required to pay applicable fees which would be allocated for schools and by law would reduce potential impacts on DUSD schools. As such, the proposed project's contribution to cumulative impacts on public services would be less than significant. In addition, a cumulative impact on public services would only be significant if an expanded or new facility would be needed, such that it resulted in a physical impact on the environment. At this time, no plans have been identified for expanded public services facilities. If plans for an expanded or new facility are identified for any public service, CEQA review would be conducted if required and the potential physical impacts on the environment would be assessed at that time.

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4.11 Transportation

This section presents the key assumptions, methods, and results of analysis for the transportation and circulation impacts associated with the proposed project. The analysis is based on the CEQA Transportation Screening Assessment prepared for the project by Ganddini Group, Inc for the vehicle miles traveled analysis, which is included as Appendix D, and a Transportation Impact Study by Ganddini Group, Inc for level of service analysis, which is included as Appendix I.

4.11.1 Setting

a. Regional and Local Roadway System

Regional access to the project site is available via Interstate 605 (I-605), which is approximately 0.2-mile west of the project site. In addition, State Route 210 (SR-210) provides regional access to the site, and is located approximately 0.3-mile south of the project site. Local access to the project site would be provided by Central Avenue and Crestfield Drive. Central Avenue bounds the project site to the south and is a two-lane road that provides east-west access to the project site. The project is also bounded by Crestfield Drive to the west, which is a two-lane facility that provides north-south road access to the project site. In addition, Huntington Street is a four-lane facility located approximately 0.15-mile north of the project site that provides east-west regional road access to the project site.

b. Transit Service

Transit service in the project area would be provided by the Duarte/City of Hope Station, a line of the Los Angeles Metropolitan Transportation Authority (Metro), and bus service through Foothill Transit. Both agencies provide public transit services for jurisdictions within Los Angeles County. The City of Duarte/City of Hope Transit Metro Station is located approximately 0.8-mile south of the project site along East Duarte Road. Within the vicinity of the project site, there are existing Foothill Transit bus routes along Huntington Drive and Central Avenue. The existing Foothill Transit Line 861 would likely serve the project as it provides service along Highland Avenue which is located 0.7-mile west of the project site, and Huntington Drive, located approximately 0.2-mile north of the project site. Transit service is reviewed and updated by Foothill Transit periodically to address ridership, budget, and community demand needs. Changes in land uses can affect these periodic adjustments, which may lead to either enhanced or reduced services where appropriate (Foothill Transit 2025).

c. Pedestrian and Bicycle Facilities

Pedestrian access to the project site is available via paved sidewalks along the southern and eastern boundary of the project site on Central Avenue and Crestfield Drive. The nearest designated bicycle facilities is the Duarte Bike Trail along Royal Oaks Drive, located approximately 0.4-mile north of the project site. The Duarte Bike Trail is a 1.6-mile path along Royal Oaks Drive from Buena Vista Street to Vineyard Avenue (Duarte 2007). The bike trail is intended for the exclusive use of bicycles and separated from motor vehicle traffic by lateral space or physical barriers.

4.11.2 Regulatory Setting

a. Federal Regulations

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees, among other things, that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

b. State Regulations

California Environmental Quality Act

CEQA generally requires State and local government agencies to inform decision-makers and the public about the potential environmental impacts of proposed projects and to reduce those environmental impacts to the extent feasible. *CEQA Guidelines* Section 15064.3 describes specific considerations for determining a project's transportation impacts. Generally, VMT is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations include the project's potential impacts to transit and non-motorized travel, vehicular emergency access to the project site, and traffic hazards.

California Senate Bill 743

Senate Bill 743 (SB 743) was signed into law on September 27, 2013, and directed the Governor's Office of Land Use and Climate Innovation (formerly known as the Office of Planning and Research) to develop revisions to the *CEQA Guidelines* to establish new criteria for determining the significance of transportation impacts. SB 743 was enacted, in part, as further implementation of California's Climate Action Plan to meet California Global Warming Solutions Act (Assembly Bill 32) greenhouse gas (GHG) emission reduction targets. SB 743 seeks to reduce criteria air pollutants and GHG emissions in the transportation sector by reducing VMT. SB 743 changed the approach to transportation impact analysis by establishing measures such as VMT, VMT per capita, or automobile trip generation rates as the primary measures of transportation impacts and eliminates the traditionally used measures of auto delay, level of service (LOS), and other measures of traffic congestion as a basis for determining significant impacts.

In December 2018, the Governor's Office of Land Use and Climate Innovation adopted and promulgated its changes to the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.) in response to SB 743. Section 15064.3 of the CEQA Guidelines contains the operative language for implementing the goals of SB 743 when determining the significance of a project's transportation impacts. There are four key aspects of CEQA Guidelines Section 15064.3 that apply in the case of the proposed project:

1. "[A] project's effect on automobile delay shall not constitute a significant environmental impact" (Section 15064.3[a]).

2. For a land use project like the proposed project, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact… projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact" (Section 15064.3[b][1]).
3. "A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure" (Section 15064.3[b][(4]).
4. The terms and conditions of Section 15064.3 apply prospectively and a lead agency "may elect to be governed by the provisions of [15064.3] immediately. Beginning on July 1, 2020, the provisions of [15064.3] shall apply statewide" (Section 15064.3[c]).

To implement SB 743, the *CEQA Guidelines* have been updated to change the criteria for determining what constitutes a significant traffic-related environmental impact to rely upon quantification of VMT instead of LOS. As of July 1, 2020, the VMT-based approach in Section 15064.3 of the *CEQA Guidelines* applies statewide for the purpose of assessing traffic-related impacts under CEQA. Section 15064.3(b)(1) of the *CEQA Guidelines* states that land use "projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact." According to the *Technical Advisory on Evaluating Transportation Impacts*, published by the Governor's Office of Land Use and Climate Innovation in December 2018, a 15 percent reduction in VMT per capita from existing development is "generally achievable" and supportive of State goals to reduce greenhouse gas emissions (OPR 2018).

c. Regional Regulations

SCAG Regional Transportation Plan/Sustainable Communities Strategy

As the metropolitan planning organization for the region's six counties and 191 cities, the Regional Council of Southern California Association of Governments (SCAG) is mandated by law to develop a long-term regional transportation and sustainability plan every four years. On April 4, 2024, SCAG's Regional Council approved and fully adopted Connect SoCal (2024–2050 Regional Transportation Plan/Sustainable Communities Strategy [2024-2050 RTP/SCS]). 2024-2050 RTP/SCS is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. 2024-2050 RTP/SCS identifies goals that fall into four categories: mobility, communities, environment and economy. 2024-2050 RTP/SCS is discussed further in Section 4.8*, Land Use and Planning*, of this Draft EIR.

d. Local Regulations

Duarte General Plan

The Circulation Element of the Duarte General Plan includes goals and policies that would be applied to the project related to traffic. The Circulation Element represents Duarte's overall circulation/transportation plan to accommodate the movement of people and products throughout the city.

Circulation Goal 1: To provide a sustainable, convenient, efficient, and cost effective circulation system to serve the present and future transportation needs of the Duarte Community.

Policy Circ 1.1.4: Evaluate the traffic impacts of new development and require developers to employ appropriate mitigation measures to reduce traffic or improve roadway and traffic conditions.

Circulation Goal 3: To increase the use of alternative modes of transportation for traveling to, from, or through Duarte.

Policy Circ 3.1.4: Ensure that new developments incorporate both local and regional transit measures into the project design that promote the use of alternate modes of transportation.

4.11.3 Impact Analysis

a. Significance Thresholds

Consistent with Appendix G of the *CEQA Guidelines*, the project would result in a significant impact related to transportation if it would:

a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
d. Result in inadequate emergency access.

b. Methodology

The analysis presented herein is derived primarily from the Traffic Screening Assessment (Appendix D). Pursuant to Section 15064.3 of the *CEQA Guidelines*, traffic delay resulting from a land use project shall not constitute a significant environmental impact for purposes of CEQA. Nonetheless, a LOS analysis was prepared for compliance for with Policy Circ 1.1.4 of the Circulation Element of the City of Duarte General Plan, which is discussed in Table 4.11-1.

The Vehicle Miles Traveled (VMT) screening assessment has been prepared in accordance with the guidance of the Governor's Office of Land Use and Climate Innovation *Technical Advisory on Evaluating Transportation Impacts in CEQA* (State of California, December 2018) ["Governor's Office of Land Use and Climate Innovation *Technical Advisory*"]. In general terms, VMT quantifies the amount and distance of automobile travel attributable to a project or region. The Governor's Office of Land Use and Climate Innovation *Technical Advisory* provides technical considerations regarding methodologies and thresholds with a focus on office, residential, and retail developments as these types of projects tend to have the greatest influence on VMT.

There are three types of screening that may be applied to effectively screen projects from a detailed, project-level assessment. These screening steps are summarized below:

Transit Priority Area Screening

Projects located within a Transit Priority Area (TPA) defined as the area within one-half mile radius of a major transit stop or high-quality transit corridor, may be presumed to result in a less than significant VMT impact absent substantial evidence to the contrary. This presumption may not be accurate if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
3. Is inconsistent with applicable Sustainable Communities Strategy (as determined by the City with input from the Metropolitan Planning Organization): or
4. Replaces affordable residential units with a smaller or moderate number of high income residential.

Based on review of the San Gabirel Valley Council of Governments (SGVCOG) VMT Screening Tool, the proposed project is located within a TPA; therefore, the project satisfies the TPA screening criteria.

Project Type Screening

The following types of projects that may be presumed to have a less than significant VMT impacts as they are local serving and thus can be expected to reduce VMT or they are small enough to have a negligible impact:

- Local-serving K-12 schools
- Local parks
- Day care centers
- Local-serving retail uses less than 50,000 square feet, including
  - Gas stations
  - Banks
  - Restaurants
  - Shopping Center
- Local-serving hotels (e.g., non-destination hotels)
- Local-serving assembly uses (places of worship, community organizations)
- Community institutions (public libraries, fire stations, local government)
- Affordable, supportive, or transitional housing
- Assisting living facilities
- Senior housing (as defined by HUD)
- Local serving community colleges that are consistent with assumptions noted in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
- Student housing projects on or adjacent to a college campus
- Other local-serving uses as approved by the City Traffic Engineer

The west portion of the project site is a 5.9-acre local park with two sports fields that would be renovated under the proposed project. Therefore, the park portion of the proposed project satisfies the project type screening criteria.

c. Project Design Features

The proposed development would provide four driveways. The residential portion of the project development would have two driveways with a full access driveway on Crestfield Drive and another full access driveway on Central Avenue. The proposed parking lot for the public park would have two full access driveways on Central Avenue that aligns with the existing driveways for the 2300 Central Avenue building and the 2340 Central Avenue building, respectively. As stated in the Transportation Study, there are 12 Study Intersections, four of which have improvements proposed as part of the proposed project. The proposed project would provide the following improvements at the four project driveways and intersections:

- Park Driveway West (NS) at Central Avenue (EW)[1] [Study Area Intersection #9]
  - Install a STOP control at the southbound site egress.
  - Construct the southbound approach to consist of one shared left-right exit lane.
  - Provide one northbound inbound lane.
- Park Driveway East (NS) at Central Avenue (EW) [Study Area Intersection #10]
  - Install a STOP control at the southbound site egress.
  - Construct the southbound approach to consist of one shared left-right exit lane.
  - Provide one northbound inbound lane.
- Residential Driveway South (NS) at Central Avenue (EW) [Study Area Intersection #10]
  - Install a STOP control at the southbound site egress.
  - Construct the southbound approach to consist of one shared left-right exit lane.
  - Provide one northbound inbound lane.
- Crestfield Drive (NS) at Residential Driveway East (EW) [Study Area Intersection #12]
  - Install a STOP control at the southbound site egress.
  - Construct the southbound approach to consist of one shared left-right exist lane.
  - Provide one westbound inbound lane.

d. Project Impacts

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

Impact TRA-1 THE PROJECT WOULD NOT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE, OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The City of Duarte Circulation Element and the SCAG RTP/SCS Plan include policies that apply to development projects. Applicable policies from these planning documents and project consistency with these policies are shown in Table 4.11-1.

[1] (NS) = North – South Roadway; (EW) = East – West Roadway

Table 4.11-1 Project Consistency with Transportation Plans

Planning Document Policy	Project Consistency
City of Duarte Circulation Element	
Policy Circ 1.1.4. Evaluate the traffic impacts of new development and require developers to employ appropriate mitigation measures to reduce traffic or improve roadway and traffic conditions.	**Consistent.** The transportation analysis conducted for this project utilized project trip generation rates based upon rates obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition, 2021) to estimate transportation impacts that could occur as a result of the project (see threshold b). In addition, the Transportation Impact Study (Appendix I) determined that the proposed project would generate approximately 646 additional trips per day compared to current uses at the project site, including 46 fewer trips during the AM peak hour and five additional trips during the PM peak hour. The study found that the proposed project would contribute to a cumulative operational deficiency at the intersection of Elmhurst Avenue and Huntington Drive and recommends that the northbound and southbound approaches on Elmhurst Avenue be restricted to right turns only during the AM and PM peak hours. Upon implementation of this improvement, the project's impact to the cumulative deficiency at this intersection would be addressed, and the project would comply with the City's acceptable LOS standards.
Policy Circ 3.1.4 Ensure that new developments incorporate both local and regional transit measures into the project design that promote the use of alternate modes of transportation.	**Consistent.** The existing Foothill Transit Line 861 would likely serve the project as it provides service along Highland Avenue which is located 0.7-mile west of the project site, and Huntington Drive, located approximately 0.2-mile north of the project site. Thus, the project qualifies as a TPA, which are defined as areas within a one-half mile radius of a major transit stop or high quality transit corridor, which would result in a less than significant VMT impact.
SCAG Regional Transportation Plan/Sustainable Communities Strategy	
The 2024-2050RTP/SCS builds upon the progress made through implementation of the 2020-2045 RTP/SCS and includes goals focused on promoting economic prosperity, improving mobility, protecting the environment, and supporting communities. The SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The SCS establishes a land use vision of center focused placemaking, concentrating growth in and near Priority Growth Areas, transferring of development rights, urban greening, creating greenbelts and community separators, and implementing regional advance mitigation (SCAG 2024).	**Consistent.** As part of the transportation modeling and analysis for the RTP/SCS, SCAG prepares population and employment growth projections by Transportation Analysis Zone (TAZ) and creates a future transportation network that represents the changes to the existing network based on the regional project list. TAZs are geographic polygons representing communities and neighborhoods at a sub-city level of detail. The proposed project was compared against the RTP/SCS forecasts and network changes included in the 2020 SCAG RTP model. Given that the proposed project would not result in any changes to the existing transportation network and would involve development of residential uses, the proposed project would increase housing density in urban infill areas near transit that would not be considered significant and would not conflict with the RTP/SCS.

As shown above, the proposed project would be consistent with applicable programs and plans addressing the circulation system in the City of Duarte and in Los Angeles County. Impacts would be less than significant.

Supplemental LOS Study

The Transportation Impact Study (Appendix I) was prepared for the purposes of determining whether the project complies with the Circulation Element of the City's General Plan. The information regarding the project's trip generation and predicted trip distribution on the roadway network are provided for informational purposes only because additional delay to an intersection or roadway segment is no longer considered a significant impact under CEQA. The following is a summary of the LOS analysis, as well as the off-ramp queuing analysis that were prepared for the proposed project.

LOS Analysis

LOS is a qualitative measure used to describe operation conditions. The LOS of an intersection ranges from A, which represents minimal delay, to F, which represents heavy delay and a facility that is operating at or near its function capacity. An intersection LOS is defined as a function of average control delay for the intersection.

The following traffic analysis scenarios were analyzed:

- Existing (2025) Intersection Level of Service
- Opening Year (2027) With Project
- Opening Year (2027) Without Project

As shown in Table 4.11-2, under Existing (2024) AM peak hour conditions, Mt. Oliver Drive, I-210 and I-605 Ramps at Huntington Drive (Intersection 5) operate below acceptable standards.

Table 4.11-2 Existing (2025) Intersection Level of Service

		AM Peak Hour		PM Peak Hour	
Intersection	**Traffic Control**	**Delay**	**LOS**	**Delay**	**LOS**
1. Highland Avenue at Huntington Drive	Traffic Signal	17.8	B	25.4	C
2. Highland Avenue at Central Avenue	Traffic Signal	16.7	B	14.3	B
3. Elmhurst Avenue at Huntington Drive	Cross Street Stop	77.9	F	160.8	F
4. Elmhurst Avenue at Central Avenue	Cross Street Stop	17.1	C	17.7	C
5. Mt. Oliver Drive / I-210 & I-605 Ramps at Huntington Drive	Traffic Signal	58.2	E	55.6	E
6.Crestfield Drive at Central Avenue	Traffic Signal	7.7	A	7.9	A
7. Crestfield Drive at Central Avenue / Fenley Drive	All-way Stop	9.7	A	13.9	B
8. Las Lomas Road at Huntington Drive	Traffic Signal	20.5	C	28.5	C
9. 2300 Central Driveway at Central Avenue	Cross Street Stop	10.6	B	15.0	C
10. 2340 Central Driveway at Central Avenue	Cross Street Stop	14.9	B	14.4	B

Note:

Delay is shown in seconds/vehicle. For intersections with traffic signal control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst minor street approach or major street left turn movement.

Source: Appendix I

Table 4.11-3 below, analyzes the potential traffic impact of the addition of trips forecast to be generated by project buildout to existing conditions traffic volumes at the study intersections. The Opening Year (2027) with Project Conditions model includes the existing lane configurations modified, when necessary, to account for the roadway improvements documented in the Transportation Impact Study, existing signal timings, and PCE traffic forecasts.

Table 4.11-3 Opening Year With Project (2027) Intersection LOS

		AM Peak Hour		PM Peak Hour	
Intersection	**Traffic Control**	**Delay**	**LOS**	**Delay**	**LOS**
1. Highland Avenue at Huntington Drive	Traffic Signal	21.6	C	42.6	D
2. Highland Avenue at Central Avenue	Traffic Signal	17.7	B	14.5	B
3. Elmhurst Avenue at Huntington Drive	Cross Street Stop	131.9	F	450.3	F
With Right Turn Only Restrictions During Peak Hours		20.8	C	35.4	E
4. Elmhurst Avenue at Central Avenue	Cross Street Stop	17.8	C	18.6	C
5. Mt. Oliver Drive / I-210 & I-605 Ramps at Huntington Drive	Traffic Signal	87.2	F	165.4	F
6. Crestfield Drive at Huntington Drive	Traffic Signal	7.8	A	8.0	A
7. Crestfield Drive at Central Avenue / Fenley Drive	All-way Stop	9.8	A	14.8	B
8. Las Lomas Road at Huntington Drive	Traffic Signal	31.0	C	35.9	D
9. Park Driveway West /2300 Central Driveway at Central Avenue	Cross Street Stop	16.4	C	16.3	C
10. Park Driveway East / 2340 Central Driveway at Central Avenue	Cross Street Stop	15.9	C	15.7	C
11. Proposed Residential Driveway South at Central Avenue	Cross Street Stop	12.5	B	13.8	B
12.Crestifeld Drive at Proposed Residential Driveway East	Cross Street Stop	10.5	B	10.7	B

Source: Appendix I

Table 4.11-4 below, analyzes the potential traffic impact of the addition of trips forecast to be generated without project buildout to existing conditions traffic volumes at the study intersections. The Opening Year (2027) without Project conditions model includes the existing lane configurations, existing signal timings, and PCE traffic forecasts.

Table 4.11-4 Opening Year Without Project (2027) Intersection LOS

Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
		Delay	LOS	Delay	LOS
1. Highland Avenue at Huntington Drive	Traffic Signal	22.0	C	42.2	D
2. Highland Avenue at Central Avenue	Traffic Signal	17.8	B	14.5	B
3. Elmhurst Avenue at Huntington Drive	Cross Street Stop	134.3	F	445.9	F
4. Elmhurst Avenue at Central Avenue	Cross Street Stop	18.0	C	18.5	C
5. Mt. Oliver Drive / I-210 & I-605 Ramps at Huntington Drive	Traffic Signal	86.6	F	166.7	F
6. Crestfield Drive at Huntington Drive	Traffic Signal	7.9	A	8.3	A
7. Crestfield Drive at Central Avenue / Fenley Drive	All-way Stop	9.9	A	14.8	B
8. Las Lomas Road at Huntington Drive	Traffic Signal	31.2	C	35.6	D
9. 2300 Central Driveway at Central Avenue	Cross Street Stop	10.8	B	15.6	C
10. 2340 Central Driveway at Central Avenue	Cross Street Stop	15.5	C	14.8	B

Source: Appendix I

The results of the LOS analysis indicate that the study intersections currently operate within acceptable Levels of Service (D or better) during the peak hours for Existing conditions, except for the following intersections that currently operate at LOS E or F:

- Elmhurst Avenue (NS) at Huntington Drive (EW) – #3 (AM and PM)
- Mount Olive Drive/I-210 & I-605 Ramps (NS) at Huntington Drive (EW) – #5 (AM and PM)

The study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours for Existing Plus Project and Opening Year (2027) With Project, except for the following intersections that currently operate at LOS E or F:

- Elmhurst Avenue (NS) at Huntington Drive (EW) – #3 (AM and PM)
- Mount Olive Drive/I-210 & I-605 Ramps (NS) at Huntington Drive (EW) – #5 (AM and PM)

For Opening Year (2027) With Project conditions, the project is forecast to increase intersection delay by more than two seconds; therefore, the project would contribute to a cumulative operational deficiency at the intersection of Elmhurst Avenue and Huntington Drive (#3) based on the City-established criteria. It is recommended that the northbound and southbound approaches on Elmhurst Avenue be restricted to right turns only during the AM and PM peak hours with appropriate signage.

The intersection of Mount Olive Drive/I-210 & I-605 Ramps at Huntington Drive (#5) currently operates at LOS F for Existing conditions and the project is forecast to increase the intersection delay by less than two seconds; therefore, the project would not substantially contribute to an operational deficiency at the intersection of Mount Olive Drive/I-210 & I-605 Ramps at Huntington Drive (#5) based on the City established criteria; no off-site improvements are necessary at this intersection for Opening Year (2027) With Project conditions.

As discussed above, the above analysis is provided for informational purposes only because CEQA does not require an analysis of a project's potential level of service impacts.

Off-Ramp Queuing Analysis

Existing storage lengths are forecast to be sufficient for northbound off-ramp exit lanes at the intersection of Mount Olive Drive/I-210 & I-605 Ramps at Huntington Drive (#5) for Opening Year (2027) With Project conditions. No storage issue is anticipated at the I-210 and I-605 off-ramps to Huntington Drive, and the queues would be accommodated within the existing off-ramps and traffic would not spill onto the freeway mainlines. Furthermore, the proposed project is forecast to result in 20 fewer trips during the AM peak hour and one additional trip during the PM peak hour using the I-210/I-605 exit ramp at Huntington Drive (#5); therefore, the project impact on queue lengths at the I-210/I-605 exit ramp terminal are forecast to be negligible.

As discussed above, the above analysis is provided for informational purposes only because CEQA does not require an analysis of a project's potential level of service impacts.

Threshold b:	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact TRA-2 THE PROJECT WOULD GENERATE AN ESTIMATED NET REDUCTION OF 46 AM PEAK HOUR TRIPS, A NET INCREASE OF 5 PM PEAK HOUR TRIPS AND A NET INCREASE OF 646 DAILY TRIPS. THE PROJECT WOULD SATISFY THE ESTABLISHED SCREENING CRITERIA FOR PROJECTS LOCATED IN A TPA, A LOW VMT AREA. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The proposed residential development would generate new VMT. Residents may commute to places of employment elsewhere in the county, such as the cities of Bradbury, Monrovia, Irwindale, and Azusa, or to out of county employment destinations. Residents of the project may also travel for recreational and other purposes besides employment.

Consistent with the recommendations provided in the Governor's Office of Land Use and Climate Innovation *Technical Advisory*, the County's Guidelines recognize four screening criteria which may be applied to screen proposed projects out of detailed VMT analysis. These criteria are based on a proposed project's number of daily vehicle trips, classification as a local serving retail use, proximity to high quality transit, and inclusion of affordable housing. Proposed projects are not required to satisfy all the screening criteria to screen out of further VMT analysis; satisfaction of one criterion is generally sufficient for screening purposes. Projects, or project components, which are screened out of detailed VMT assessment based on these criteria are presumed to have less than significant transportation impacts. Projects or project components which are not screened out would be required to conduct a formal Transportation Impact Analysis to determine the significance of project impacts. Table 4.11-5 below shows the net project trip generation comparison between the proposed project use and the current uses.

Table 4.11-5 Project Trip Generation

ITE Code	Land Use	Quantity	Daily Rate	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Existing Site (Previous Full Capacity)									
411	Public Park (Passive Uses)	6 acres	5	0	0	0	0	0	0
488	Public Park (Ball Fields)	2 fields	143	1	1	2	22	11	33
520	Elementary School	684 students	1,553	273	233	506	50	50	109
525	High School	162 students	314	57	27	84	11	12	23
Subtotal – Existing at Full Capacity			2,015	331	261	592	83	82	165
Existing Site (Current Use)									
411	Public Park (Passive Uses)	6 acres	5	0	0	0	0	0	0
488	Public Park (Ball Fields)	2 fields	143	1	1	2	22	11	33
565	Elementary Schools	16 employees	342	38	34	72	33	37	70
525	High School	78 students	151	28	13	41	5	6	11
Subtotal – Existing at Current Use			641	67	48	115	60	54	114
Proposed Uses									
411	Public Park (Passive Uses)	6 acres	5	0	0	0	0	0	0
488	Public Park (Ball Fields)	2 fields	143	1	1	2	22	11	33
220	Multifamily Housing	169 dwelling units	1,139	16	51	67	54	32	86
Subtotal – Proposed Uses			1,287	17	52	69	76	43	119
Total Non-PCE Project Trips			**-50**	**+4**	**-46**	**+16**	**11**	**+5**	**+646**

Source: Trip Generation Manual 11th Edition (Institute of Transportation Engineers, 2021).

Based on the Transportation Impact Study, the project is expected to result in a net reduction of 46 AM peak hour trips, a net increase of 5 PM peak hour trips, and a net increase of 646 daily trips compared to the current uses[2] (Appendix I).

In addition, based on the Transportation Screening Assessment for VMT, projects located within a TPA, defined as the area within a one-half mile radius of a major transit stop or high-quality transit corridor, may be presumed to result in a less than significant VMT impact absent substantial evidence to the contrary (Appendix D). Based on review the of the San Gabriel Valley Council of Governments (SGVCOG) VMT Screening Tool included in Appendix D, the proposed project is located within a TPA. As such, the proposed project satisfies the established screening criteria for projects located in a TPA, a low VMT area and project type screening (local park); therefore, the proposed project would result in a less than significant VMT impact.

[2] The current use of the project site is an appropriate baseline because the Andres Arts Academy has been closed since 2022 and thus, not operating at the previous full capacity for approximately three years. Therefore, using the previous full capacity scenario as the traffic baseline would be an inaccurate representation of the existing conditions.

Threshold c:	Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Impact TRA-3 THE PROJECT WOULD NOT SUBSTANTIALLY INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE OR INCOMPATIBLE USE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction impacts associated with the project has the potential to temporarily restrict vehicular traffic or cause temporary hazards. As discussed in the transportation impact study (Appendix I), as part of a standard review process, the project would be required to submit a construction work site traffic control plan that shall comply with State standards set forth in the California Manual of Uniform Traffic Control Devices and shall be submitted to the City for review and approval prior to the issuance of a grading permit or start of construction. As such, construction operations would be required to implement appropriate and feasible measures to facilitate the passage of people and vehicles through/around any required road or lane closures or implement detours if needed. The plan shall identify any roadway sidewalk, bike route, or bus stop closures and detours as well as haul routes and hours of operation. All construction trips shall be restricted to off-peak hours to the maximum extent possible. Overall, on-stie construction activities would not substantially increase hazards due to a geometric design feature or incompatible uses. In consideration of project design features, potential construction-related transportation hazards would be less than significant.

Operation

The operation of the proposed project would generally maintain the existing roadway network, with the exception of the construction of one driveway on Central Avenue that would serve as the primary driveway and a secondary driveway located on Crestfield Drive, both of which would provide access to the residential portion of the proposed project. In addition, the proposed project would include two driveways on Central Avenue, which would provide access to the park portion of the project. As shown in Figures 2-3 and 2-4 in Section 2, *Project Description*, of this EIR, none of the proposed project's driveways would create a sharp curve or a dangerous intersection, as such the proposed driveways would not substantially increase hazards. It is anticipated that the project would primarily serve passenger vehicles, and would intermittently serve trucks, delivery vehicles, and solid waste trucks. The surface parking lot and driveways associated with the project are designed to be compatible with the typical turn patterns of these vehicles. Therefore, the project would not conflict with vehicle use on local roadways and would not introduce new design features which would substantially increase hazards. Overall, construction and operation activities would not substantially increase hazards due to a geometric design feature or incompatible uses; therefore, impacts would be less than significant.

Threshold d:	Would the project result in inadequate emergency access?

Impact TRA-4 THE PROJECT WOULD NOT RESULT IN INADEQUATE EMERGENCY ACCESS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Primary site access to the residential and park portion of the project site would be provided from two access points along Central Avenue. All access points would provide ingress and egress and would be designed to meet City standards. Internal roadways for the residential portion of the

project would continue through the site to the eastern boundary connecting to Crestfield Drive. The driveways on both Central Avenue and Crestfield Drive would provide access for emergency response vehicles to the residential portion of the project site.

As discussed in the transportation impact study (Appendix I), during construction the project would be required to submit a construction work site traffic control plan based on standards set forth in the California Manual of Uniform Traffic Control Devices. As part of this plan, all construction trips would be restricted to off-peak hours to the extent possible, and the plan shall identify any roadway, sidewalk, bike route, or bus stop closures and detours as well as haul routes and hours of operation. In addition, the project has been reviewed by the Los Angeles County Fire Department (LACoFD) to ensure that the project design complies with City and County standards and requirements for emergency access. Therefore, the project would provide adequate emergency access to the project site. Impacts would be less than significant.

4.11.4 Cumulative Impacts

The geographic extent of cumulative analysis for transportation is the planned and pending projects in Duarte and the surrounding areas as listed in Table 3-1 in Section 3, *Environmental Setting,* of this EIR, which includes 15 projects. Cumulative impacts may occur if impacts of the proposed project combine with similar impacts of other projects in the cumulative scenario that could result in similar impacts to transportation. As such, cumulative impacts to transportation could occur if impacts from the proposed Project combine with similar impacts to transportation from other construction activities throughout the cumulative analysis setting as described in Section 3, *Environmental Setting,* of this EIR.

As identified in this analysis presented under Threshold a, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Cumulative development projects would be reviewed for consistency with adopted programs, plans, ordinances, or policies, including but not limited to the SCAG RTP/SCS, and the Duarte General Plan, as applicable. Accordingly, cumulative impacts would be less than significant. Even if cumulative development projects are in conflict, the project would not contribute to a cumulative impact and thus would not be cumulatively considerable because the project does not conflict with a program, plan, ordinance, or policy addressing the circulation system, as identified through the analysis presented in this section.

As discussed under Threshold b, the project would result in less than significant impacts to VMT. In addition, the total number of resident generation resulting from the project is within the total number of resident generation projected by the current SCAG RTP/SCS and is consistent with the underlying population assumptions upon which the current RTP/SCS was based. As such, the project's contribution to cumulative impacts for VMT is less than significant.

As discussed under Threshold c and Threshold d, the project would have less-than-significant impacts related to hazards from design or incompatible uses during construction and operation, and with respect to emergency access, with adherence to applicable regulations. None of the cumulative projects listed on Table 3-1, *Cumulative Projects List*, and shown on Figure 3-1, *Cumulative Projects*, are at a location that would otherwise result in potentially cumulative impacts related to hazards from design or incompatible uses. Thus, the project would not result in a considerable contribution to cumulative impacts for these issues, when considered with the cumulative projects that are planned, proposed, or under construction in the vicinity of the project site.

4.12 Tribal Cultural Resources

This section describes the existing conditions, regulatory framework, and potential impacts related to tribal cultural resources that would result from the proposed project. The analysis of tribal cultural resources impacts is based primarily on the Assembly Bill (AB) 52 consultation efforts conducted by the City of Duarte Community Development Department (City). A Sacred Lands File (SLF) search was obtained from the Native American Heritage Commission (NAHC) to further inform the analysis.

4.12.1 Setting

Ethnographic Setting

The proposed project site lies in the traditional territory of the Gabrielino (Gabrieleño)/Tongva. Surrounding native groups include the Tataviam to the northwest, Chumash to the west, Serrano to the northeast, Cahuilla to the east, and the Juaneño and Luiseño to the southeast (Golla 2011). Ethnographic contexts for each tribe invited to consult on the proposed project are presented below.

Gabrielino (Gabrieleño)/Tongva

The term "Gabrielino" is a general term that refers to those Tongva who were administered by the Spanish at the Mission San Gabriel Arcángel (sometimes also referred to as "Gabrieleño;" some Gabrielino prefer the term "Kizh"). The term, Tongva, is used in the remainder of this section to refer to the pre-colonized inhabitants of the Los Angeles Basin and their descendants. "Fernandeño" refers to Native Americans, many of them Tongva, who were associated with Mission San Fernando Rey. Prior to European colonization, the Tongva occupied a diverse area that included the watersheds of the Los Angeles, San Gabriel, and Santa Ana Rivers; the Los Angeles Basin; and the islands of San Clemente, San Nicolas, and Santa Catalina (Kroeber 1925).

The Tongva established large, permanent villages in the fertile lowlands along rivers and streams, and in sheltered areas along the coast. The tribal population is estimated to have been at least 5,000 in 1770 (Bean and Smith 1978), but recent ethnohistoric work suggests a number closer to 10,000 (O'Neil 2002). Political organization followed a patrilocal and patrilineal pattern. Typically, the oldest son would lead a family. Chieftainship was also passed down patrilineally. A Chari, or chief of a village or political grouping, was separate from religious leadership (King 2011).

At the time of Spanish colonization, the basis of Tongva religious life was the Chinigchinich religion, centered on the last of a series of heroic mythological figures. Chinigchinich gave instruction on laws and institutions and taught people how to dance, the primary religious act for this society. He later withdrew into heaven, where he rewarded the faithful and punished those who disobeyed his laws (Kroeber 1925). The Chinigchinich religion seems to have been relatively new when the Spanish arrived. It was spreading south into the Southern Takic groups as Christian missions were being built. Elements of Chinigchinich beliefs suggest it was a syncretic mixture of Christianity and native religious practices (McCawley 1996).

Houses constructed by the Tongva were large, circular, domed structures made of willow poles and thatched with tule that sheltered up to 50 people (Bean and Smith 1978). Other structures served as sweathouses, menstrual huts, ceremonial enclosures, and probable communal granaries. Cleared

fields for races and games, such as lacrosse and pole throwing, were created adjacent to Tongva villages (McCawley 1996).

The Tongva subsistence economy was centered on gathering and hunting. The surrounding environment was rich and varied, and the Tribe exploited the mountains, foothills, valleys, and deserts, including riparian and estuarine areas, as well as open and rocky coastal ecological niches. Like most Native Californians, acorns were the staple food. By the time of the early Intermediate Period, acorn processing was an established industry. Acorns were supplemented by the roots, leaves, seeds, and fruits of a wide variety of flora (e.g., islay, cactus, yucca, sages, and agave). Freshwater and saltwater fish, shellfish, birds, reptiles, insects, and large and small mammals were also consumed (Kroeber 1925; Bean and Smith 1978; McCawley 1996).

The Tongva used a wide variety of tools and implements to gather food resources. These included the bow and arrow, traps, digging sticks, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks. The Tongva made oceangoing plank canoes (known as a ti'at) capable of holding six to 14 people and used for fishing, travel, and trade between the mainland and the Channel Islands. Tule reed canoes were employed for near-shore fishing (McCawley 1996). Tongva people processed food with a variety of tools, including hammerstones and anvils, mortars and pestles, manos and metates, strainers, leaching baskets and bowls, knives, bone saws, and wooden drying racks. Food was consumed from a variety of vessels. Catalina Island steatite was used to make ollas and cooking vessels (Kroeber 1925; McCawley 1996).

Deceased Tongva were either buried or cremated. Inhumation was more common on the Channel Islands and the neighboring mainland coast, and cremation was more predominate on the remainder of the coast and in the interior (Harrington 1942; McCawley 1996). At the behest of the Spanish missionaries, cremation essentially ceased during the Post-Colonization Period (McCawley 1996).

Coming ashore on Santa Catalina Island in October of 1542, Juan Rodriguez Cabrillo was the first European to make contact with the Tongva; the 1769 expedition of Gaspar de Portolá also passed through Tongva territory (Bean and Smith 1978). Native Americans suffered severe depopulation, and their traditional culture was radically altered after Spanish contact.

Descendent communities of the Tongva continue to reside in the greater Los Angeles and Orange counties and maintain an active interest in their heritage. At least five groups tie their ancestral lineage to the Tongva people: the Gabrieleño Band of Mission Indians - Kizh Nation, the Gabrieleño/Tongva San Gabriel Band of Mission Indians, the Gabrieleño/Tongva Nation of the Greater Los Angeles Basin, the Gabrielino-Tongva Tribe, and the Gabrielino Tongva Indians of California Tribal Council.

Cahuilla

Cahuilla territory was concentrated east of the proposed project site. The term Cahuilla likely derived from the native word *káwiya,* meaning "master" or "boss" (Bean 1978). Traditional Cahuilla ethnographic territory extended west to east from the present-day city of Riverside to the central portion of the Salton Sea in the Colorado Desert, and south to north, from the San Jacinto Valley to the San Bernardino Mountains (Kroeber 1925).

The Cahuilla, like their neighbors the Luiseño and Juaneño to the west and the Cupeño to the south, are speakers of a Cupan language. Cupan languages are part of the Takic linguistic subfamily of the Uto-Aztecan language family. It is thought the Cahuilla migrated to southern California

approximately 2,000 to 3,000 years ago, most likely from the southern Sierra Nevada Mountain ranges of east-central California with other Takic speaking social groups (Moratto 1984).

Cahuilla social organization was hierarchical and contained three primary levels (Bean 1978). The highest level was the cultural nationality, encompassing everyone speaking a common language. The next level included the two patrimoieties of the Wildcats (*tuktum*) and the Coyotes (*ʻistam*). Every clan of the Cahuilla fell into one or the other of these moieties. The lowest level consisted of the numerous political-ritual-corporate units called sibs, or a patrilineal clan (Bean 1978).

Cahuilla villages were usually located in canyons or on alluvial fans near a source of accessible water. Each lineage group maintained their own houses (*kish*) and granaries and constructed ramadas for work and cooking. Sweat houses and song houses (for non-religious music) were also often present. Each community also had a separate house for the lineage or clan leader. A ceremonial house, or *kíš ámnawet*, associated with the clan leader was where major religious ceremonies were held. Houses and ancillary structures were often spaced apart, and a "village" could extend over a mile or two. Each lineage had ownership rights to various resource collecting locations, "including food collecting, hunting, and other areas. Individuals also owned specific areas or resources, e.g., plant foods, hunting areas, mineral collecting places, or sacred spots used only by shamans, healers and the like" (Bean 1978).

The Cahuilla hunted a variety of game, including mountain sheep, cottontail, jackrabbit, mice, and wood rats, as well as predators such as mountain lion, coyote, wolf, bobcat, and fox. Various birds were also consumed, including quail, duck, and dove, plus various types of reptiles, amphibians, and insects. A wide variety of tools and implements were employed by the Cahuilla to gather and collect food resources. For the hunt, these included the bow and arrow, traps, nets, slings and blinds for hunting land mammals and birds, and nets for fishing. Rabbits and hares were commonly brought down by the throwing stick; however, when communal hunts were organized for these animals, the Cahuilla often utilized clubs and very large nets (Bean 1978).

Foodstuffs were processed using a variety of tools, including portable stone mortars, bedrock mortars and pestles, basket hopper mortars, manos and metates, bedrock grinding slicks, hammerstones and anvils, and many others. Food was consumed from a number of woven and carved wood vessels and pottery vessels. The ground meal and unprocessed hard seeds were stored in large finely-woven baskets, and the unprocessed mesquite beans were stored in large granaries woven of willow branches and raised off the ground on platforms to keep them from vermin. Pottery vessels were made by the Cahuilla and also traded from the Yuman-speaking groups across the Colorado River and to the south (Bean 1978).

According to Kroeber (1925), Cahuilla subsistence relied primarily on plant foods; he recorded 60 varieties of plants being utilized. Fruits in particular would be collected and eaten, but seeds and nuts were more of a staple. These would be processed like the plum pit, which was crushed, leached, and boiled. Pine nuts and other larger seeds would be roasted (Kroeber 1925). Mortars and pestles would be used to process plant foods, especially the mesquite beans, which were first dried and stored in basket granaries (Hooper 1917). Cahuilla had adopted limited agricultural practices by the time Euro-Americans traveled into their territory in the early 19th century. Corn, pumpkins, melons, and watermelons were irrigated with walk-in wells, possibly from pot-irrigation (Schaefer and Laylander 2007). Bean (1978) has suggested their "proto-agricultural techniques and a marginal agriculture" consisting of beans, squash and corn may have been adopted from the Colorado River groups to the east.

By 1819, several Spanish mission outposts, known as *assistencias*, were established near Cahuilla territory at San Bernardino and San Jacinto. Cahuilla interaction with Europeans at this time was not as intense as it was for native groups living along the coast. This was likely due to the local topography and lack of water, which made the area less attractive to colonists. However, by the 1820s, European interaction increased as mission ranchos were established in the region and local Cahuilla were employed to work on them (Bean 1978).

The Bradshaw Trail was established in 1862 and was the first major east-west stage and freight route through the Coachella Valley. Traversing the San Gorgonio Pass, the trail connected gold mines on the Colorado River with the coast. Bradshaw based his trail on the Cocomaricopa Trail, with maps and guidance provided by local Native Americans. Journals by early travelers along the Bradshaw Trail told of encountering Cahuilla villages and walk-in wells during their journey through the Coachella Valley. The continued influx of immigrants into the region introduced the Cahuilla to European diseases. The single worst recorded event was a smallpox epidemic that swept through Southern California in 1862-63, significantly reducing the Cahuilla population. By 1891, only 1,160 Cahuilla remained within what was left of their territory. The indigenous population of this area had been previously estimated at 6,000 to 10,000 individuals. By 1974, approximately 900 people claimed Cahuilla descent, most of whom resided on reservations (Bean 1978).

Between 1875 and 1891, the United States established 10 reservations for the Cahuilla within their traditional territory. These reservations include: Agua Caliente, Augustine, Cabazon, Cahuilla, Los Coyotes, Morongo, Ramona, Santa Rosa, Soboba, and Torres-Martinez (Bean 1978: 585). Cahuilla descendants share four of these reservations with other groups, including the Chemehuevi, Cupeño, and Serrano.

Luiseño

Luiseño territory was concentrated southeast of the proposed project site, extending along the coast of modern-day Southern California in San Diego and Riverside Counties, spanning between Aliso Creek in the north down to Agua Hedionda Creek in the south. The territory is recorded as far inland as Palomar Mountain in the south and Lake Elsinore in the north (Kroeber 1925; Bean and Shipek 1978). The population of the Luiseño prior to the arrival of Europeans is believed to be approximately 3,500 (O'Neil 2002). Linguists classify the Luiseño language as part of the Cupan group of the Takic languages, which falls under the larger Uto-Aztecan language family with origins in the Great Basin (Bean and Shipek 1978; Mithun 2001). Linguistic studies suggest that Takic-speaking immigrants from the Great Basin displaced Hokan speakers sometime after 500 BCE (Bean and Shipek 1978). The modern names of the Native American Tribes in San Diego County are derived from the Spanish mission period as well as rivers that were present in the tribal territory at the time of European contact. The Spanish applied the term Luiseño to Native Americans enslaved by the Spanish at Mission San Luis Rey, which included the Gheecham, Kheecham, and Aguas Calientes Indians. Prior to missionization, the Luiseño living in the area referred to themselves as the Payomkawichum (Bean and Shipek 1978; Mithun 2001; Rincon Band of Luiseno Indians 2020). Neighbors of the Luiseño include the Juaneño, Gabrieleño, and Serrano to the north and northwest, the Diegueño to the south, and the Cahuilla to the east (Kroeber 1925).

Prior to European contact, the Luiseño lived in permanent, politically autonomous villages with associated seasonal camps for subsistence exploitation. Villages ranged in size from 50 to 400 people. Each village controlled a larger resource territory and maintained ties to other villages through trade and social networks. Trespassing in the resource area of another village was cause for war (Bean and Shipek 1978). Village structures consisted of dome-shaped dwellings (*kish*), sweat

lodges, and a ceremonial enclosure (*vamkech*). Leadership in the villages focused on the chief, or *Nota*, and a council of elders or puuplem. The chief controlled religious, economic, and war-related activities. Religious leaders would have their own patrilineal clan along with other chiefless clans and individuals broken from other clans (Kroeber 1925; Bean and Shipek 1978).

Traditional Luiseño subsistence was focused on the acorn and supplemented by the gathering of other plant resources and shellfish as well as fishing and hunting. Plant foods typically included pine nuts, seeds from various grasses, manzanita, sunflower, sage, chia, lemonade berry, prickly pear, and lamb's-quarter. Common animal resources included deer, antelope, rabbit, quail, ducks, and other birds. Fish were exploited from nearby rivers and creeks. Marine fish and sea mammals were caught from the shore and dugout canoes. Shellfish collected from the shore included abalone, turbans, mussels, clams, scallops, and other species (Bean and Shipek 1978). Traditional Luiseño pottery can be distinguished from other groups in the area and includes but is not limited to, an earthen vessel called *narungrush*, a wide mouth vessel called a *wiwlish*, a small mouth vessel called *nadungdamal*, and a vessel with two small mouths called a *papakamal*. The narungrush was utilized for keeping water cool and storing seeds, and wiwlish vessels were used for cooking food. The nadungdamal and papakamal vessels were used for carrying water (Sparkman 1908).

The traditional Luiseño religion is known as Chinigchinich, the last of a series of heroic mythological figures. The heroes were originally from the stars, and their sagas formed Luiseño religious beliefs. Ethnographers recorded that religious rituals took place in a brush enclosure that housed a representation of Chinigchinich. Recorded ritual ceremonies include puberty initiation rites, burial and cremation ceremonies, hunting rituals, and peace rituals (Kroeber 1925; Bean and Shipek 1978). Puberty ceremonies for both girls and boys would include painting pictographs and petroglyphs, categorized by archaeologists as the San Luis Rey style or "Luiseño Rectilinear Abstract." This style is characterized by zigzags, chevrons, straight lines, and diamond chains (DuBois and Kroeber 1908: 96; Hedges 2002).

Today there are seven bands of Luiseño people, including the San Luis Rey, Pala, Pauma, La Jolla, Rincón, Pechanga, and Soboba. While the effects of Mission San Luis Rey since 1798 contributed heavily to a decline in traditional practices (White 1953), the Luiseño today have maintained a majority of their traditional customs and ceremonies with many Luiseño people continuing to speak their native language, sing traditional songs, and utilize oral history through storytelling (NativeTalk 2022).

4.12.2 Regulatory Setting

a. Federal Regulations

No federal laws or regulations related to tribal cultural resources are applicable to the proposed project.

b. State Regulations

Assembly Bill 52

As of July 1, 2015, AB 52 expanded CEQA by amending California Public Resources Code (PRC) Section 5097.94 and adding PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. PRC Section 21074 defined a new resource category, "tribal cultural resources," and PRC Section 21084.2 established that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have

a significant effect on the environment." PRC Section 21084.3 further states that public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. As defined in PRC Section 21074 (a)(1) and (2), tribal cultural resources are "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe" that meet either of the following criteria:

- Listed or eligible for listing in the California Register of Historical Resources (CRHR), or in a local register of historical resources as defined in PRC Section 5020.1(k).
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying the criteria set forth in PRC Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American Tribe.

AB 52 also established a formal consultation process to be implemented by CEQA lead agencies. Specifically, PRC Section 21080.3.1(b) requires that "prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation."

Pursuant to PRC Section 21080.3.2(b), consultation is considered concluded when either 1) the parties agree to measures for avoidance or mitigation of significant effects, if a significant effect exists, on a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

California Health and Safety Code

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Coroner of the county in which the remains are discovered has determined if the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification.

California Public Resources Code Section 5097.98

PRC Section 5097.98 states that the NAHC, upon notification of the discovery of Native American human remains pursuant to California Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the Most Likely Descendant [MLD]) that it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

c. Local Regulations

No local regulations related to tribal cultural resources are applicable to the proposed project.

4.12.3 Impact Analysis

a. Significance Thresholds

In accordance with Appendix G of the *CEQA Guidelines*, an impact related to tribal cultural resources would be significant if the proposed project would:

> Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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:
>
> a. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
>
> b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision of PRC Section 5024.1. In applying the criteria set forth in PRC Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.

b. Methodology

Sacred Lands File Search

The NAHC was contacted on October 31, 2024, to request a search of the SLF. The NAHC replied on October 31, 2024, stating the results of the SLF search were positive, which indicates sacred lands have been previously identified in the vicinity of the proposed project site. The NAHC did not provide details regarding the nature or exact location of the positive result, and recommended contacting the Gabrieleño Band of Mission Indians – Kizh Nation for information and other tribes on the attached contact list.

Assembly Bill 52 Consultation

The proposed project is subject to compliance with AB 52, which requires consideration of impacts to tribal cultural resources as part of the CEQA process and requires the lead agency to provide notification of the project to any California Native American tribes who are traditionally or culturally affiliated with the geographic area of the project and who previously requested notice of projects proposed within the jurisdiction of the CEQA lead agency. PRC Section 21074 defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” that are listed or determined eligible for CRHR listing, listed in a local register of historical resources, or otherwise determined by the lead agency to be a tribal cultural resource. Impacts related to tribal cultural resources were evaluated through the AB 52 tribal consultation process conducted by the City. AB 52 allows tribes 30 days after receiving notification to request consultation.

In accordance with AB 52, the City conducted AB 52 consultation as the lead agency. The City sent AB 52 notification letters for the proposed project, including proposed project information, an invitation to consult on the proposed project, an outline of AB 52 timing, contact information for the appropriate lead agency representative, and a proposed project location map, via certified mail on

January 7, 2025, to the following Native American Tribes included on the City's AB 52 Tribal Consultation List:

- Gabrieleño Band of Mission Indians – Kizh Nation
- Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Gabrieleño/Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe
- Santa Rosa Band of Cahuilla Indians
- Soboba Band of Luiseño Indians

The City received one response from the Gabrieleño Band of Mission Indians – Kizh Nation requesting consultation. The response received from this Tribe is detailed in the following subsection.

The City did not receive requests for Tribal consultation from any of the other notified Tribes within their respective 30-day response periods. Native American Tribes wishing to participate in AB 52 consultation are required to have responded by February 7,2025; therefore, it is assumed the invitation to consult on the proposed project was declined by these Tribes.

Gabrieleño Band of Mission Indians – Kizh Nation

On January 17, 2025, Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians – Kizh Nation, responded via email with an attached letter requesting consultation. On February 24, 2025, the Tribe provided information about the cultural significance of the area but which referenced another project located on Royal Oaks Drive about 1.6 miles northwest of the project site. This information provided details about village sites, water sources, and trade routes in the general vicinity. Requested mitigation measures were also attached. On April 9, 2025, the City sent a follow-up email requesting information for the project site related to the proposed project. The Tribe responded the same day indicating that they would like the City to use the information previously provided for the Royal Oaks Drive project, along with the recommended mitigation measures. On May 8, 2025, the City again requested information specific to the project site but no response was received from the Tribe. On May 21, 2025, the City sent an email to conclude consultation. The Tribe responded on May 22, 2025, stating that the substantial evidence previously provided was relevant to the proposed project site and attached the mitigation measures again. On May 25, 2025, the City sent a summary of the information as it pertained to the project site and requested that the Tribe confirm the City's understanding was correct. No further response was received from the Tribe.

c. Project Impacts and Mitigation Measures

Threshold a:	Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
Threshold b:	Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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?

Impact TCR-1 ALTHOUGH THE PROPOSED PROJECT WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A KNOWN TRIBAL CULTURAL RESOURCE, CONSTRUCTION OF THE PROPOSED PROJECT WOULD INVOLVE GROUND DISTURBING ACTIVITIES THAT MAY HAVE THE POTENTIAL TO ADVERSELY IMPACT PREVIOUSLY UNIDENTIFIED TRIBAL CULTURAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH INCORPORATION OF MITIGATION MEASURES.

No tribal cultural resources as defined in Public Resources Code Section 21074 that are eligible for listing in the CRHR, or a local register, or that were determined by the lead agency to be significant were identified in the project site. However, to ensure that any potential tribal cultural resources discovered during project-related ground disturbance are treated properly, the City has included the following mitigation measures, which were requested by the consulting Tribe.

Mitigation Measures

TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. 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" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

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

C. The 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/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funderary/Non-Ceremonial)

A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects

A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

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

E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Significance After Mitigation

Upon implementation of Mitigation Measures TCR-1 through TCR-3, as needed, potential impacts would be less than significant.

4.12.4 Cumulative Impacts

The geographic scope for cumulative impacts related to tribal cultural resources is the project site and surrounding area. This geographic scope is appropriate because, generally, tribal cultural resources impacts associated with individual developments are site-specific in nature and are addressed on a case-by-case basis.

As noted above under Impact TCR-1, no tribal cultural resources as defined in Public Resources Code Section 21074 were identified in the project site. Therefore, the project would not contribute to cumulative impacts associated with tribal cultural resources.

Past, present, and reasonably foreseeable future projects, including the projects listed in Table 3-1 in Chapter 3, *Environmental Setting*, would have the potential to adversely impact unknown tribal cultural resources through ground-disturbing construction activities. The magnitude of impacts for individual projects would depend upon the location, size of development, depth of the ground disturbance, and the resources associated with or location within the individual development sites. AB 52 and identification of tribal cultural resource would be completed on a case-by-case basis for all future development. Compliance with applicable regulations and implementation of appropriate mitigation measures, including resource avoidance measures, would address impacts related to tribal cultural resources associated with cumulative development. Therefore, cumulative development would have a less-than-significant cumulative impact involving substantial adverse changes in the significance of tribal cultural resources.

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4.13 Utilities and Service Systems

This section focuses on the project's potential of substantial adverse effects related to water supplies. Other utilities and service systems impacts analyzed under CEQA include the project's potential of substantial adverse effects related to relocation of new or expanded wastewater treatment, wastewater provider demands, solid waste generation, and local management and regulations related to solid waste. However, impacts related to these issue areas were found to be less than significant in the Initial Study (Appendix A) and are not discussed further in this section.

4.13.1 Setting

a. Water Supply

The California American Water (Cal-Am) provides water service to the City of Duarte. Cal-Am's Southern Division Los Angeles County District service area includes Duarte, Baldwin Hills, and San Marino (Cal-Am 2021). In 2020, Cal-Am's Duarte service area provided water to 7,494 connections in the cities of Azusa, Bradbury, Duarte, Irwindale, and Monrovia. Cal-Am serves approximately 27,901 people in the Duarte service area as of 2020. Cal-Am's water supply for the Duarte water service area includes imported water from the Upper San Gabriel Valley Municipal Water District (USGVMWD), groundwater pumped from the Main San Gabriel Water Basin (MSGB), and surface water from the MSGB obtained from the San Gabriel River (Appendix J).

4.13.2 Regulatory Setting

a. Federal Regulations

Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the United States Environmental Protection Agency (USEPA) has implemented pollution control programs such as setting wastewater standards for the industry and has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters unless a permit was obtained. USEPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

b. State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Water Code Section 13000 et seq.) provides for statewide coordination of water quality regulations. The State Water Resources Control Board (SWRCB) was established as the statewide authority and nine separate Regional Water Control

Boards (RWQCB) were developed to oversee water quality on a day-to-day basis. The Los Angeles RWQCB has jurisdiction over the project site. The RWQCB is the primary agency responsible for protecting water quality in California. The RWQCB regulates discharges to surface waters under the federal CWA. In addition, the RWQCB is responsible for administering the Porter-Cologne Water Quality Control Act.

Pursuant to the Porter-Cologne Water Quality Control Act, the State is given authority to regulate waters of the State, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if Section 404 is not required for the activity. "Waste" is partially defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

California Urban Water Management Planning Act

The California Urban Water Management Planning Act applies to municipal water suppliers that serve more than 3,000 customers or provide more than 3,000-acre feet per year (AFY) of water. The Planning Act requires these water suppliers to update their Urban Water Management Plan (UWMP) every five years to identify short-term and long-term water demand management measures to meet growing water demands during normal, dry, and multiple-dry years. The UWMP should include a description of existing and planned water sources, alternative sources, conservation efforts, reliability and vulnerability assessments, and a water shortage contingency analysis.

Pursuant to the UWMP Act, Cal-Am adopted the 2020 UWMP in July 2021 (Cal-Am 2021). The 2020 UWMP describes the availability and reliability of water supplies for the Duarte service area through 2040.

Senate Bill 610

In 2001, Senate Bill (SB) 610 amended the California Public Resources Code (PRC) to improve the link between information on water supply availability and certain land use decisions made by Cities and Counties. Under SB 610 (codified in the California Water Code beginning at Section 10910), unless the project is otherwise exempt, a Water Supply Assessment (WSA) must be furnished to cities and counties for inclusion in the environmental documentation of certain projects (as defined in the California Water Code), and these WSAs are subject to CEQA. SB 610 requires land use planning entities when evaluating certain large development projects, to request a water supply availability assessment from the entity that would provide water to the project. A WSA must be prepared in conjunction with the land use approval process associated with a project. In summary, a WSA must include an evaluation of the sufficiency of the water supplies available to the water supplier to meet existing and anticipated future demands (including the demand associated with the project) over a 20-year horizon that includes normal, single-dry, and multiple-dry years. A WSA is required for any "project" that is subject to CEQA and meets certain criteria relative to size (e.g., a proposed industrial, manufacturing, or processing plant or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area). The proposed project is not required to prepare a WSA. An analysis of the proposed project's water supply and demand was included in the WSA prepared for the Westminster Gardens Project by Water Systems Consulting, Inc. (WSC) in January 2025.

SB 610 also requires information to be included as part of a UWMP if groundwater is identified as a source of water available to the supplier. The information must include a description of all water supply projects and programs that may be undertaken to meet total projected water use. SB 610 prohibits eligibility for funds from specified bond acts until the plan is submitted to the State.

Senate Bill 221

Whereas SB 610 requires a written assessment of water supply availability, SB 221 requires lead agencies to obtain written verification of sufficient water supply prior to approval of certain specified subdivision projects. For this purpose, water suppliers may rely on an UWMP (if a proposed project is accounted for within the UWMP), a WSA or other acceptable information that constitutes "substantial evidence." "Sufficient water supply" is defined in SB 221 as the total water supplies available during normal, single-dry, and multiple-dry water years within the 20-year (or greater) projection period that are available to meet the projected demand associated with a proposed project, in addition to existing and planned future uses.

c. Local Regulations

California American Water Company 2020 Urban Water Management Plan

The 2020 Cal-Am UWMP was prepared in accordance with the California Urban Water Management Planning Act and describes the availability and reliability of water supplies for the district through 2045. The UWMP adopted the Water Shortage Contingency Plan and encourages active planning for future demand and available supplies of water resources, and reports on water conservation strategies during water shortages to meet the demands.

The City of Duarte General Plan

The Open Space and Conservation chapter of the Duarte General Pan provides a guide to conservation of natural and recreational resources, open space, and air quality goals, objectives and policies. Goals and policies that relate to utilities and service systems and would apply to the project include the following:

Conservation Goal 2: Assist in the preservation, recharge and clean-up of water as a precious natural resource.

Con 2.1.3: Require the use of native and other drought-resistant plants to reduce the amount of water used for landscaping.

Con 2.1.6: Encourage water conservation in residential, commercial, and industrial development.

4.13.3 Impact Analysis

a. Significance Thresholds

According to Appendix G of the *CEQA Guidelines*, impacts related to utilities systems from implementation of the proposed project would be significant if it would:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years;
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects' projected demand in addition to the provider's existing commitments;
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

As described in the Initial Study for the proposed project, the proposed project would have either a less than significant impact or no impact related to Threshold a, Threshold c, Threshold d, Threshold e. Therefore, these issues are not further addressed in this EIR.

b. Methodology

In determining whether project implementation would result in impacts concerning utilities and service systems, this analysis considers the existing regulatory framework and baseline conditions characterized by readily available data from the public record, including local planning documents such as the 2020 Cal-Am UWMP. Information presented in the impact analysis refers to the WSA prepared for Westminster Gardens Project by WSC in January 2025 which included a water supply and demand analysis of the proposed project although a WSA is not required for the proposed project (Appendix J).

Threshold 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?

Impact UTIL-1 THE WATER DEMAND FOR THE PROJECT WOULD BE APPROXIMATELY 40 AFY PER YEAR. BASED ON CAL-AM WATER COMPANY'S WATER SUPPLY AND DEMAND PROJECTIONS, PROJECTED WATER SUPPLIES ARE SUFFICIENT TO MEET THE ANTICIPATED WATER DEMAND OF THE PROPOSED PROJECT DURING NORMAL, DRY, AND MULTIPLE DRY YEARS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction of the proposed project is assumed to begin in April 2026 and finish in September 2028. Water would be required for temporary construction activities on the project site, including dust suppression, grading and grubbing, compaction, construction equipment wheel washing, and concrete mixing and casting. Water consumption by construction workers and cleaning of portable toilets on the project site may also account for a small portion of overall construction water demand. Based on the California Emissions Estimator Model (CalEEMod) used to estimate the air emissions under the proposed project, the construction activities would require approximately 480,180 gallons (1.5 acre feet) during the entire construction period.

Watering for dust suppression would demand the most water during construction. Pursuant to the requirements of South Coast Air Quality Management District Rule 403 as described in Section 4.1, *Air Quality*, all disturbed unpaved roads and disturbed areas within the project site would be watered approximately three times per day to reduce fugitive dust generation from construction activities. Construction water demand would be temporary and, therefore, would not result in a

long-term strain of water supplies. In addition, the Cal-Am Water Company would be able to restrict or require conservation measures for water intensive construction activities. Given the temporary and minimal nature of construction water demand as compared to operational water consumption, potential impacts related to construction water consumption would be less than significant.

Operation

The proposed project would involve the construction of 169 townhome residential units within 25 multi-family residential buildings and one leasing office/recreation building. In addition, the project includes the preservation and redevelopment of the Otis Gordon Sports Park on the western portion of the project site. According to the Water Supply Assessment prepared by WSC for the Westminster Gardens Project, the residential portion of the proposed project is anticipated to utilize 27,300 gallons per day (gpd) or 30.6 AFY and the park portion of the proposed project is anticipated to utilize 8,300 gpd or 9.3 AFY, totaling an estimated total project demand of approximately 40 AFY (Appendix J.

Table 4.13-1 summarizes the comparisons of Cal-Am's current water supply for the Duarte service area for the years 2025, 2030, 2035, 2040, and 2045. Cal-Am's anticipated water supply of groundwater from MSGB, MSGB integrated rights, and surface water for irrigation remain the same each year. However, the Upper District Replacement Water supply varies each year, depending on the year's anticipated demand.

Table 4.13-1 Summary of Duarte Current and Projected Water Supplies (AFY)

Water Supply Sources	2025	2030	2035	2040	2045
Groundwater – MSGB	2,770	2,770	2,770	2,770	2,770
MSGB Integrated Right	1,672	1,672	1,672	1,672	1,672
Surface Water for Irrigation	0	0	0	0	0
Upper District Replacement Water	1,779	1,507	1,716	1,790	1,865
Total	**6,221**	**5,949**	**6,053**	**6,157**	**6,307**

Sources: Cal-Am 2021

Table 4.13-2 summarizes the comparisons of Cal-Am's water supply and demand for the Duarte service area, including the project's demands, during normal, dry, and multiple dry years for the years 2025, 2030, 2035, 2040, and 2045.

Table 4.13-2 Normal Year, Single Dry Year, and Multiple Dry Years Supply and Demand Comparisions (AFY)

	2025	2030	2035	2040	2045
Normal Dry Year					
Supply Totals	5,949	6,101	6,225	6,320	6,395
Demand Totals	5,949	6,101	6,225	6,320	6,395
Difference	0	0	0	0	0
Single Dry Year					
Supply Totals	6,593	6,761	6,899	7,004	7,088
Demand Totals	6,593	6,761	6,899	7,004	7,088
Difference	0	0	0	0	0
Multiple Dry Years – First Year					
Supply Totals	6,546	6,709	6,844	6,947	7,029
Demand Totals	6,546	6,709	6,844	6,947	7,029
Difference	0	0	0	0	0
Multiple Dry Years – Second Year					
Supply Totals	6,615	6,779	6,908	7,011	N/A
Demand Totals	6,615	6,779	6,908	7,011	N/A
Difference	0	0	0	0	N/A
Multiple Dry Years – Third Year					
Supply Totals	6,563	6,725	6,846	6,949	N/A
Demand Totals	6,563	6,725	6,846	6,949	N/A
Difference	0	0	0	0	N/A
Multiple Dry Years – Fourth Year					
Supply Totals	5,296	5,435	5,532	5,618	N/A
Demand Totals	5,296	5,435	5,532	5,618	N/A
Difference	0	0	0	0	N/A
Multiple Dry Years – Fifth Year					
Supply Totals	5,388	5,529	5,622	5,709	N/A
Demand Totals	5,388	5,529	5,622	5,709	N/A
Difference	0	0	0	0	N/A

Sources: Appendix J

Notes: It is assumed that all demand not met by the allocations in the MSGB will be met by purchasing replacement water from Upper San Gabriel Valley Municipal Water District (USGVMWD). Supply values from the 2020 UWMP have been adjusted to reflect the additional purchased water. Demand totals updated to reflect the net additional proposed project demands.

According to the supply and demand information summarized in Table 4.13-2 above, the proposed project's water demand for construction and operation would be accounted for in each year and drought scenario, with purchase of replacement water from USGVMWD. Therefore, the proposed project would not have a significant impact on Cal-Am's water projected supply. Therefore, impacts related to water supplies would be less than significant.

4.13.4 Cumulative Impacts

The geographic scope for cumulative water service impacts is the entire Duarte service area of Cal-Am. This geographic scope is appropriate because as the local water purveyor, Cal-Am is responsible for supplying potable water to all residential, commercial, industrial, and fire protection uses within its service area, including the project site. Planned and pending projects in Duarte and surrounding areas are listed in Table 3-1 in Section 3, *Environmental Setting*. The cumulative developments include 15 projects.

Cumulative development in the Cal-Am Duarte service area, including the proposed project, would continue to increase demand on water supplies. However, the 2020 UWMP determined that Cal-Am would have adequate water supplies available to meet demands through 2045. As discussed under Impact UTIL-1, the proposed project's water demand would be accounted for in each year and drought scenario and the project would not have a significant impact on Cal-Am's projected water supply. Therefore, a portion of the cumulative water demand associated with the proposed project and other planned and pending projects are already accounted for in Cal-Am's demand projections.

Furthermore, future projects would be required to obtain service commitments from Cal-Am prior to construction, and those meeting the definition of a project pursuant to SB 610 would be required to prepare project specific WSAs. Accordingly, sufficient water supply would be available for the proposed project and cumulative development, and the project's cumulative contribution to impacts associated with water supply would be less than significant.

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5 Other CEQA Required Discussions

This section discusses growth-inducing impacts, irreversible environmental impacts, and energy impacts that would be caused by the proposed project.

5.1 Growth Inducement

Section 15126(d) of the *CEQA Guidelines* requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

5.1.1 Population Growth

As discussed in Section 14, *Population and Housing*, of the Initial Study (Appendix A), the proposed project would generate population growth from the proposed construction of 169 multi-family residential units. Duarte's average household size is approximately 2.78 residents (California Department of Finance [DOF] 2024b). The 169 residential units would generate approximately 470 residents (169 x 2.78), which would increase Duarte's total population from 23,656 to 24,126 persons (a two percent increase). Southern California Association of Government's (SCAG) demographic forecasts contained in the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) do not include population forecasts. The DOF's population and housing estimate and annual percentage change forecast that Duarte's population would increase by 27,361 persons between 2024 and 2050, totaling 51,017 persons in 2050 (DOF 2024a). The population generated from the proposed project would constitute less than two percent of DOF's projected population increase. Therefore, the proposed project would not induce substantial unplanned growth, and would not result in impacts related to growth inducement.

5.1.2 Economic Growth

In its existing condition, the project site is developed with a public park, an underutilized school, and a school with plans to relocate. As detailed in Section 2, *Project Description*, further details of relocation and construction activities of the existing schools were not available at the time of preparation of this EIR and analysis of these impacts would be speculative. Therefore, the economic growth impacts of the school relocation and construction activities are not further analyzed. The proposed project would generate temporary employment opportunities during construction. However, construction workers would be expected to be drawn from the existing regional work force; therefore, construction of the project would not be growth-inducing from a temporary employment standpoint.

Nonetheless, the proposed project would also add three long-term full-time employment opportunities associated with operation of the residential uses, which would include a property manager, maintenance supervisor, and maintenance technician. During the initial leasing period of approximately 18 months, the project would include one full-time leasing staff. Although staff

would likely come from the existing regional work force, it is possible that most staff members would be newly generated employees requiring little to no previous training or experience (e.g., unskilled laborers), which would contribute to the city's regional employment growth. However, not all long-term employment opportunities generated by the project uses would demand employees with prior training or experience. Therefore, employment growth associated with the project would not result in a substantial regional draw of individuals with a specific skillset to the project area.

For employment in the city, SCAG estimates an increase to 17,700 jobs by 2050 in the 2024-2050 RTP/SCS forecast, an increase of 5,400 jobs from 12,300 jobs in 2019 (SCAG 2024). Therefore, employment is expected to increase by approximately 43.9 percent between 2019 and 2050. In addition, factoring in the removal of the existing schools and current employees, the proposed project would not be anticipated to induce substantial economic expansion to the extent that direct physical environmental effects would result. Moreover, the environmental effects associated with any future development in or around Duarte would be addressed as part of the CEQA environmental review as required for such development projects.

5.1.3 Removal of Obstacles to Growth

The proposed project is in an urbanized area that is well served by existing infrastructure. As discussed in Section 4.11, *Transportation*, and Section 4.13, *Utilities and Service Systems*, existing infrastructure in Duarte would be adequate to serve the project. Minor improvements to water, sewer, and drainage connection infrastructure could be required, but would be sized to specifically serve the proposed project and to meet the requirements of the Los Angeles Sanitation Department and Duarte Municipal Code, as detailed in the Initial Study prepared for the proposed project (Appendix A). The proposed project would not expand water, sewer, drainage, or other services to an area not previously served. No new roads would be required. Because the project constitutes redevelopment within an urbanized area and does not require the extension of new infrastructure through undeveloped areas, project implementation would not remove an obstacle to growth.

5.2 Irreversible Environmental Effects

Section 15126(c) of the *CEQA Guidelines* require that EIRs contain a discussion of significant irreversible environmental changes. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the proposed project.

The proposed project would involve the development of 169 multi-family residential units and redevelopment of a public park in Duarte, and the demolition/relocation of the existing schools. The project would also involve construction of internal circulation, landscaping, and utility infrastructure. Construction and operation of the project would involve an irreversible commitment of construction materials and non-renewable energy resources. The project would involve the use of building materials and energy, some of which are non-renewable resources, to construct the proposed development, internal circulation, and other related infrastructure. Consumption of these resources would occur with any development in the region and are not unique to the proposed project.

As detailed in Section 4.4, *Energy*, the proposed project would also irreversibly increase local demand for non-renewable energy resources such as petroleum products and natural gas. However, increasingly efficient building design would offset this demand to some degree by reducing energy demands of the project. Project design would be subject to the energy conservation requirements

of the 2022 California Energy Code (Title 24, Part 6, of the California Code of Regulations, *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated residential buildings constructed in California, and the Green Building Standards Code requires solar access, natural ventilation, and stormwater capture. The project also includes energy-efficient appliances and lighting, water-efficient appliances and fixtures, and water-efficient irrigation. Consequently, the project would not use unusual amounts of energy or construction materials and impacts related to consumption of non-renewable and slowly-renewable resources would be less than significant. Consumption of these resources would occur with any development in the region and is not unique to the proposed project.

The project would also require a commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. However, as discussed in Section 13, *Public Services*, and Section 17, *Utilities and Service Systems*, of the Initial Study (Appendix A), and Section 4.13, *Utilities and Service Systems*, of this EIR, impacts to these service systems would not be significant.

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6 Alternatives

6.1 Introduction

In accordance with *CEQA Guidelines* Section 15126.6, this EIR examines a range of reasonable alternatives to the proposed project. The primary purpose of an alternatives analysis under CEQA is to provide decision-makers and the public with a reasonable range of feasible alternatives to a proposed project that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects.

Specifically, CEQA requires an EIR to describe a reasonable range of alternatives to a project or to the location of a project that feasibly attains most of the project's basic objectives but avoids or substantially lessens any of the project's significant environmental impacts. CEQA also requires an EIR to evaluate the comparative merits of the alternatives. *CEQA Guidelines* Section 15126.6(a) requires EIRs to describe:

> a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

This section of the *CEQA Guidelines* also provides guidance regarding what the alternatives analysis should consider. *CEQA Guidelines* Section 15126.6(b) further states the purpose of the alternatives analysis is as follows:

> Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

The *CEQA Guidelines* require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (*CEQA Guidelines* Section 15126.6[d]). The *CEQA Guidelines* further require that the "no project" alternative be considered (Section 15126.6[e]). The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. If the no project alternative is the environmentally superior alternative, CEQA requires that the EIR "shall also identify an environmentally superior alternative among the other alternatives" (*CEQA Guidelines* Section 15126.6[e][2]).

In defining "feasibility" (e.g., feasibly attain most of the basic objectives of the project), *CEQA Guidelines* Section 15126.6(f)(1) states, in part: Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. In determining what alternatives should be considered in the EIR, it is important to consider the objectives of the project, the project's significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in *CEQA Guidelines* Section 15126.6(a).

Analysis of three alternatives to the proposed project is provided to allow decision-makers to consider the proposed project in light of hypothetical alternative development scenarios, thereby promoting CEQA's purpose as an information disclosure statute. This analysis is guided by the following overarching considerations set forth under the *CEQA Guidelines*:

- An EIR need not consider every conceivable alternative to a project
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process
- Reasons for rejecting an alternative include:
  - Failure to meet most of the basic project objectives
  - Infeasibility
  - Inability to avoid significant environmental effects

6.2 Attainment of Project Objectives

In determining what alternatives should be considered in the EIR, the objectives of a project must be considered, as attainment of most of the basic objectives forms one of the tests of whether an alternative is feasible (see discussion above).

As discussed in Section 2, *Project Description*, the objectives for the proposed project are as follows:

- Increase the City's multi-family housing opportunities to help achieve the City's assigned Regional Housing Needs Allocation (RHNA) goal.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and vehicle miles traveled.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
- Preserve and improve the Otis Gordon Sports Park for the surrounding community.

  Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.

6.3 Alternatives Considered but Rejected

As described above, *CEQA Guidelines* Section 15126.6(c) provides that the range of potential alternatives for the project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Alternatives that fail to meet the fundamental project purpose need not be addressed in detail in an EIR.

An EIR is also required to identify any alternatives that were considered by the lead agency but were rejected during the planning or scoping process, and briefly explain the reasons underlying the lead agency's determination. The following alternative was considered by the City but are not evaluated further in this EIR, for the reasons discussed:

- **Public Facility.** An alternative was considered that would maintain the existing zoning for the project site through the development of a public facility land use other than a school, such as a community center, cultural institution, government facility, library, or public utility facility. This alternative may reduce air quality, energy, greenhouse gas (GHG) emissions, and noise impacts that are associated with the construction and operation of the proposed multi-family residential development; however, development of the site as a public facility would not satisfy any of the project objectives related to increasing the housing opportunities in Duarte. The introduction of multi-family housing units was determined by the City and project applicant to be a project priority early on to contribute to the City's housing stock. Therefore, this alternative was rejected since it would not meet the majority of the project objectives or provide housing opportunities for the City.

6.4 Alternatives Selected for Analysis

CEQA Guidelines Section 15126.6, as amended, mandates that all EIRs include a comparative evaluation of the proposed project with alternatives to the project that can attain most of the project's basic objectives but would avoid or substantially lessen any of the significant effects of the proposed project. CEQA requires an evaluation of a "range of reasonable" alternatives, including the "no project" alternative. Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project.

Included in this analysis are three alternatives, including the CEQA-required "no project" alternative, that involve changes to the project that may reduce the project-related environmental impacts as identified in this EIR. Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project.

The following alternatives are evaluated in this EIR:

- Alternative 1: No Project Alternative
- Alternative 2: Previous Full Capacity of Schools
- Alternative 3A: AB 2295 Partial Site Build Out
- Alternative 3B: AB 2295 Full Site Build Out

Table 6-1 provides a summary comparison of the development characteristics of the proposed project and each of the alternatives considered. Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 6.4.1 through 6.4.3, below.

Table 6-1 Comparison of Project Alternatives' Buildout Characteristics

Feature	Proposed Project	Alternative 1: No Project	Alternative 2: Previous Full Capacity of Schools	Alternative 3A: AB 2295 Partial Site Build Out	Alternative 3B: AB 2205 Full Site Build Out
Lot Area	14.159 acres	14.159 acres	14.159 acres	14.159 acres	14.159 acres
Park Area	6.32 acres	5.9 acres	5.9 acres	6.32 acres	0 acres
School Area	0 acres	8.26 acres	8.26 acres	0 acres	0 acres
Residential Area	7.83 acres	0 acres	0 acres	7.83 acres	14.159 acres
Proposed Land Use	R-4 and OS	PF	PF	R-4 and OS	R-4
Remaining School Buildings	0	40	40	0	0
Residential Units	169	0	0	353	638
Number of Affordable Residential Units	25	0	0	71	128

6.4.1 Alternative 1: No Project Alternative

Alternative Description

The No Project Alternative assumes that the proposed 169-unit residential development and park improvements to the Otis Gordon Sports Park would not be constructed. Under existing conditions, since the Andres Duarte Arts Academy ceased operations in 2022, the eastern portion of the project site is developed with school buildings that are either vacant or currently in use by the Duarte Preschool. The western portion of the project site is developed with the Otis Gordon Sports Park, the MIT school, and an existing wireless communications building associated with the wireless communication facilities located near the western boundary of the site. The Duarte Preschool and MIT school would continue operate at the existing enrollment level under Alternative 1. The existing employment level of the Duarte Preschool is 16 employees, and the existing enrollment level of the MIT school is 78 students. The description herein are the existing conditions at the project site since 2022, so the potential impacts under full capacity of both schools in comparison to the proposed project are considered under Alternative 2.

Impact Analysis

a. Air Quality

The No Project Alternative would leave the project site in its existing condition, the No Project Alternative would not remove the existing buildings or public park or require any construction activities on the project site. The No Project Alternative would not result in new development or increased operations that could generate additional operational air quality emissions. As such, there would be no construction or operation impacts due to emissions of criteria pollutants, exposure of sensitive receptors to substantial pollutant concentration, or the creation of objectionable odors.

Fugitive dust emissions (PM_{10} and $PM_{2.5}$) would not occur under the No Project Alternative. All the project's short- and long-term air quality effects would be avoided under the No Project Alternative; therefore, no air quality impacts would occur and impacts would be less than the proposed project.

b. Biological Resources

The No Project Alternative would leave the project site in its existing condition and no ground-disturbing activities would occur under this alternative and there would be no potential impacts to special-status plants, wildlife, or sensitive vegetation communities on the project site. Although there is mitigation identified in Section 4.2 *Biological Resources*, of this EIR, that would reduce the project's direct, indirect, and cumulatively considerable impacts to biological resources to below a level of significance, implementation of the No Project Alternative would avoid impacts to biological resources and would not require mitigation. Therefore, impacts would be less than the proposed project.

c. Cultural Resources

The No Project Alternative would leave the project site in its existing condition and would not include ground-disturbing activities or involve the disturbance of any previously unknown cultural resources. Although there is mitigation identified in Section 4.3, *Cultural Resources*, of this EIR, that would reduce the project's impacts to archaeological resources to below a level of significance, implementation of the No Project Alternative would avoid impacts to cultural resources and would not require mitigation. Therefore, impacts would be less than the proposed project.

d. Energy

The No Project Alternative would leave the project site in its existing condition; the No Project Alternative would not remove the existing buildings or public park, or require any construction activities on the project site. The No Project Alternative would not result in new development or increased operations that could increase operational energy demand. As such, the No Project Alternative would have no potential to result in the wasteful, inefficient, or unnecessary consumption of energy resources or conflict with energy conservation plans, policies, and regulations. Therefore, impacts would be less than the proposed project.

e. Geology and Soils

The No Project Alternative would leave the project site in its existing condition and no residential buildings would be developed. Accordingly, there would be no potential for this alternative to expose people or structures to safety risks associated with seismic or other geologic hazards and would avoid impacts to geology and soils and would not require mitigation. Similarly, this alternative would not include ground-disturbing activities, and therefore, would avoid impacts to paleontological resources. Therefore, impacts would be less than the proposed project.

f. Greenhouse Gas Emissions

The No Project Alternative would leave the project site in its existing condition; the site would remain occupied with the Duarte Preschool on the eastern portion of the project site and the Otis Gordon Sports Park, the MIT school, and an existing wireless communications building on the western portion of the project site. The Duarte Preschool and MIT school would operate at the existing employment and enrollment capacity. As such, there would be no new sources of short- or long-term GHG emissions and would therefore not conflict with the 2024-2050 Regional

Transportation Plan/Sustainable Communities Strategy, the City of Duarte General Plan, or the City of Duarte Energy Action Plan. Therefore, impacts would be less than significant and would be less than the proposed project.

g. Hazards and Hazardous Materials

Because the No Project Alternative would leave the project site in its existing condition and no residential or public park project components would be developed. As described in Section 4.7, *Hazards and Hazardous Materials*, of this EIR, the project site is not within any type of identified Fire Hazard Severity Zone, but the southern boundary of the project site directly borders a Very High Fire Hazard Severity Zone (VHFHSZ) in a Local Responsibility Area (LRA). Therefore, there would be the same potential for this alternative to expose people or structures to a significant risk of loss, injury, or death involving wildland fires and would avoid impacts hazards and hazardous materials and impacts would be similar to the proposed project.

h. Land Use and Planning

The No Project Alternative would leave the project site in its existing condition and the existing buildings would not be demolished and the project site would remain consistent with the current public facility zoning and general plan designations. No land use approvals or permits would be required. Therefore, No Project Alternative would not directly conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts associated with a conflict with land use plans, policies, or regulations would be reduced to no impact under No Project Alternative in comparison to the proposed project, which would result in less than significant impacts. Therefore, impacts would be less than the proposed project.

i. Noise

Under the No Project Alternative, no new sources of noises would be introduced on the project site for construction or operational purposes. As such, all of the proposed project's construction and operation impacts would be avoided under the No Project Alternative; therefore, no noise impacts would occur, and impacts would be less than the proposed project.

j. Public Services

The No Project Alternative would leave the project site in its existing condition; the site would remain occupied with the Duarte Preschool on the eastern portion of the project site and the Otis Gordon Sports Park, the MIT School, and an existing wireless communications building on the western portion of the project site. The Duarte Preschool and MIT school would operate at the existing employment and enrollment capacity. The No Project Alternative would not involve development of residential units which would increase the student population in Duarte, increasing demand on the Duarte Unified School District (DUSD). Therefore, impacts associated with the provision of new or physically altered government facilities (i.e., schools) would be reduced to no impact under No Project Alternative in comparison to the proposed project, which would result in less than significant impacts and impacts would be less than the proposed project.

k. Transportation

The No Project Alternative would leave the project site in its existing condition with the existing use of schools and public park. The No Project Alternative would result in 646 fewer daily trips compared to the proposed project. Although the daily trips generated would be reduced under the

No Project Alternative, the alternative's transportation impacts would remain less than significant. Therefore, the No Project Alternative would not generate any new daily traffic that would result in potential impacts associated with conflicts with applicable transportation plans or vehicle miles traveled (VMT), or result in conditions that would create roadway hazards or impede emergency access at the project site. Therefore, impacts would be less than the proposed project.

l. Tribal Cultural Resources

The No Project Alternative would leave the project site in its existing condition and would not include ground-disturbing activities or involve the disturbance of any previously unknown tribal cultural resources. Implementation of the No Project Alternative would avoid potential impacts to tribal cultural resources and would not require mitigation measures. Therefore, impacts would be less than the proposed project.

m. Utilities and Service Systems

The No Project Alternative would leave the project site in its existing condition; the No Project Alternative would not remove the existing buildings or public park or require any construction activities on the project site. The No Project Alternative would not result in new development or increased operations that could increase operational water demand. As such, the No Project Alternative would have sufficient water supplies to serve the project site's existing water demand. Therefore, impacts would be less than the proposed project.

Comparison of Impacts

As analyzed above, under Alternative 1, the project site would continue to be occupied by the existing Duarte Preschool, MIT school, and Otis Gordon Sports Park. The Duarte Preschool and MIT school would operate at the existing enrollment levels of 16 employees for the Duarte Preschool and 78 students for the MIT school. Alternative 1 would not construct new structures or expand existing structures such that site operations would increase. As such, Alternative 1 would reduce impacts related to air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, land use and planning, noise, public services, transportation, tribal cultural resources, and utilities and service systems and would result in the same impacts related to hazards and hazardous materials, as shown in Table 6-2.

Relationship of the Alternative to Project Objectives

Under Alternative 1, the existing school and park uses would remain on the project site and no new development would occur. As such, Alternative 1 would not improve the Otis Gordon Sports Park, construct 169 multi-family residential units, or meet the underlying purpose of the project or meet the majority of the project objectives, as described below.

Alternative 1 would partially meet the following objective:

- Preserve and improve the Otis Gordon Sports Park for the surrounding community.
  - The Otis Gordon Sports Park would not be redeveloped and improved from its current conditions under Alternative 1, but the park would be preserved for the surrounding community.

Alternative 1 would not meet the following objectives:

- Increase the City's multi-family housing opportunities to help achieve the City's assigned Regional Housing Needs Allocation (RHNA) goal.
  - The No Project Alternative would not involve the development of multi-family residential units.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
  - The No Project Alternative would not involve the development of multi-family residential units.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and vehicle miles traveled.
  - The No Project Alternative would not involve the development of multi-family residential units.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
  - The No Project Alternative would not involve the development of multi-family residential units.
- Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
  - The No Project Alternative would not involve the development of multi-family residential units.
- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.
  - The No Project Alternative would not involve the development of any new buildings or improvements to existing buildings.

6.4.2 Alternative 2: Previous Full Capacity of Schools

Alternative Description

Similar to Alternative 1, this alternative would not involve the construction of the proposed 169-unit residential development and park improvements to the Otis Gordon Sports Park. Alternative 2 would involve the operation of the existing Andres Duarte Arts Academy and MIT school at their previous full capacity. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students. Due to the declining enrollment of public schools in the city, full capacity of the schools may be accomplished by leasing to a charter school or private school.

The Otis Gordon Sports Park and wireless communications building associated with the wireless communication facilities located near the western boundary of the site would remain the same as existing conditions under Alternative 2.

Impact Analysis

a. Air Quality

Alternative 2 would leave the project site in its existing condition; the site would remain occupied with the Andres Duarte Arts Academy on the eastern portion of the project site and the Otis Gordon Sports Park, the MIT School, and an existing wireless communications building on the western portion of the project site. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students, totaling 846 students on the project site. Alternative 2 would leave the project site in its existing condition and would not include any construction activities which would generate new or additional construction-related air quality emissions. Fugitive dust emissions (PM_{10} and $PM_{2.5}$) would not occur under this alternative. All of the proposed project's short-term air quality effects would be avoided.

Compared to the proposed project, Alternative 2 would generate 376 additional people on the project site each day. The Andres Duarte Arts Academy and MIT school would operate at normal school hours (i.e., approximately 7:00 a.m. to 4:00 p.m. on Monday through Friday) as compared to the proposed project which would operate 24 hours a day, 7 days a week. Alternative 2 would result in the same less than significant impacts related to the creation of objectionable odors as identified in Section 4.1, *Air Quality*, of this EIR. As detailed below in Section 6.2.2(k), this alternative would result in 728 additional daily trips compared to the proposed project, increasing the air quality emissions associated with vehicle trips compared to the proposed project. Thus, although there would be reduced operational hours under Alternative 2, an additional 376 people on-site each weekday during school hours and the additional 728 daily vehicle trips would result in increased impacts related to emissions of criteria pollutants and exposure of sensitive receptors to pollutant concentration during operation. Therefore, impacts would be greater than the proposed project.

b. Biological Resources

Alternative 2 would leave the project site in its existing condition and no ground-disturbing activities would occur; therefore, potential impacts to special-status plants, wildlife, or sensitive vegetation communities on the project site would be reduced. Although mitigation identified in Section 4.2, *Biological Resources*, of this EIR, that would reduce the proposed project's direct, indirect, and cumulatively considerable impacts to biological resources to below a level of significance, implementation of Alternative 2 would avoid impacts to biological resources and would not require mitigation. Therefore, impacts would be less than the proposed project.

c. Cultural Resources

Alternative 2 would leave the project site in its existing condition and would not include ground-disturbing activities or involve the disturbance of any previously unknown cultural resources. Although there is mitigation identified in Section 4.3, *Cultural Resources*, of this EIR, that would reduce the project's impacts to archaeological resources to below a level of significance, implementation of this alternative would avoid impacts to cultural resources and would not require mitigation. Therefore, impacts would be less than the proposed project.

d. Energy

Alternative 2 would leave the project site in its existing condition; the site would remain occupied by the Andres Duarte Arts Academy, the Otis Gordon Sports Park, the MIT School, and an existing

wireless communications building. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students, totaling 846 students on the project site. This alternative would not include any construction activities which would result in new or increased construction-related energy demand. All of the proposed project's short-term energy impacts would be avoided under this alternative.

Compared to proposed project, Alternative 2 would generate 376 additional people on the project site each day. The Andres Duarte Arts Academy and MIT school would operate at normal school hours (i.e., approximately 7:00 a.m. to 4:00 p.m. on Monday through Friday). Although there would be reduced operational hours under Alternative 2, an additional 376 people onsite each weekday would result in similar amounts of energy demand during operation compared to the proposed project. Therefore, construction and operation of Alternative 2 would result in less than significant impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources or conflict with energy conservation plans, policies, and regulations, and impacts would be similar to the proposed project.

e. Geology and Soils

Alternative 2 would leave the project site in its existing condition and no residential buildings would be developed. Accordingly, there would be no potential for this alternative to expose people or structures to safety risks associated with seismic or other geologic hazards and would avoid impacts to geology and soils and would not require mitigation. Similarly, this alternative would not include ground-disturbing activities, and therefore, would avoid impacts to paleontological resources and would not require mitigation measures. Therefore, impacts would be less than the proposed project.

f. Greenhouse Gas Emissions

Alternative 2 would leave the project site in its existing condition. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students, totaling 846 students on the project site. This alternative would leave the project site in its existing condition and would not include any construction activities which would generate new or additional construction-related GHG emissions. All the proposed project's short-term GHG emission effects would be avoided under Alternative 2.

Compared to proposed project, Alternative 2 would generate 376 additional people on the project site each day. The Andres Duarte Arts Academy and MIT school would operate at normal school hours (i.e., approximately 7:00 a.m. to 4:00 p.m. on Monday through Friday) and the proposed project would operate 24 hours a day, 7 days a week. Although there would be reduced operational hours under Alternative 2, an additional 376 people onsite each day would result in similar amounts of GHG emissions during operation. As such, there would be no new sources of short- or long-term GHG emissions and would therefore not conflict with the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy, the City of Duarte General Plan, or the City of Duarte Energy Action Plan, impacts would be similar to the proposed project.

g. Hazards and Hazardous Materials

Alternative 2 would leave the project site in its existing condition and no residential or public park project components would be developed. As described in Section 4.7, *Hazards and Hazardous Materials*, of this EIR, the project site is not within any type of identified Fire Hazard Severity Zone, but the southern boundary of the project site directly borders a VHFHSZ in an LRA. Therefore, there

would be the same potential for this alternative to expose people or structures to a significant risk of loss, injury, or death involving wildland fires and would avoid impacts hazards and hazardous materials, impacts would be similar to the proposed project.

h. Land Use and Planning

Alternative 2 would leave the project site in its existing condition consistent with the current public facility zoning and general plan designations. No land use approvals or permits would be required. Therefore, this alternative would not directly conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts associated with a conflict with land use plans, policies, or regulations would be reduced to no impact Alternative 2 in comparison to the proposed project, which would result in less than significant impacts. Therefore, impacts would be less than the proposed project.

i. Noise

Alternative2 would leave the project site in its existing condition. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students, totaling 846 students on the project site. This alternative would leave the project site in its existing condition and would not include any construction activities that would result in increased noise levels. All the proposed project's short-term noise and vibration impacts would be avoided under Alternative 2.

Compared to the proposed project, Alternative 2 would generate 376 additional people on the project site each day. The Andres Duarte Arts Academy and MIT school would operate at normal school hours (i.e., approximately 7:00 a.m. to 4:00 p.m. on Monday through Friday) and the proposed project would operate 24 hours a day, 7 days a week. Although there would be reduced operational hours under this alternative, an additional 376 people onsite each day and the increased noise levels associated with schools compared to the proposed multi-family residential uses. This would result in an overall increase in operational noise levels on the project site. Therefore, impacts would be greater than the proposed project.

j. Public Services

Alternative 2 would leave the project site in its existing condition. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students, totaling 846 students on the project site. Alternative 2 would not involve development of residential units, increasing demand on DUSD. Therefore, impacts associated with the provision of new or physically altered government facilities (i.e., schools) would be reduced to no impact under Alternative 2 in comparison to the proposed project, which would result in less than significant impacts. Therefore, impacts would be less than the proposed project.

k. Transportation

Alternative 2 would leave the project site in its existing condition with the existing use of schools and public park at the school's previous full capacity. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students, totaling 846 students on the project site. Alternative 2 would result in 728 additional daily trips compared to the proposed project (Appendix I). However, this alternative would satisfy the established VMT screening criteria and would still result in a less than significant impact. Therefore, Alternative 2 would not result in potential impacts associated with conflicts with

applicable transportation plans or VMT or result in conditions that would create roadway hazards or impede emergency access at the project site, and impacts would be similar to the proposed project.

l. Tribal Cultural Resources

Alternative 2 would leave the project site in its existing condition and would not include ground-disturbing activities or involve the disturbance of any previously unknown tribal cultural resources. Implementation of this alternative would avoid potential impacts to tribal cultural resources and would not require mitigation measures. Therefore, impacts would be less than the proposed project.

m. Utilities and Service Systems

Alternative 2 would leave the project site in its existing condition. Alternative 2 would involve operation of the existing schools at the previous full capacity of 684 students at the Andres Duarte Arts Academy and 162 students at the MIT school, resulting in a slightly increased operational water demand compared to existing conditions. As detailed in Section 4.13, *Utilities and Service Systems*, purchase of replacement water from Upper San Gabriel Valley Municipal Water District (USGVMWD) would ensure that the alternative's water demand would be provided by California American Water (Cal-Am). As such, Cal-Am would have sufficient water supplies to serve the alternative's water demand. Therefore, construction and operation of Alternative 2 would result in less than significant impacts to water demand, and impacts would be similar to the proposed project.

Comparison of Impacts

As analyzed above, under Alternative 2, the project site would continue to be occupied by the Andres Duarte Arts Academy, MIT school, and Otis Gordon Sports Park. The Andres Duarte Arts Academy and MIT school would operate at the previous full capacity enrollment levels of 684 students for the Andres Duarte Arts Academy and 162 students for the MIT school. Alternative 2 would not construct new structures or expand existing structures such that site operations would increase. As such, Alternative 2 would reduce impacts related to biological resources, cultural resources, geology and soils, land use and planning, public services, and tribal cultural resources; would result in the same impacts related to energy, greenhouse gas emissions, hazards and hazardous materials, transportation, and utilities and service systems; and would increase impacts related to air quality and noise, as shown in Table 6-2.

Relationship of the Alternative to Project Objectives

Under Alternative 2, the existing school and park uses would remain on the project site and no new development would occur. As such, Alternative 2 would not improve the Otis Gordon Sports Park, construct 169 multi-family residential units, or meet the underlying purpose of the project or meet the majority of the project objectives, as described below.

Alternative 2 would partially meet the following objective:

- Preserve and improve the Otis Gordon Sports Park for the surrounding community.
  - The Otis Gordon Sports Park would not be redeveloped and improved from its current conditions under Alternative 2, but the park would be preserved for the surrounding community.

Alternative 2 would not meet the following objectives:

- Increase the City's multi-family housing opportunities to help achieve the City's assigned Regional Housing Needs Allocation (RHNA) goal.
  - The Previous Full Capacity of Schools Alternative would not involve the development of multi-family residential units.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
  - The Previous Full Capacity of Schools Alternative would not involve the development of multi-family residential units.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and vehicle miles traveled.
  - The Previous Full Capacity of Schools Alternative would not involve the development of multi-family residential units.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
  - The Previous Full Capacity of Schools Alternative would not involve the development of multi-family residential units.
- Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
  - The Previous Full Capacity of Schools Alternative would not involve the development of multi-family residential units.
- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.
  - The Previous Full Capacity of Schools Alternative would not involve the development of any new buildings or improvements to existing buildings.

6.4.3 Alternative 3A: AB 2295 Partial Site Build Out

Alternative Description

Alternative 3A involves full buildout of the residential portion of the project site pursuant to California state law AB 2295 (2022), which streamlines the development of affordable and mixed-income housing for teachers and support staff of California's K-12 public schools on public land owned by a local educational agency. Under AB 2295, all units will prioritize teachers and other school employees as tenants. Alternative 3A involves the same demolition and relocation activities related to the existing schools and redevelopment of the Otis Gordon Sports Park, as identified for the proposed project.

Pursuant to AB 2295, a housing development project shall be deemed an allowable use on any real property owned by a local educational agency if the housing development satisfies all of requirements detailed in Section 65914.7 of the California Government Code. Section 65914.7 (a)(4) of the California Government Code identifies that the residential density for the housing footprint shall be greater than the residential density allowed on the parcel by the city or county and the applicable density deemed appropriate to accommodate affordable housing for lower income

households, as specified in paragraph 3 of Section 65583.2(c) of the California Government Code. The density of Los Angeles County is identified as 30 dwelling units per acre (du/ac). Thus, under Alternative 3A, the allowable density for the 7.83-acre residential portion of the project site would be 235 units pursuant to Section 65583.2(c) of the California Government Code. AB 2295 requires at least 30 percent of the residential units to be affordable to low-income households. Section 66915 grants a 50 percent density bonus for any project which provides at least 24 percent of its residential units affordable to lower income households. Since the proposed project would provide 30 percent of its residential units as affordable to lower income households, the project would be allowed a 50 percent density bonus to the allowed 30 du/ac pursuant to Section 65583.2(c) of the California Government Code, resulting in an allowed 45 du/ac. Therefore, in compliance with AB 2295 and Sections 65583.2(c), 65914.7, and 66915 of the California Government Code, this alternative involves the development of 353 residential units (45 du/ac x 7.83 acres = 353 units), 71 of which would be affordable for low-income households (using the base density of 235 units x 0.30 = 71).

Similar to the proposed project, the residential units included in Alternative 3A would be developed on the eastern portion of the project site and within the same development footprint. Alternative 3A would also involve the same redevelopment activities for the Otis Gordon Sports Park, as described in Section 2, *Project Description*. Construction activities under Alternative 3A, such as equipment used, excavation and haul quantities, and construction schedule, would be consistent with those under the proposed project.

Impact Analysis

a. Air Quality

Similar to the proposed project, Alternative 3A would demolish or relocate all existing school buildings, redevelop the Otis Gordon Sports Park, and develop the eastern portion of the project site with multi-family residential units. Alternative 3A would involve the development of 353 residential units. Construction activities for this alternative would be similar to the proposed project, as the alternative's 353 residential units would be developed within the same development footprint. Under Alternative 3A, construction activities would be similar to the proposed project but with a longer duration in the overall construction schedule; therefore, the alternative would result in an increase in short-term air quality and fugitive dust emissions (PM_{10} and $PM_{2.5}$) impacts during construction in comparison to the proposed project.

Compared to proposed project, Alternative 3A would generate 511 additional residents for a total of 981 residents (353 residential units x 2.78 residents per household (Department of Finance [DOF] 2024). This would represent a 108 percent increase in residents compared to the proposed project. The additional residents associated with Alternative 3A would result in an increase of daily vehicle trips in comparison to the proposed project due to the additional residents traveling to and from the project site each day. Alternative 3A would result in the same less than significant impacts related to the creation of objectionable odors as identified in Section 4.1, *Air Quality*, of this EIR. An additional 511 residents generated, and the anticipated increased daily vehicle trips would result in increased impacts related to emissions of criteria pollutants and exposure of sensitive receptors to substantial pollutant concentration during operation. Therefore, impacts would be greater than the proposed project.

b. Biological Resources

Under Alternative 3A, construction and ground-disturbing activities would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb special-status plants, wildlife, or sensitive vegetation communities. Mitigation Measure BIO-1 would continue to be required, ensuring nesting bird avoidance and pre-construction surveys are implemented prior to ground disturbing activities. Implementation of Mitigation Measure BIO-1 would ensure that Alternative 3A would result in less than significant impacts to biological resources with mitigation, and impacts would be similar to the proposed project.

c. Cultural Resources

Under Alternative 3A, construction and earthmoving activities, including excavation depths, would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered archaeological resources. Mitigation Measures CUL-1, CUL-2, and CUL-3 would continue to be required, ensuring a workers environmental awareness program training, retention of a qualified archaeologist and archaeological monitoring, and identified procedures are implemented in the event that archaeological resources are encountered during ground disturbing activities. Therefore, construction of Alternative 3A would result in less than significant impacts to cultural resources with mitigation, and impacts would be similar to the proposed project.

d. Energy

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. Under this alternative, construction activities would be similar to the proposed project and the alternative would not result in new or additional construction-related energy demand.

Compared to proposed project, Alternative 3A would generate 511 additional residents for a total of 981 residents (353 residential units x 2.78 residents per household)(DOF 2024). This would represent a 108 percent increase in residents compared to the proposed project. An additional 511 residents generated by Alternative 3A would result in increased amounts of energy during operation through increased residential energy use on-site and additional vehicle daily trips. However, Alternative 3A would implement the same on-site energy demand reducing design features such as electric vehicle (EV) charging and compliance with the latest Title 24 Building Energy Efficiency Standards, CALGreen Code, and California Building Standards Code, which would ensure that the alternative would comply with applicable plans and regulations. Impacts would be greater than the proposed project.

e. Geology and Soils

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. As described in Section 4.5, *Geology and Soils*, of this EIR, the project site is not within an Alquist-Priolo Fault Zone but is subject to seismic activity. To address seismic hazards, Alternative 3A would be required to comply with State and local seismic safety regulations including the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, Uniform Building Code, California Building Code, and Title 16 of the Duarte Municipal Code. Therefore, Alternative 3A would result in less than significant impacts related to geology and soils, and impacts would be similar to the proposed project.

As described in Section 4.5, *Geology and Soils*, of this EIR, the project site is underlain by modern alluvial fan deposits that have low paleontological sensitivity from the surface to 15 feet below the surface and undetermined paleontological sensitivity greater than 15 feet below the surface. Under Alternative 3A, construction and earthmoving activities, including excavation depths, would be similar to the proposed project and would impact sediments with low paleontological sensitivity. Therefore, Alternative 3A would result in less than significant impacts related to paleontological resources, and impacts would be similar to the proposed project.

f. Greenhouse Gas Emissions

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. Under this alternative, construction activities would be similar to the proposed project and the alternative would not introduce new or additional construction-related GHG emissions.

Compared to proposed project, Alternative 3A would generate 511 additional residents for a total of 981 residents (353 residential units x 2.78 residents per household) (DOF 2024). This would represent a 108 percent increase in residents compared to the proposed project. An additional 511 residents generated by Alternative 3A would result in increased amounts of GHG emissions during operation. However, this alternative would implement the same onsite GHG reducing design features such as EV charging and compliance with the latest Title 24 Building Energy Efficiency Standards, which would ensure that the alternative would comply with applicable plans and regulations. Therefore, this alternative would not conflict with the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy, the City of Duarte General Plan, or the City of Duarte Energy Action Plan, impacts would be greater than the proposed project.

g. Hazards and Hazardous Materials

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. As described in Section 4.7, *Hazards and Hazardous Materials*, of this EIR, the project site is not within any type of identified Fire Hazard Severity Zone, but the southern boundary of the project site directly borders a VHFHSZ in an LRA. The development proposed under Alternative 3A would be required to adhere to the same fire protection measures as the proposed project including California Building Code (CBC) and California Fire Code (CFC) development standards. Although there would be the same potential for this alternative to expose people or structures to a significant risk of loss, injury, or death involving wildland fires, the AB 2295 Partial Build Out Alternative would introduce more people to wildland fire risk, resulting in a greater wildland fires impact. Therefore, Alternative 3A impacts would be greater than the proposed project.

h. Land Use and Planning

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. Under AB 2295, Alternative 3A would be required to comply Government Code §65914.7 that consists of the following criteria:

- The project must include a minimum of 10 units.
- A deed restriction is imposed (see specifics below).
- 100% of the units are rented to LEA employees, or others, but based on a procedure provided by law.

- It is built at the highest density — the greater of what is allowed by the city or county, or the density deemed appropriate to accommodate housing for lower-income households (and is measured based on "development footprint," as defined).
- It is built at the maximum height — the greater of what is allowed by the city or county, or 35 feet.
- It is adjacent to property that permits residential use as a principally permitted use.
- It is located in an "infill site."
- The project satisfies local objective zoning standards, objective subdivision standards and objective design review standards that do not preclude development at the permitted density and height.
- If there are no objective standards for that parcel, the project will be subject to local standards (zoning, parking, design, etc.) of the nearest parcel in a multi-family zone that meets or exceeds the density and height allowed.
- The property is located entirely within any applicable urban limit line or urban growth boundary established by local ordinance.
- It complies with all infrastructure-related requirements, including impact fees that are existing or pending at the time the application is submitted.

Alternative 3A would comply with the AB 2295 criteria, so the General Plan Amendment, zone change, and planned development permit under the proposed project would not be required, but a parcel map, site plan review, and design review would still be required. In addition, this alternative would increase the City's goals to provide housing; however, the level of density may conflict with the surrounding single-family residential development. Therefore, the land use and planning impacts under Alternative 3A would be similar to the proposed project.

i. Noise

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. Under Alternative 3A, construction activities would be similar to the proposed project and the alternative would not introduce additional construction noise and vibration impacts. Compared to the proposed project, the Alternative 3A would result in increased operational noise levels due to the additional 353 residential units and the associated operational noise sources such as outdoor heating, ventilation, and air-conditioning (HVAC). Therefore, impacts would be greater than the proposed project.

j. Public Services

Compared to proposed project, Alternative 3A would generate 511 additional residents for a total of 981 (353 residential units x 2.78 residents per household) (DOF 2024). This would represent a 108 percent increase in residents compared to the proposed project. Thus, this alternative would result in a 108 percent increase in school age residents generated compared to the proposed project. To address the increased demand on DUSD, Alternative 3A would be required to pay applicable developer fees at the time of issuance of building permits per AB 2926 and SB 50, which would contribute to local school funding, reducing the alternative's impact on DUSD facilities. Therefore, Alternative 3A would result in impacts that would be greater than the proposed project.

k. Transportation

Ganddini Group prepared a VMT analysis for Alternative 3A that is included as Appendix D of this EIR. Compared to proposed project, Alternative 3A would generate 511 additional residents for a total of 981 residents (353 residential units x 2.78 residents per household) (DOF 2024). This would represent a 108 percent increase in residents compared to the proposed project.

Alternative 3A would result in a net increase of 28 AM peak hour trips, a net increase of 99 PM peak hour trips, and a net increase of 1,886 daily trips. This increase of operational daily vehicle trips would increase potential impacts associated with conflicts with applicable transportation plans in comparison to the proposed project. However, as discussed in the VMT analysis, this alternative would satisfy the established VMT screening criteria. Therefore, Alternative 3A would not result in potential VMT impact, or result in conditions that would create roadway hazards or impede emergency access at the project site, but impacts would be greater than the proposed project due to the increase in operational daily vehicle trips.

l. Tribal Cultural Resources

Under Alternative 3A, construction and earthmoving activities, including excavation depths, would be similar to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3 would continue to be required, which would reduce the potential for impacts in the event that tribal cultural resources are encountered during ground disturbing activities. Therefore, construction of Alternative 3A would result in less than significant impacts to tribal cultural resources with mitigation, and impacts would be similar to the proposed project.

m. Utilities and Service Systems

Alternative 3A would result in 353 residential units, along with the demolition of the existing school buildings and redevelopment of the Otis Gordon Sports Park. Utilizing the water demand factor of 156 gallons per day per dwelling unit (gpd/du), identified in the Water Supply Assessment prepared for the Westminster Gardens Project by WSC which included an analysis of the proposed project (Appendix J), the residential portion of Alternative 3A would result in a water demand of 55,068 gpd, or 61.5 acre-foot per year (AFY) (353 residential units x 156 gpd = 55,068 gpd). The park portion of this alternative would result in the same water demand as identified in Section 4.13, *Utilities and Service Systems*; 8,300 gpd, or 9.3 AFY, resulting in a total water demand of 63,368 gpd, or 70.8 AFY. This total annual water demand for Alternative 3A would be a 77 percent increase compared to the proposed project's total annual water demand of 30.9 AFY.

As detailed in Section 4.13, *Utilities and Service Systems*, purchase of replacement water from USGVMWD would ensure that the alternative's water demand would be provided by Cal-Am. As such, Cal-Am would have sufficient water supplies to serve the alternative's water demand. Therefore, although Cal-Am would have sufficient supplies to serve Alternative 3A, impacts would be greater than the proposed project.

Comparison of Impacts

As analyzed above, 353 residential units would be developed under Alternative 3A, along with the demolition and relocation of the existing school buildings on the project site and redevelopment of the Otis Gordon Sports Park. As such, Alternative 3A would not reduce any impacts as compared to the proposed project; and would result in the same impacts related to biological resources, cultural

resources, geology and soils, and tribal cultural resources. Alternative 3A would increase impacts related to air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation, and utilities and service systems, as shown in Table 6-2.

Relationship of the Alternative to Project Objectives

Under Alternative 3A, 353 residential units would be developed, along with the demolition and relocation of the existing school buildings on the project site and redevelopment of the Otis Gordon Sports Park. As such, Alternative 3A would meet the underlying purpose of the project and meet all of the project objectives, as described below, and in some cases to a greater degree than the proposed project.

Alternative 3A would meet the following objectives:

- Preserve and improve the Otis Gordon Sports Park for the surrounding community.
  - Alternative 3A would involve the redevelopment of Otis Gordon Sports Park, similar to the proposed project.
- Increase the City's multi-family housing opportunities to help achieve the City's assigned RHNA goal.
  - Alternative 3A would involve the development of 353 multi-family residential units, providing a greater contribution to the City's RHNA goal, as compared to the proposed project.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
  - Alternative 3A would involve the development of 353 multi-family residential units, 71 of which would be provided for low-income households, providing a greater number of total housing units and low-income housing units compared to the proposed project.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and VMT.
  - Alternative 3A would involve the development of 353 multi-family residential units, promoting sustainability and reducing automobile dependency and VMT, similar to the proposed project.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
  - Alternative 3A would involve the development of 353 multi-family residential units, which caters to family housing and is compatible with the existing surrounding neighborhood, similar to the proposed project.
- Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
  - Alternative 3A would involve similar landscaping and design to the proposed project, as detailed in Section 2, *Project Description*, of this EIR.

- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.
  - Alternative 3A would involve the development of 353 multi-family residential units, utilizing sustainable building design practices similar to the proposed project, as detailed in Section 2, *Project Description*, of this EIR.

6.4.4 Alternative 3B: AB 2295 Full Site Build Out

Alternative Description

Similar to Alternative 3A, Alternative 3B involves full buildout of the project site pursuant to California state law AB 2295 (2022). However, Alternative 3B involves full buildout of the entire project site pursuant to AB 2295, compared to full buildout of the residential portion of the project site considered in Alternative 3A. As described under Alternative 3A, AB 2295 streamlines the development of affordable and mixed-income housing for teachers and support staff of California's K-12 public schools on public land owned by a local educational agency. Under AB 2295, all units will prioritize teachers and other school employees as tenants. Since the DUSD can opt to develop the entire project site, Alternative 3B involves residential development throughout the entire 14-acre project site.

Pursuant to AB 2295, a housing development project shall be deemed an allowable use on any real property owned by a local educational agency if the housing development satisfies all the requirements detailed in Section 65914.7 of the California Government Code. Section 65914.7 (a)(4) of the California Government Code identifies that the residential density for the housing footprint shall be greater than the residential density allowed on the parcel by the city or county and the applicable density deemed appropriate to accommodate affordable housing for lower income households, as specified in paragraph 3 of Section 65583.2(c) of the California Government Code. The density of Los Angeles County is identified as 30 dwelling units per acre (du/ac). Thus, under Alternative 3B, the allowable density for the 14-acre project site would be 638 units pursuant to Section 65583.2(c) of the California Government Code. AB 2295 requires at least 30 percent of the residential units to be affordable to low-income households. Section 66915 grants a 50 percent density bonus for any project which provides at least 24 percent of its residential units affordable to lower income households. Since the proposed project would provide 30 percent of its residential units as affordable to lower income households, the project would be allowed a 50 percent density bonus to the allowed 30 du/ac pursuant to Section 65583.2(c) of the California Government Code, resulting in an allowed 45 du/ac. Therefore, in compliance with AB 2295 and Sections 65583.2(c), 65914.7, and 66915 of the California Government Code, this alternative involves the development of 638 residential units (45 du/ac x 14.159 acres = 638 units), 128 of which would be affordable for low-income households (using the base density of 638 units x 0.30 = 128).

Since Alternative 3B would develop the entire site with 638 residential units, Alternative 3B would not involve any redevelopment activities for the Otis Gordon Sports Park. Construction activities under Alternative 3B, such as equipment used, excavation and haul quantities, and construction schedule, would be greater than those under the proposed project due to the substantial increase in residential units developed compared to the proposed project.

Impact Analysis

a. Air Quality

Alternative 3B would demolish or relocate all existing school buildings, demolish the structures associated with the Otis Gordon Sports Park, and develop the entire project site with multi-family residential units. Alternative 3B would involve the development of 638 residential units. Construction activities for this alternative would be greater than the proposed project, as the alternative's 638 residential units would be developed throughout the entire project site. Therefore, the alternative would result in an increase in short-term air quality and fugitive dust emissions (PM_{10} and $PM_{2.5}$) impacts during construction in comparison to the proposed project.

Compared to proposed project, Alternative 3B would generate 1,774 additional residents for a total of 2,244 residents (638 residential units x 2.78 residents per household (Department of Finance [DOF] 2024). This would represent a 377 percent increase in residents compared to the proposed project. The additional residents associated with Alternative 3B would result in an increase of daily vehicle trips due to the additional residents traveling to and from the project site each day. Alternative 3B would result in the same less than significant impacts related to the creation of objectionable odors as identified in Section 4.1, *Air Quality*, of this EIR. An additional 1,774 residents generated, and the anticipated increased daily vehicle trips would result in increased impacts related to emissions of criteria pollutants and exposure of sensitive receptors to substantial pollutant concentration during operation. Therefore, impacts would be greater than the proposed project.

b. Biological Resources

Under Alternative 3B, construction and ground-disturbing activities would be greater than the proposed project, as the alternative's 638 residential units would be developed throughout the entire project site. As with the proposed project, this alternative could potentially disturb special-status plants, wildlife, or sensitive vegetation communities. Mitigation Measure BIO-1 would continue to be required, ensuring nesting bird avoidance and pre-construction surveys are implemented prior to ground disturbing activities. Implementation of Mitigation Measure BIO-1 would ensure that Alternative 3B would result in less than significant impacts to biological resources with mitigation, and impacts would be similar to the proposed project.

c. Cultural Resources

Under Alternative 3B, construction and earthmoving activities would be greater than the proposed project, due to an increase in number of residential units and construction area. As with the proposed project, this alternative could potentially disturb previously undiscovered archaeological resources. Mitigation Measures CUL-1, CUL-2, and CUL-3 would continue to be required, ensuring a workers environmental awareness program training, retention of a qualified archaeologist and archaeological monitoring, and identified procedures are implemented in the event that archaeological resources are encountered during ground disturbing activities. Therefore, although there would be increased construction activities under Alternative 3B, impacts to cultural resources would be less than significant with mitigation, and impacts would be similar to the proposed project.

d. Energy

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. Under this alternative, construction activities would be greater than the proposed project and thus the alternative would result in increased construction-related energy demand.

Compared to proposed project, Alternative 3B would generate 1,774 additional residents for a total of 2,244 residents (638 residential units x 2.78 residents per household)(DOF 2024). This would represent a 377 percent increase in residents compared to the proposed project. An additional 1,774 residents generated by Alternative 3B would result in increased amounts of energy during operation through increased residential energy use on-site and additional vehicle daily trips. However, Alternative 3B would implement the same on-site energy demand reducing design features such as electric vehicle (EV) charging and compliance with the latest Title 24 Building Energy Efficiency Standards, CALGreen Code, and California Building Standards Code, which would ensure that the alternative would comply with applicable plans and regulations. Impacts would be greater than the proposed project.

e. Geology and Soils

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. As described in Section 4.5, *Geology and Soils*, of this EIR, the project site is not within an Alquist-Priolo Fault Zone but is subject to seismic activity. To address seismic hazards, Alternative 3B would be required to comply with State and local seismic safety regulations including the Alquist-Priolo Earthquake Fault Zoning Act, Seismic Safety Act, Seismic Hazards Mapping Act, Uniform Building Code, California Building Code, and Title 16 of the Duarte Municipal Code. Therefore, Alternative 3B would result in less than significant impacts related to geology and soils, and impacts would be similar to the proposed project.

As described in Section 4.5, *Geology and Soils*, of this EIR, the project site is underlain by modern alluvial fan deposits that have low paleontological sensitivity from the surface to 15 feet below the surface and undetermined paleontological sensitivity greater than 15 feet below the surface. Under Alternative 3B, construction and earthmoving activities would be increased compared to the proposed project and would potentially impact sediments with low paleontological sensitivity. Therefore, impacts would be greater than the proposed project.

f. Greenhouse Gas Emissions

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. Under this alternative, construction activities would be greater than the proposed project and the alternative would introduce increased construction-related GHG emissions.

Compared to proposed project, Alternative 3B would generate 1,774 additional residents for a total of 2,244 residents (638 residential units x 2.78 residents per household) (DOF 2024). This would represent a 377 percent increase in residents compared to the proposed project. An additional 1,774 residents generated by Alternative 3B would result in increased amounts of GHG emissions during operation. However, this alternative would implement the same onsite GHG reducing design features such as EV charging and compliance with the latest Title 24 Building Energy Efficiency Standards, which would ensure that the alternative would comply with applicable plans and

regulations. Therefore, this alternative would not conflict with the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy, the City of Duarte General Plan, or the City of Duarte Energy Action Plan, impacts would be greater than the proposed project.

g. Hazards and Hazardous Materials

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. As described in Section 4.7, *Hazards and Hazardous Materials*, of this EIR, the project site is not within any type of identified Fire Hazard Severity Zone, but the southern boundary of the project site directly borders a VHFHSZ in an LRA. The development proposed under Alternative 3B would be required to adhere to the same fire protection measures as the proposed project including CBC and CFC development standards. Although there would be the same potential for this alternative to expose people or structures to a significant risk of loss, injury, or death involving wildland fires, the AB 2295 Build Out Alternative would introduce more people to wildland fire risk, resulting in a greater wildland fires impact. Therefore, Alternative 3B impacts would be greater than the proposed project.

h. Land Use and Planning

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. Under AB 2295, Alternative 3B would be required to comply the criteria established by Government Code §65914.7 (see the list of criteria under Alternative 3A). Alternative 3B would comply with the AB 2295 criteria, so the General Plan Amendment, zone change, and planned development permit under the proposed project would not be required, but a parcel map, site plan review, and design review would still be required. In addition, this alternative would increase the City's goals to provide housing; however, the level of density may conflict with the surrounding single-family residential development. Therefore, the land use and planning impacts under Alternative 3B would be similar to the proposed project.

i. Noise

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. Under Alternative 3B, construction activities would be greater than the proposed project and the alternative would introduce increased construction noise and vibration impacts. Compared to the proposed project, Alternative 3B would result in increased operational noise levels due to the additional 683 residential units and the associated operational noise sources such as outdoor heating, ventilation, and air-conditioning (HVAC). Therefore, impacts would be greater than the proposed project.

j. Public Services

Compared to proposed project, Alternative 3B would generate 1,774 additional residents for a total of 2,244 (638 residential units x 2.78 residents per household) (DOF 2024). This would represent a 377 percent increase in residents compared to the proposed project. Thus, this alternative would result in a 377 percent increase in school age residents generated compared to the proposed project. To address the increased demand on DUSD, Alternative 3B would be required to pay applicable developer fees at the time of issuance of building permits per AB 2926 and SB 50, which would contribute to local school funding, reducing the alternative's impact on DUSD facilities. Therefore, Alternative 3B would result in impacts that would be greater than the proposed project.

k. Transportation

Ganddini Group prepared a VMT analysis for Alternative 3B that is included as Appendix D of this EIR. Compared to proposed project, Alternative 3B would generate 1,774 additional residents for a total of 2,244 residents (638 residential units x 2.78 residents per household) (DOF 2024). This would represent a 377 percent increase in residents compared to the proposed project.

Alternative 3B would result in a net increase of 140 AM peak hour trips, a net increase of 211 PM peak hour trips and a net increase of 3,659 daily trips. The increase in operational daily vehicle trips would increase potential impacts associated with conflicts with applicable transportation plans in comparison to the proposed project. However, as discussed in the VMT analysis, the alternative would satisfy the established VMT screening criteria, similar to the proposed project. Therefore, Alternative 3B would not result in potential impacts associated with conflicts with applicable transportation plans or VMT, or result in conditions that would create roadway hazards or impede emergency access at the project site, but impacts would be greater than the proposed project due to the increase in operational daily vehicle trips.

l. Tribal Cultural Resources

Under Alternative 3B, construction and earthmoving activities would increase compared to the proposed project. As with the proposed project, this alternative could potentially disturb previously undiscovered tribal cultural resources. Mitigation Measures TCR-1 through TCR-3 would continue to be required, which would reduce the potential for impacts in the event that tribal cultural resources are encountered during ground disturbing activities. Therefore, although there would be increased construction activities under Alternative 3B, impacts to tribal cultural resources would be less than significant with mitigation, and impacts would be similar to the proposed project.

m. Utilities and Service Systems

Alternative 3B would result in 638 residential units, along with the demolition of the existing school buildings and structures associated with the Otis Gordon Sports Park. Utilizing the water demand factor of 156 gallons per day per dwelling unit (gpd/du), identified in the Water Supply Assessment prepared for the Westminster Gardens Project by WSC which included an analysis of the proposed project (Appendix J), Alternative 3B would result in a water demand of 99,528 gpd, or 111.5 AFY (638 residential units x 156 gpd = 99,528 gpd). This estimated annual water demand for Alternative 3B would be a 261 percent increase compared to the proposed project's total annual water demand of 30.9 AFY.

As detailed in Section 4.13, *Utilities and Service Systems*, purchase of replacement water from USGVMWD would ensure that the alternative's water demand would be provided by Cal-Am. As such, Cal-Am would have sufficient water supplies to serve the alternative's water demand. Therefore, although Cal-Am would have sufficient water supplies to serve Alternative 3B, impacts would be greater than the proposed project.

Comparison of Impacts

As analyzed above, 638 residential units would be developed under Alternative 3B, along with the demolition and relocation of the existing school buildings and structures associated with the Otis Gordon Sports Park on the project site. As such, Alternative 3B would not reduce any impacts as compared to the proposed project; and would result in the same impacts related to biological resources, cultural resources, geology and soils, and tribal cultural resources. Alternative 3B would

increase impacts related to air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation, and utilities and service systems, as shown in Table 6-2.

Relationship of the Alternative to Project Objectives

Under Alternative 3B, 638 residential units would be developed, along with the demolition and relocation of the existing school buildings on the project site and structures associated with the Otis Gordon Sports Park. As such, Alternative 3B would not redevelop and improve the Otis Gordon Sports Park, or meet the majority of the project objectives, as described below. Alternative 3B would meet the following objectives:

- Increase the City's multi-family housing opportunities to help achieve the City's assigned RHNA goal.
  - Alternative 3B would involve the development of 638 multi-family residential units, providing a greater contribution to the City's RHNA goal, as compared to the proposed project.
- Provide a portion of the units as moderate income options to address a housing need identified in the City's 2021-2029 Housing Element.
  - Alternative 3B would involve the development of 638 multi-family residential units, 128 of which would be provided for low-income households, providing a greater number of total housing units and low-income housing units compared to the proposed project.
- Maximize medium-high density housing opportunities thereby promoting sustainability and reducing automobile dependency and VMT.
  - Alternative 3B would involve the development of 638 multi-family residential units, promoting sustainability and reducing automobile dependency and VMT, similar to the proposed project.
- Encourage a neighborhood that caters to family housing and blends well with the existing neighborhood be providing similar house sizes.
  - Alternative 3B would involve the development of 638 multi-family residential units, which caters to family housing and is compatible with the existing surrounding neighborhood, similar to the proposed project.
- Incorporate State and regional sustainable building design practices to improve building performance, minimize energy consumption, and promote greater health and wellness.
  - Alternative 3B would involve the development of 638 multi-family residential units, utilizing sustainable building design practices similar to the proposed project, as detailed in Section 2, *Project Description*, of this EIR.

Alternative 3B would partially meet the following objective:

- Revitalize the underutilized project site with a well-designed and landscaped residential and recreational project that is compatible with the surrounding area.
  - Alternative 3B would involve similar landscaping and design to the proposed project, as detailed in Section 2, *Project Description*, of this EIR. However, Alternative 3B would not involve redevelopment of the Otis Gordon Sports Park and would thus not be considered a recreational project.

Alternative 3B would not meet the following objective:

- Preserve and improve the Otis Gordon Sports Park for the surrounding community.
  - Alternative 3B would not involve the redevelopment of Otis Gordon Sports Park. Instead, Alternative 3B would demolish the Otis Gordon Sports Park which would not meet the Project Objective.

6.5 Environmentally Superior Alternative

Alternative 1 (*No Project)* would leave the project site in its existing condition; the site would remain occupied with the Duarte Preschool on the eastern portion of the project site and the Otis Gordon Sports Park, the MIT School, and an existing wireless communications building on the western portion of the project site. The Duarte Preschool and MIT school would operate at the existing employment and enrollment capacity. In addition, no construction would occur; therefore, the mitigation measures associated with construction air quality emissions reductions, nesting bird avoidance surveys, monitoring for cultural resources, construction noise reduction, and monitoring for tribal cultural resources would not be required. Alternative 1 would not construct new structures or expand existing structures such that site operations would increase. As such, Alternative 1 would reduce impacts related to air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, land use and planning, noise, public services, transportation, tribal cultural resources, and utilities and service systems and would result in the same impacts related to hazards and hazardous materials, as shown in Table 6-2. However, Alternative 1 would not fulfill most of the project objectives because the alternative would not involve residential development.

Alternative 2 (*Previous Full Capacity of School)* would leave the project site in its existing condition; the site would remain occupied with the Andres Duarte Arts Academy, Otis Gordon Sports Park, MIT School, and an existing wireless communications building. The Andres Duarte Arts Academy would operate at previous full capacity of 684 students and the MIT school would operate at previous full capacity of 162 students. In addition, no construction would occur; therefore, the mitigation measures associated with construction air quality emissions reductions, nesting bird avoidance surveys, monitoring for cultural resources, construction noise reduction, and monitoring for tribal cultural resources would not be required. Alternative 2 would not construct new structures or expand existing structures such that site operations would increase. As such, Alternative 2 would reduce impacts related to biological resources, cultural resources, geology and soils, land use and planning, public services, and tribal cultural resources; would result in the same impacts related to energy, greenhouse gas emissions, hazards and hazardous materials, transportation, and utilities and service systems; and would increase impacts related to air quality and noise, as shown in Table 6-2. Alternative 2 would not fulfill most of the project objectives because the alternative would not involve residential development. Additionally, Alternative 2 is not considered a viable alternative because the Andres Duarte Arts Academy previously ceased operations due to low enrollment and the City's Board of Education determined the project site was surplus land no longer needed for education purposes by DUSD. Thus, it is not anticipated that DUSD has enough students to operate the Andres Duarte Arts Academy and MIT school at the previous full capacity.

Alternative 3A (*AB 2295 Build Out)* would demolish or relocate all existing school buildings, redevelop the Otis Gordon Sports Park, and develop the eastern portion of the project site with multi-family residential units. Alternative 3Awould involve the development of 353 residential units, 71 of which would be dedicated as affordable for low-income households. Construction activities for Alternative 3A would be similar to the proposed project, as the alternative's 353 residential units

would be developed within the same development footprint. During construction, as with the proposed project, implementation of the mitigation measures associated with construction air quality emissions reductions, nesting bird avoidance surveys, monitoring for cultural resources, construction noise reduction, and monitoring for tribal cultural resources would be required. As such, Alternative 3A would result in the same impacts related to biological resources, cultural resources, geology and soils, and tribal cultural resources; and would increase impacts related to air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation, and utilities and service systems, as shown in Table 6-2. Alternative 3A would fulfill all of the project objectives, and in some cases to a greater extent than the proposed project.

Alternative 3B (*AB 2295 Full Site Build Out)* would demolish or relocate all existing school buildings and structures associated with the Otis Gordon Sports Park and develop the entire project site with multi-family residential units. Alternative 3B would involve the development of 353 residential units, 128 of which would be dedicated as affordable for low-income households. Construction activities under Alternative 3B would be greater than the proposed project, as the alternative involves demolition and construction activities throughout the entire project site. During construction, as with the proposed project, implementation of the mitigation measures associated with construction air quality emissions reductions, nesting bird avoidance surveys, monitoring for cultural resources, construction noise reduction, and monitoring for tribal cultural resources would be required. As such, Alternative 3B would result in the same impacts related to biological resources, cultural resources, geology and soils, and tribal cultural resources; and would increase impacts related to air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation, and utilities and service systems, as shown in Table 6-2. Alternative 3B would not fulfill some of the project objectives because the alternative would not involve the redevelopment of the Otis Gordon Sports Park.

Section 15126.6(e)(2) of the *CEQA Guidelines* indicates an analysis of alternatives to a project shall identify an environmentally superior alternative based on the alternatives evaluated in an EIR. The environmentally superior alternative is defined as the alternative with the least adverse impacts on the project site and its surrounding environment. Section 15126.6(e)(2) also states if the No Project Alternative is identified as the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. Table 6-2 indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed project for each of the issue areas studied. Based on the alternatives analysis provided above, the No Project Alternative would be the environmentally superior alternative.

In accordance with the requirements of the *CEQA Guidelines* to identify an environmentally superior alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 2, Previous Full Capacity of Schools, would be the environmentally superior alternative. Although Alternative 2 would result in increased air quality and noise impacts, Alternative 2 would reduce the project's potential impacts to the greatest degree compared to the other alternatives due to the lack of construction and zone change associated with the proposed project, Alternative 3A, and Alternative 3B.

While Alternative 2 is identified as the Environmentally Superior Alternative, it is noted that Alternative 2 would not meet the purpose of the increasing the City's stock of multi-family housing units, and Alternative 2 would not satisfy the project objectives to the same extent as the proposed project.

Table 6-2 Impact Comparison of Alternatives

Issue	Proposed Project Impact Classification	Alternative 1: No Project Alternative	Alternative 2: Previous Full Capacity of Schools	Alternative 3A: AB 2295 Partial Site Build Out	Alternative 3B: AB 2295 Full Site Build Out
Air Quality	Less than Significant with Mitigation Incorporated	-	+	+	+
Biological Resources	Less than Significant with Mitigation Incorporated	-	-	=	=
Cultural Resources	Less than Significant with Mitigation Incorporated	-	-	=	=
Energy	Less than Significant	-	=	+	+
Geology and Soils	Less than Significant	-	-	=	=
Greenhouse Gas Emissions	Less than Significant	-	=	+	+
Hazards and Hazardous Materials	Less than Significant	=	=	+	+
Land Use and Planning	Less than Significant	-	-	+	+
Noise	Less than Significant with Mitigation Incorporated	-	+	+	+
Public Services	Less than Significant	-	-	+	+
Transportation	Less than Significant	-	=	+	+
Tribal Cultural Resources	Less than Significant with Mitigation Incorporated	-	-	=	=
Utilities and Service Systems	Less than Significant	-	=	+	+

+ Inferior to the proposed project (increased level of impact)

- Superior to the proposed project (decreased level of impact)

= Similar level of impact to the proposed project

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