ORANGE WESTSIDE LINEAR PARK PROJECT

MITIGATED NEGATIVE DECLARATION ENV NO. 1886-24

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December 5, 2025

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MITIGATED NEGATIVE DECLARATION ENV NO. 1886-24

Project Title: Orange Westside Linear Park Project

Reference Application Numbers:
ENV No. 1886-24

Lead Agency: City of Orange
Planning Division

Contact Person and Telephone No.:
Arlen Beck 714-744-7272

Project Proponent and Address:
City of Orange
Parks and Facilities Department
300 E. Chapman Ave.
Orange, California 92866
City of Orange

Contact Person and Telephone No.:
Robert Ambriz, Jr.
714-744-7283

Project Location:
The project site is located in the City of Orange along the west side of the Santa Ana River on County of Orange Flood Control property in the southwestern portion of the City. The City is located in northern Orange County, north of the county seat of Santa Ana, and just southeast of Anaheim (See Exhibit 1, Regional Location Map). An existing bike trail defines the eastern boundary of the project site and follows the Santa Ana River Channel in a north-south direction. The site is bounded to the north by Chapman Avenue, to the south by the Interstate 5 Freeway (I-5 Freeway), to the east by the Santa Ana River Trail (SART), and vacant land to the west (See Exhibit 2, Project Vicinity Map). The property consists of a 1.8-acre portion of County Parcel E01-1116.01 and is currently vacant with several mature trees scattered throughout the site. The site is in Section 36, Township 4 South, Range 10 West (San Bernardino Base and Meridian-SBBM) in U.S.G.S. Anaheim 7.5-minute topographic map. The site is located at Latitude 33° 47' 11.75" North and Longitude 117° 52' 59.40" West.

Existing General Plan Designation:
Open Space (OS)

Existing Zoning Classification:
RO – Recreation Open Space

Environmental Setting:
The project site is located in a completely urbanized area in the southwest corner of the City of Orange. The property is bounded to the north by Chapman Avenue, with a mixed-use development across the street featuring multi-family residential units. The project site is vacant with 11 mature oak trees scattered throughout the site, as well as an existing bike trail that runs along the western edge of the Santa Ana River. The site is bounded to the south by the Interstate I-5 Freeway, the east by the Santa Ana River channel, and to the west by currently vacant land (site of a former Motel 6 and a Denny's restaurant but entitled for development of a hotel). Further to the west is a small shopping plaza featuring several businesses and restaurants. There is an existing bike trail that traverses the eastern boundary of the site along the river in a north-south direction. The site is relatively flat featuring a gentle slope rising up away from the riverbed, the approximate elevation of the site being 136 feet above mean sea level (amsl).

Surrounding Land Uses:

The 1.8-acre site is bounded on the north by Chapman Avenue, on the south by the I-5 Freeway, on the west by a large plot of previously developed but currently vacant land featuring tall grasses and weeds, and on the east by the Santa Ana River channel and SART, with Anita Drive and State Route 57 (SR-57) further to the east across the river (see Table 1).

Table 1
Surrounding Land Uses

Direction	General Plan Designation	Zoning District	Existing Land Use
Project Site	Open Space (OS)	RO – Recreation Open Space	Vacant
North	Urban Mixed-Use (UMIX)	P-C – Planned Community	Multi-Family Residential
South	Open Space (OS)	RO – Recreation Open Space	Interstate-5 Highway Santa Ana River
East	Open Space (OS) General Commercial (GS)	RO – Recreation Open Space C-1 – Limited Business	Santa Ana River Light Industrial/ Commercial Businesses
West	General Commercial (GS)	C-2 – General Business	Undeveloped Land (proposed commercial office building) and Commercial Plaza

PROJECT DESCRIPTION

The proposed park will be developed on an approximately 1.8-acre portion of a parcel along the west bank of the Santa Ana River (OC Parcel E01-1116.01). The proposed project will include the development of a new park adjacent to an existing bike trail (see Exhibit 3, *Conceptual Park Plan*). The proposed park can be divided into the following sections with different amenities provided in each section:

- There will be a monument sign at the entrance along Chapman Avenue. for guests entering the park.
- The eastern part of the park is designed as an interface between park goers and bikers passing by on the SART. Amenities will include trash cans, tables and benches, drinking fountains and water bottle stations, and shade canopies.
- The central and southern portions of the park will be a combination of educational or passive uses with proposed amenities that include furnishings integrated into the landscape, educational/interpretative signage, and public art on display. The activities in this area are described as immersive and active. As outlined in Exhibit 3, this portion of the park will feature shaded play areas intended for children aged 2-5 and 5-12 years old. Other amenities include but are not limited to a skate plaza in the southern end of the site and a fitness area.

Security for the park will involve 2 vehicular trips per day to unlock/open the park and lock/close the park each day. Maintenance of the park is expected to be minimal with 1-2 vehicular trips per month although trash will require weekly removal or more often, as needed. The Orange Police Department

will regularly patrol the park area as part of their normal operations. Hours of park operation will be 5am to 11pm Monday through Sunday. The site will have solar-powered light-emitting diode (LED) area lighting, security cameras, ADA concrete paving, fencing, monumentation/trail signage. The site will also have low impact design features to minimize offsite runoff. Per Orange Municipal Code Title 7, Chapter 7.01, implementation of Best Management Practices (BMPs), described within the Storm Water Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control Plans (ESCP), the site will address site specific pollutant and drainage issues related to construction of the proposed project.

In addition, the vacant land being developed west of the park site may eventually have linear parking with up to five parking spaces as part of a planned hotel development. However, this is not a proposed improvement of this park project.

Project Construction:

The proposed park is estimated to take approximately five (5) months to construct with work expected to begin in Spring 2026. Use of the park will be by pedestrians and bicyclists accessing it from the SART or from Chapman Avenue. Maintenance of the park is expected to be minimal with 1-2 vehicular trips per month although trash will require weekly removal or more often, as needed. The Orange Police Department will regularly patrol the park area, including day- and night-time operations for security purposes. Due to the type of equipment being installed and the size of the site, minimal grading is expected. Deep excavations (generally more than 6 feet) or significant amounts of soil import or export (more than 500 cubic yards) are not anticipated.

Santa Ana River Levee Project:

The County of Orange is working on the proposed redevelopment/raising of an existing setback levee located along the Santa Ana River (SAR) Reach 5 between Chapman Avenue and the I-5 Freeway. The redevelopment, as proposed by OC Flood Programs, will bring the levee into compliance with the United States Army Corps of Engineers (USACE) lower levee elevation requirements, as the levee at its current height is approximately 1.5 to 4 feet lower than required (average 3 feet) per the USACE General Design Memorandum (GDM). The park project site is located approximately 50 feet west of the top of the lower levee. This County levee project is adjacent and just east of the project site but the two projects are completely independent of each other and are being carried out by two different agencies (City and County). The park project will also undergo environmental analysis under the National Environmental Policy Act (NEPA) under the jurisdiction of the Department of Housing and Urban Development (HUD) because the City is utilizing federal funds from HUD to help build the park. However, according to the applicable federal Flood Insurance Rate Map (FIRM) the project site is not and will not be within the Federal Flood Risk Management Standard (FFRMS) floodplain so little or no impacts are expected in this regard. At present, the City understands the County anticipates construction of the levee to begin by June 2026.

City Approvals:

- City Council approval of the Park Plan
- City Council adoption of the Mitigated Negative Declaration

Other Public Agencies Whose Approval is Required (Responsible or Trustee Agencies):

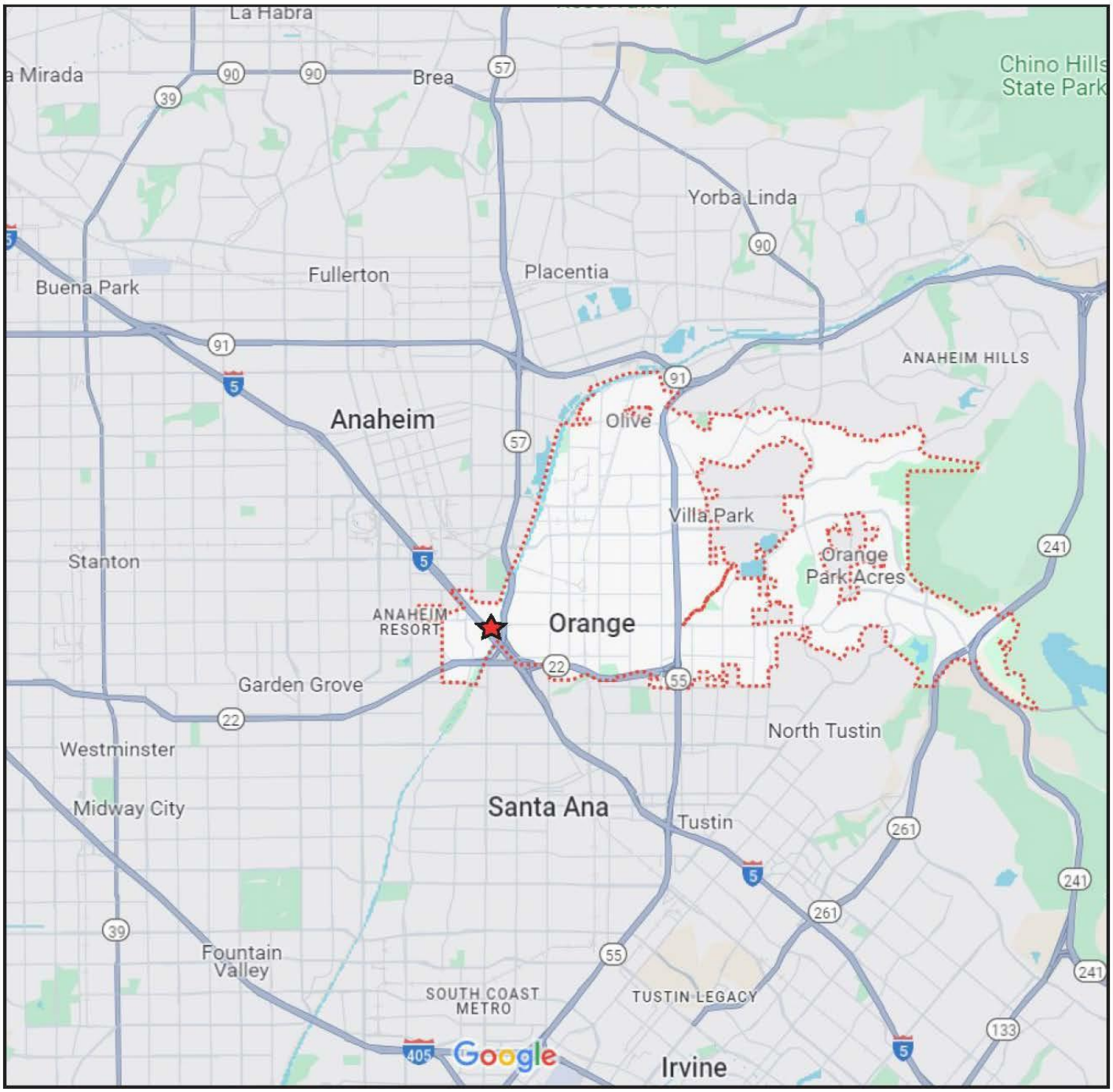
- Orange County Flood Control District (if an encroachment permit is needed)

Scheduled Public Meetings or Hearings:

This Initial Study/Mitigated Negative Declaration (MND) will be considered for approval along with the Project's schematic design plans at a noticed public hearing, which will be scheduled and noticed at a later date.

Acronyms:

AMSL	Above Mean Sea Level
BMP	Best Management Practices (water quality)
CEQA	California Environmental Quality Act of 1970
CFR	U.S. Code of Federal Regulations
CGP	Construction General Permit
CPTED	Crime Prevention Though Environmental Design
EO	Executive Order
ESA	Environmental Site Assessment (Phase 1)
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FFRMS	Federal Flood Risk Management Standard (HUD regulations)
GDM	General Design Memorandum (of USACE)
HUD	Housing and Urban Development Department (federal)
IS/MND	Initial Study/Mitigated Negative Declaration (CEQA compliance document)
LIP	Local Improvement Plan
LUST	Leaking Underground Storage Tank
NEPA	National Environmental Policy Act of 1969
NPDES	National Pollution Discharge Elimination System
OCFCD	Orange County Flood Control District
OPD	Orange Police Department
SART	Santa Ana River Trail
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USGS	United States Geological Survey
UWMP	Urban Water Management Plan



Project Location ★

Not to Scale

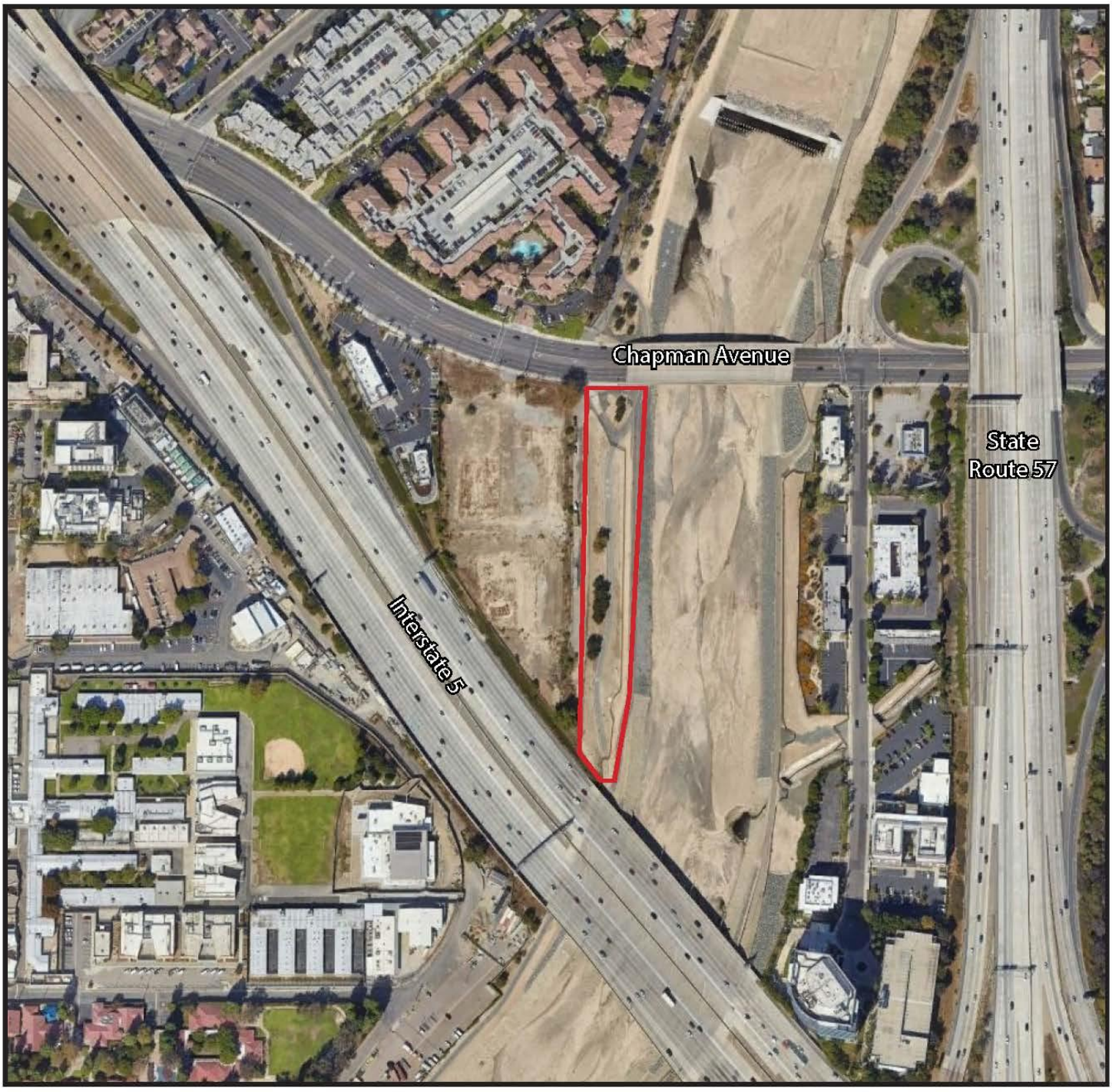
Source: Google Maps

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Exhibit 1 Regional Location Map

Orange Westside Linear Park Project
Orange, California

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Project Site

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Source: Google Earth Pro

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Exhibit 2 Project Vicinity Map

Orange Westside Linear Park Project
Orange, California

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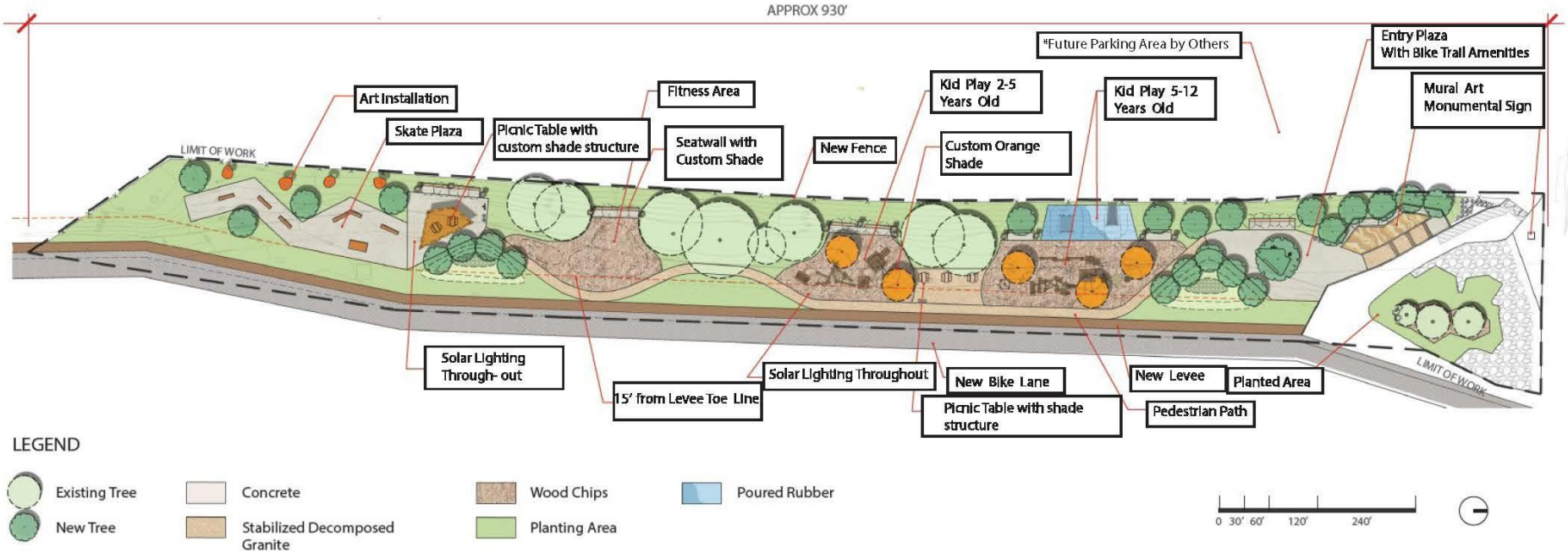


Exhibit 3 Conceptual Park Plan

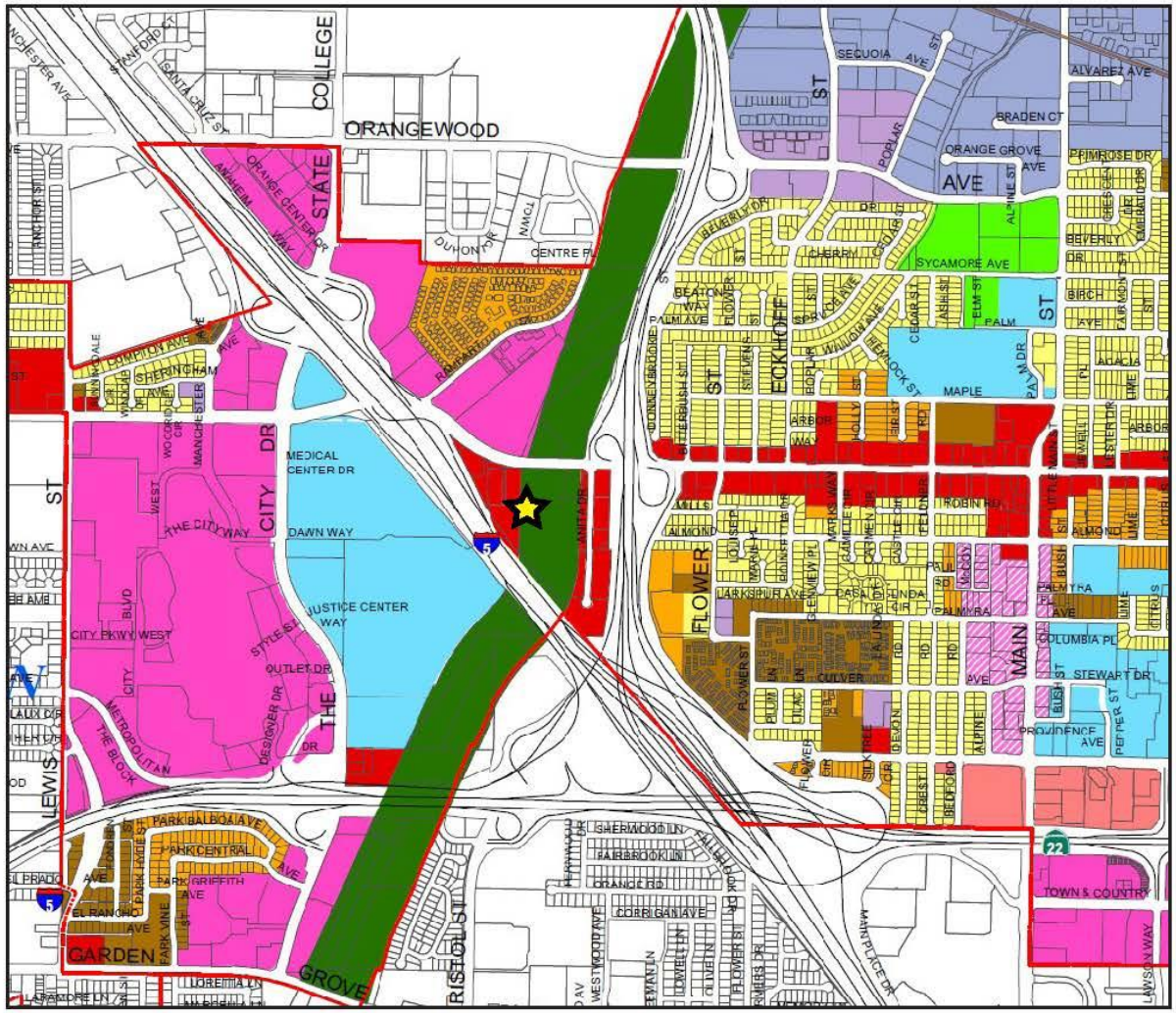
Orange Westside Linear Park Project
Orange, California

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Legend

- Estate Low Density Residential 1-2 du/ac
- Low Density Residential 2-6 du/ac
- Low Medium Residential 6-15 du/ac
- Medium Density Residential 15-24 du/ac
- Neighborhood Mixed Use Max. 15 du/ac; 1.5 FAR
- Neighborhood Mixed Use Max. 24 du/ac; 1.5 FAR
- Old Towne Mixed Use 6-15 du/ac; Max. 0.6 FAR
- Old Towne Mixed Use 6-15 du/ac; 0.5-1.0 FAR
- Old Towne Mixed Use 6-24 du/ac; 1.0-1.5 FAR
- Urban Mixed Use 30-60 du/ac; 1.5-3.0 FAR
- Recreational Commercial Max. 0.35 FAR
- Urban Office Professional 1.5-3.0 FAR
- General Commercial Max. 1.0 FAR
- Neighborhood Office Professional Max. 0.5 FAR
- Light Industrial Max. 1.0 FAR (3 Story ht. limit)
- Industrial Max. 0.75 FAR
- Public Facilities Max. 0.5 FAR and Institutions Max. 2.0 FAR
- Open Space
- Open Space Park
- Open Space Ridgeline
- Resource Area

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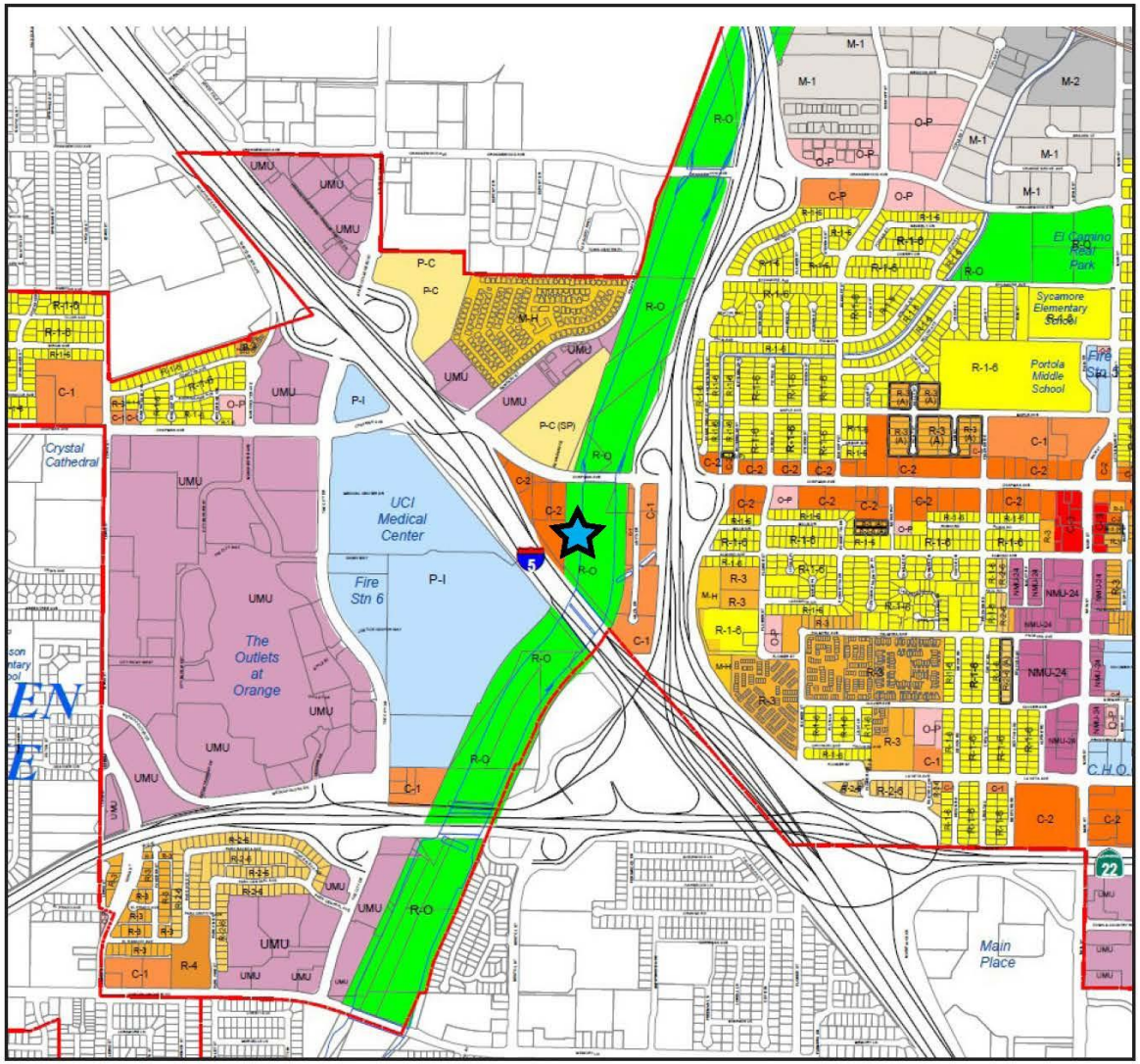
Project Location ★

Exhibit 4 General Plan Designations

Orange Westside Linear Park Project
Orange, California

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S-H	Slope & Hazard
A-1	Agricultural
R-O	Recreation Open Space
R-1-40	Single Family Res. 40000 sq ft
R-1-20	Single Family Res. 20000 sq ft
R-1-15	Single Family Res. 15000 sq ft
R-1-12-E	Single Family Res. 12000 sq ft Equestrian Overlay District
R-1-12	Single Family Res. 12000 sq ft
R-1-10	Single Family Res. 10000 sq ft
R-1-8	Single Family Res. 8000 sq ft
R-1-7	Single Family Res. 7000 sq ft
R-1-7 (P)	Single Family Res. 7000 sq ft Parking Overlay
R-1-6	Single Family Res. 6000 sq ft
R-1-6 (A)	Single Family Res. 6000 sq ft Single Story Overlay
R-1-6 (P)	Single Family Res. 6000 sq ft Parking Overlay
R-2-6	Residential Duplex 6000 sq ft
R-2-6 (A)	Residential Duplex 6000 sq ft Single Story Overlay
R-2-6 (P)	Residential Duplex 6000 sq ft Parking Overlay
R-2-7	Residential Duplex 7000 sq ft
R-2-8	Residential Duplex 8000 sq ft
R-3	Residential Multiple Family
R-3(A)	Residential Multiple Family Single Story Overlay
R-3(P)	Residential Multiple Family Parking Overlay
R-4	Residential Max. Mult. Family
M-H	Mobile Home
P-C	Planned Community
P-I	Public Institution
P-I (SP)	Public Institution Chapman University Santa Fe Depot St Johns
UMU	Urban Mixed Use
NMU-24	Neighborhood Mixed Use
OTMU-15	Old Towne Mixed Use-15
OTMU-15S	Old Towne Mixed Use Spoke Street
OTMU-24	Old Towne Mixed Use-24
O-P	Office Professional
C-P	Commercial Professional
C-1	Limited Business
C-TR	Limited Business Tustin Redevelopment Project Area
C-2	General Business
C-R	Commercial Recreation
C-3	Commercial
S-G	Sand & Gravel
M-1	Light Manufacturing
M-2	Industrial
OCFCD	O.C.F.C.D.
UNZONED	Unzoned



Project Location ★

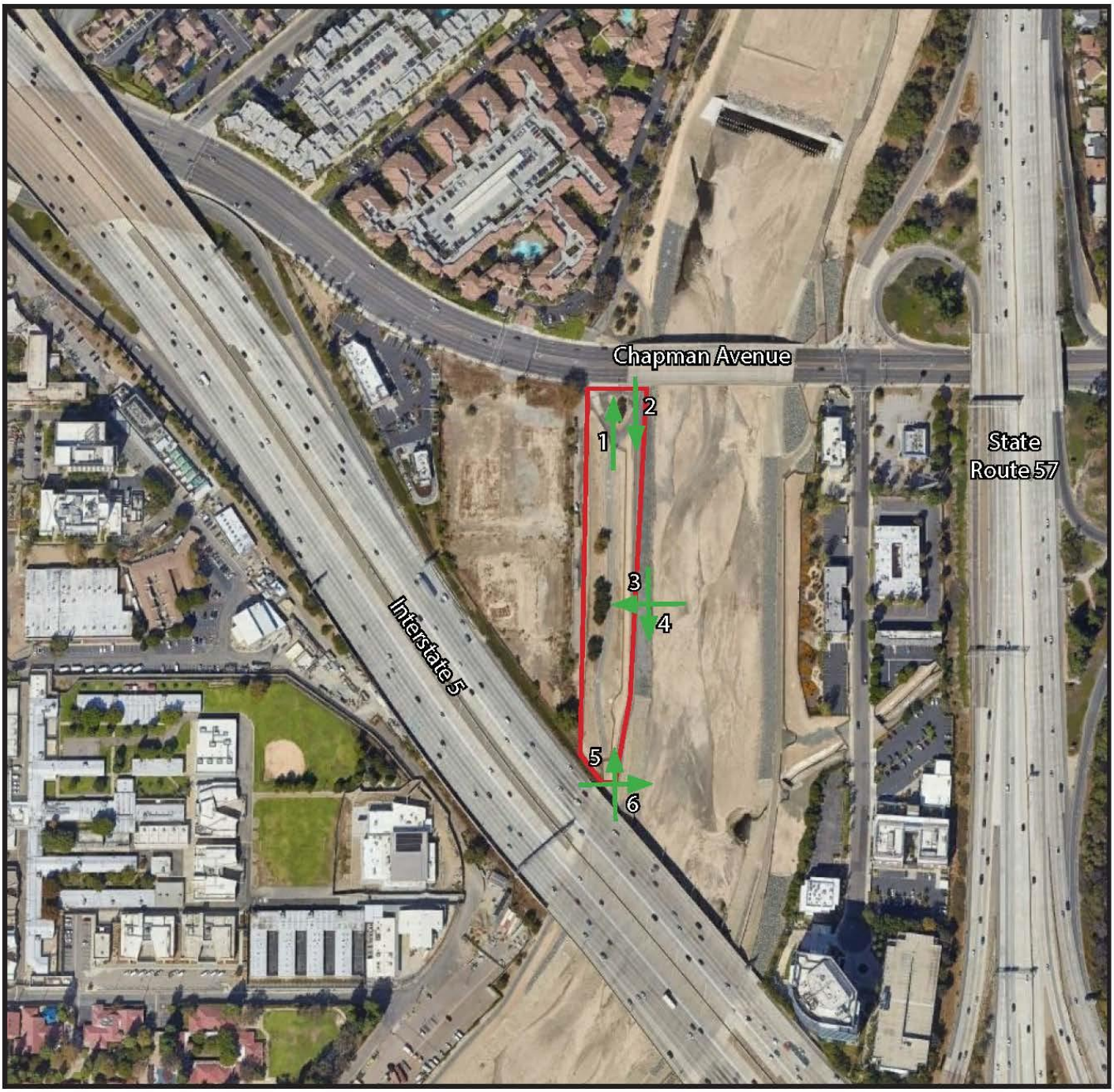
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City of Orange - Municipal Code

Exhibit 5 Zoning Classifications

Orange Westside Linear Park Project
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Exhibit 6 Site Photos

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Orange, California

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Photo 1: Fork in bike path looking North towards Chapman Avenue.

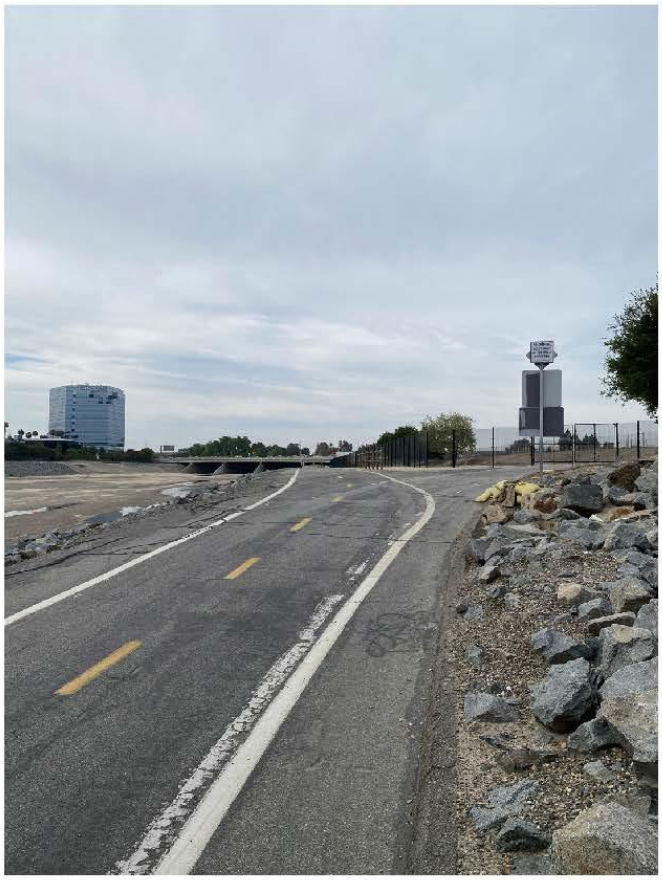


Photo 2: Looking south down bike path from under Chapman Avenue overpass.

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Photo 3: Looking west towards center of project site along Santa Ana River bike path.

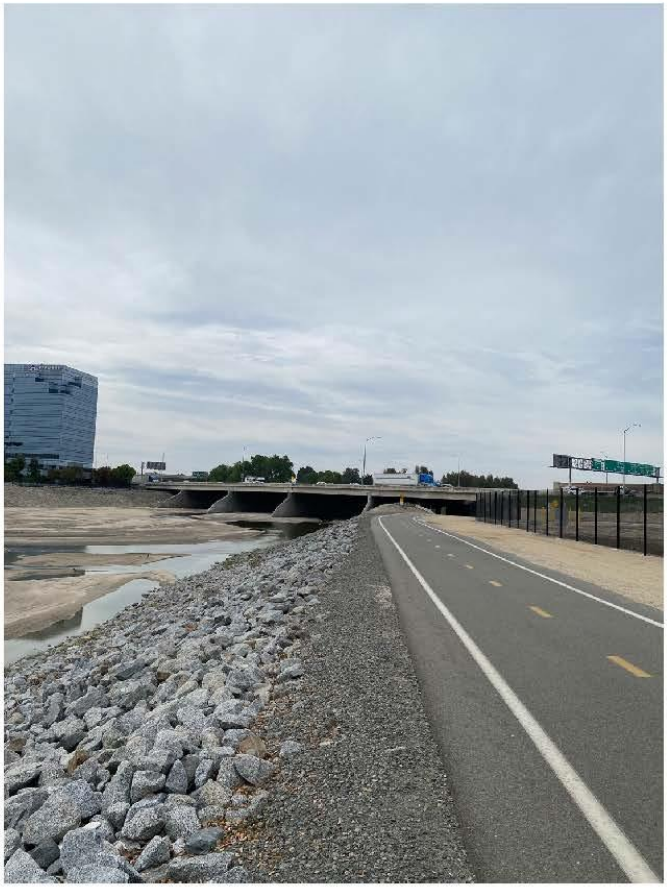


Photo 4: Looking south towards Interstate 5 Freeway along Santa Ana River bike path.

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Photo 5: Looking north towards Chapman Avenue from below Interstate 5 freeway.



Photo 6: Looking east across Santa Ana River from bike path.

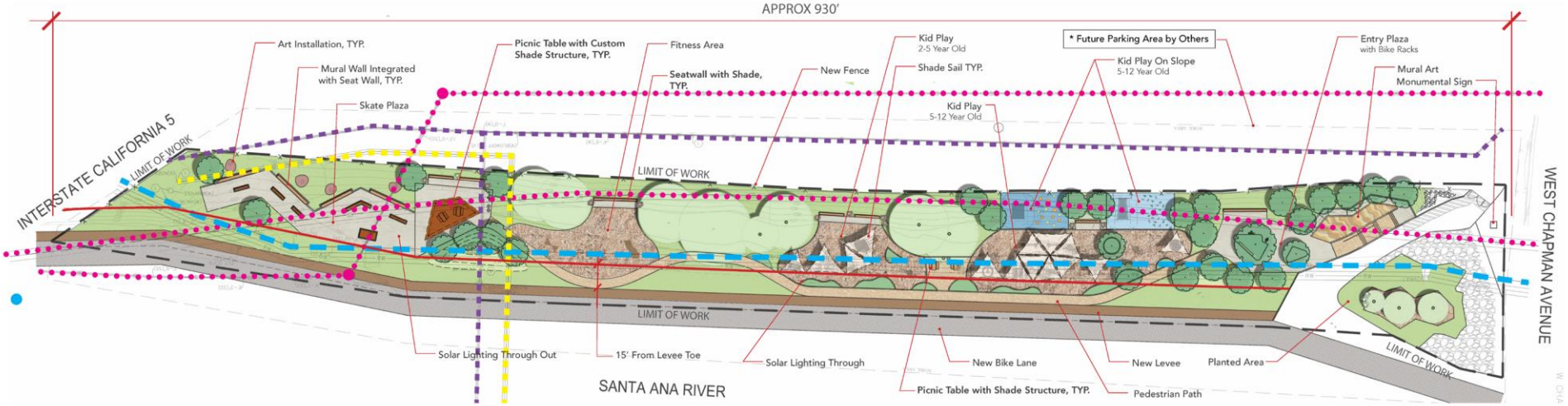
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OVERALL SITE - UTILITY PLAN

CONCEPT DESIGN PACKAGE 10-11-2024

CITY OF ORANGE NEW PARK

2850 WEST CHAPMAN AVENUE, ORANGE, CA 92868



LEGEND

Existing Tree
New Tree
Concrete
Stabilized Decomposed Granite
Wood Chips
Planting Area
Poured Rubber
Tel
Sewer
Gas
Dip Water

0 30' 60' 120' 240'

Exhibit 7 Onsite Utilities

Orange Westside Linear Park Project
Orange, California

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION. On the basis of this initial evaluation:

1. I find that the project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐

2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared. ☒

3. I find the proposed project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

4. I find that the proposed project **may have a "potentially significant impact" or "potentially significant unless mitigated impact"** on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐

5. I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

___Robert Ambriz, Jr., Parks and Facilities Manager____ 12/4/25_____

Name, Title *Date*

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced, as discussed below).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identity the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a. the significance criteria or threshold, if any, used to evaluate each question; and

   b. the mitigation measure identified, if any, to reduce the impact to less than significance.

CHECKLIST OF ENVIRONMENTAL IMPACT ISSUES:

1. Aesthetics

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

Impact Analysis

a) Scenic Vistas. The park site and surrounding area, including further north along the bicycle trail, has limited views of the San Gabriel Mountains in the far distance to the north. At this location the Santa Ana River is a wide sandy channel with riprap (large rocks) protecting its banks, so it does not provide any scenic views for this area. On clear days the Santa Ana Mountains are visible in the far distance to the east along Chapman Avenue.

The City General Plan defines scenic vistas as those *"...hillsides, ridgelines or open space areas that provide a unifying visual backdrop to the urban environment.*" The Natural Resources Element contains Goal 7.0 to protect "significant view corridors, open space, and ridgelines" and Policy 7.1 to specifically protect scenic ridgelines.[1] The General Plan Land Use Element identifies "open space ridgelines" in the eastern portion of City, but there are none in the project area. In addition, the Natural Resources Element does not identify any specific scenic vistas within the City.

The park project will be relatively low scale and its facilities distributed along the project site, so none of the improvements will block any scenic views from surrounding properties or for riders along the Santa Ana River bicycle trail. For these reasons, the project site does not contain and will not affect any identified scenic views or vistas. As such, the park project will have no impact on scenic vistas. There will be no impact, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Scenic Resources/Highways. According to the Caltrans State Scenic Highways website neither the I-5 or SR-57 freeways in the vicinity of the project site are classified as State Scenic Highways.[2] In fact, the closest officially designated state scenic highway is SR-91 Freeway from the SR-55 Freeway in northeast Orange approximately 7 miles east with views of the San Gabriel and San Bernardino Mountains. Just east of this segment the SR-91 becomes an eligible state scenic highway for 10 miles east to the I-15 Freeway in Corona. The park project itself will be visually attractive and actually improve views within the project area and along this portion of the SART.

The City General Plan, Natural Resources Element[1], Figure NR-1, Open Space Resources, shows the Open Space (OS) land use designation along the west side of the Santa Ana River south of Chapman Avenue (i.e., the project site). The Natural Resources Element contains Goal 7.0 to protect "significant view corridors, open space, and ridgelines" and Policy 7.1 to specifically protect scenic ridgelines. The City General Plan, Land Use Element[3] identifies "open space ridgelines" in the eastern portion of City but there are none in the project area. In addition, Policy 7.2 designates Santiago Canyon Road east of Jamboree Road as a City Scenic Highway. This road segment is in the east end of the City and there are no routes designated in the project area (i.e., the west end of the City). The General Plan Circulation Element also does not indicate any designated scenic routes in the City.

Therefore, the proposed project does not contain nor will affect any scenic resources or scenic highways. There will be no impact, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

c) Scenic Quality. The project site is located in an urbanized area on an infill site surrounded by developed uses on all sides. The site's existing General Plan[4] designation is Open Space (OS) which is defined as "steep hillsides, creeks, or environmentally sensitive areas that should not be developed. Although designated as permanent open space, most areas will not be developed as public parks" (GP Table LU-1). The site's existing zoning classification[5] is Recreation - Open Space (RO) which "is to protect properties from hazards such as flooding and landsliding, to protect natural resources and scenic features for public enjoyment and use, and to set aside areas of the City for active and passive recreational use, consistent with general plan policy" (City Zoning Code Section 17.22.020-B)[7]. The proposed project includes active and passive recreational uses, so it is consistent with the General Plan and zoning requirements for this site. Therefore, it will not conflict with applicable zoning or other regulations governing scenic quality. There will be no impact, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Light and Glare. The project site is currently vacant and contains no sources of lighting. However, there are lighting fixtures in the surrounding area such as streetlights along Chapman Avenue to the north, parking lot and building security lighting in the commercial buildings to the west and further to the east, and lane lighting for the elevated I-5 freeway to the south. The new park project will be open 5am to 11 pm, Monday through Sunday and have equipment and security lighting. In addition, the proposed park improvements will not include highly reflective materials such as glass or polished metal and so the potential for glare is relatively low as well. Lighting on the project site shall conform to the regulations within Orange Municipal Code Section 17.12.030. *"Lighting on any premises shall be directed, controlled, screened or shaded in such a manner as not to shine directly on surrounding premises*.[6] Therefore, the proposed project will have less than significant impacts related to new sources of light and glare.

Significance Determination: Less than Significant Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less that Significant Impact

2. Agriculture & Forest Resources

	(In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) *Will the project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Impact Analysis:

a) Important Farmland. The California Department of Conservation (DOC) monitors and maps "Important Farmland" within the state. Important Farmland is defined as land designated by DOC as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. According to DOC's "Important Farmland Finder" website, the project site and surrounding area are designated as "Urban and Built-Up Land" and not designated as Important Farmland[7]. Therefore, the proposed project will have no impacts.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Agricultural Zoning/Williamson Act. The City General Plan Land Use map has no agricultural land use designations. The City's Zoning Map indicates the City only has one agricultural zone (A1)(see Exhibit 5) which "allows for a variety of agricultural uses, as well as low intensity recreational and open space uses" (City Zoning Code Section 17.22.020-A)[8]. The project site and surrounding lands do not carry the A1 zoning so the proposed project will not conflict with any agricultural zoning. In addition, the DOC Williamson Act Enrollment Finder[9] website indicates there are no Williamson Act contracts (i.e., agricultural preserves) on or near the project site. Therefore, the proposed project will have no impacts.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

c) Forest Zoning. The proposed project site and surrounding properties are not currently being managed or used for forest land or timberland. The project site is located in an urbanized area, with the site zoned for RO – Recreation Open Space. This zoning district sets aside portions of the City for scenic and recreational use, as well as serving as a physical barrier protecting properties from flood-related hazards.[10] The project site and surrounding properties are not zoned for forest land or timberland production. Therefore, the proposed project will have no impacts.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Forest Conversion. As stated above, the project site has been previously disturbed and is located in an urbanized area. The City of Orange does not contain any zones specifically for forest use or the

production of forest resources. The proposed project will not result in a loss of forest land or the conversion of forest land to a non-forest use. Therefore, the proposed project will have no impacts.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

e) Conversion of Farmland. The proposed park will be located on an undeveloped parcel within an urbanized area. There are no agriculture or forest land uses in the surrounding area. No conversion of farmland or forest land to non-agricultural or non-forest uses will occur. Therefore, the proposed project will have no impacts.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

3. Air Quality

	(Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) *Will the project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
(c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

Impact Analysis:

a) Conflict with AQMP. The project site is located in the South Coast Air Basin (SOCAB) and the South Coast Air Quality Management District (SCAQMD). The SCAQMD and Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The 2022 AQMP details goals, policies, and programs for improving air quality in the Basin. The 2022 AQMP is based on regional growth projections developed by SCAG which, in turn, are based on the land uses and growth outlined in the General Plans of the cities and counties within the SCAG region.

As described in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993), for purposes of analyzing consistency with the AQMP, if a proposed project will result in growth that is substantially greater than what was anticipated, then the proposed project will conflict with the AQMP. On the other hand, if a project's density or intensity is within the anticipated growth of a jurisdiction, its emissions will be consistent with the assumptions in the AQMP, and the project will not conflict with SCAQMD's attainment plans. In addition, the SCAQMD considers a project consistent with the AQMP if the project will not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

The proposed project is consistent with the General Plan land use designation and zoning classification for the site and is not a development project that will add housing, population, or employment to the City so it will not increase vehicular traffic from those added uses. The proposed project also promotes non-vehicular transportation in terms of walking and bicycle riding and providing recreational activities along the SART. Thus, the proposed project is consistent with the 2022 AQMP and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Increase in Criteria Air Pollutants. The SOCAB has a non-attainment status for not meeting federal ozone standards, federal carbon monoxide standards, and state and federal particulate matter standards. Any development in the SOCAB, including the proposed project, could cumulatively contribute to these pollutant violations. SCAQMD has established daily mass thresholds for regional pollutant emissions (see Table 2) but if estimated emissions are less than the thresholds, impacts will be considered less than significant. The proposed project will not develop any housing units or new non-residential buildings. The proposed passive park project only occupies 1.8 acres, will have no onsite parking and no restrooms, and will generate little if any daily vehicular traffic although the park will attract mainly bicyclists and pedestrians (non-vehicular traffic) using the SART. Therefore, the proposed project will be well below any of these daily emission thresholds (i.e., de minimus) for either construction or operation.

Table 2
SCAQMD Daily Regional Criteria Pollutant Thresholds (lbs/day)

SCAQMD Thresholds	Volatile Organic Compounds (VOC)	Oxides of Nitrogen (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Large Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Construction	75	100	550	150	150	55
Operation	55	55	550	150	150	55

Source: SCAQMD Website 2024

Due to the low intensity of improvements planned for the new park site, construction will be necessarily limited in extent and timing. It is anticipated construction will take approximately five (5) months during which small amounts of air pollutants including dust and oxides of nitrogen will be generated each day by construction equipment and vehicles. Due to the limited size of the proposed project and low intensity of construction activities, air pollutants generated will be far below the SCAQMD's daily significance thresholds for criteria pollutants.

In addition, it is mandatory for all construction projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM10, and PM2.5 emissions from construction activities. Rule 403 requirements include, but are not limited to: applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas. The City complies with SCAQMD Rule 403 and Rule 1113 on its public works construction projects.

The proposed project is a small linear park and will clearly not meet the definition of a regionally significant project under CEQA and will not meet SCAG's Intergovernmental Review criteria. The City's General Plan Natural Resources Element has Goal 2.0 to "protect air, water, and energy resources from pollution and overuse" and Policy 2.2 to "support alternative transportation modes, alternative technologies, and bicycle- and pedestrian-friendly neighborhoods to reduce emissions related to vehicular travel".[11] The proposed project will incrementally increase non-vehicular activities including walking and bicycling along the adjacent river trail. In addition, the General Plan Circulation Element, Figure CM-3, Plan for Recreational Trails and Bikeways, shows the Class I off-street

bikeway along west side of the Santa Ana River through the City and beyond to the northeast and south out of the City. The proposed park will enhance the non-vehicular use of the trail which helps reduce air pollutants that will otherwise be generated by vehicular use. Due to its limited size and emphasis on passive recreational activities, daily air pollutants generated by park activities will also be far below the SCAQMD's daily significance thresholds for criteria pollutants.

Finally, operation of the proposed park will involve use by pedestrians and bicyclists using the river trail and will have minimal maintenance requirements as well. No formal parking is proposed as part of the proposed project as only pedestrians and bicyclists are expected to use this site.

Construction and operation of the proposed project will result in less than significant air quality impacts related to criteria pollutants and regionally significant air quality impacts, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Sensitive Receptors. Subsection 3.b above determined the proposed project's criteria pollutant emissions will be well below SCAQMD daily thresholds for construction and operation. The proposed park will have very low intensity uses and improvements so it will not require a substantial number of equipment or vehicles powered by fossil fuels or trucks that generate toxic air contaminants (TACs) such as diesel particulate matter (DPM) for its construction (i.e., mainly installation of recreational equipment). Similar to criteria pollutant impacts, the proposed project's short- and long-term air pollutant emissions will also be well below the SCAQMD's local significance thresholds (LSTs) for potential health risks or impacts to sensitive receptors such as residential units, pre-schools, hospitals, etc. The closest receptors to the project site are the multi-family residential units 200 feet north of the site across Chapman Avenue. Therefore, impacts will be less than significant and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

d) Other Emissions. The proposed project will not emit other emissions, such as those generating objectionable odors, which will affect a substantial number of people. The threshold for odor is identified by SCAQMD Rule 402, Nuisance, which states:

> *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, 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. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

The SCAQMD lists land uses primarily associated with odor complaints as agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The project proposes a low intensity park that will be accessible to pedestrians and bicyclists and will not provide any onsite parking. Therefore, the proposed project will have no impacts related to odors or other air pollutant emissions and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

4. Biological Resources

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

Impact Analysis:

a) Listed/Sensitive Species. The General Plan Natural Resources Element[1] states that a large part of the City consists of urbanized areas that generally have low habitat value for wildlife (i.e., like the project site). A significant amount of land in east Orange, Santiago Oaks Regional Park, and Peters

Canyon Regional Park is set aside as open space which includes the Irvine Ranch Land Reserve (IRLR) and the Nature Reserve of Orange County (NROC) established by the Central/Coastal Orange County NCCP. These areas contain valuable ecological and biological resources. The 37,000-acre NCCP Habitat Reserve area borders the eastern portion of the planning area on the north and south and includes portions of Santiago Hills II and east Orange. However, the proposed project is sited within the southwestern urbanized portion of the City and supports only weedy ruderal vegetation and a number of trees but no native plant associations or evidence of wildlife onsite.

The Natural Resources Element[1] has Goal 4.0 to conserve and protect wildlife habitat, plant and animal species of concern, and general biodiversity along with Policy 4.5 to specifically protect the Santiago Creek and Santa Ana River corridors from premature urbanization to ensure the continued availability of important sand and gravel, flood control, water recharge, biological, and open space resources. In this case, the site for the proposed project is part of the almost completely urbanized land along the banks of the Santa Ana River, with the exception of the 2.3 acres of vacant land just west of the proposed project that is proposed for a new commercial office building.

The surrounding area is urbanized with primarily industrial-use buildings. A review of the California Natural Diversity Database (NDDB) maintained by the California Department of Fish and Wildlife (CDFW) indicates there are 19 species (7 plants and 12 animals) that are listed or otherwise considered sensitive that inhabit or can inhabit the surrounding region (i.e., USGS Anaheim 7.5-minute quadrangle), as shown in Table 3. However, the proposed project site has been repeatedly disturbed and cleared of weedy vegetation and does not presently have any native vegetation or plants that will support native wildlife except 11 moderate-sized oak (*Quercus spp.*) trees spread across the site. Based on the degraded site conditions, there is no evidence that any endangered, rare, threatened, or special status plant species (or associated habitats) or wildlife species designated by the U.S. Fish and Wildlife Service (USFWS), CDFW, or the California Native Plant Society (CNPS) occur on the proposed project site.

Table 3
Potential Biological Resources in the Project Region

Species - *Scientific Name* (Common Name)	**Federal Status**	**State Status**	**State Rank**	**Other Ranking**
Abronia villosa var. aurita (chaparral sand-verbena)	None	None	S2	1B.1
Anniella stebbinsi (Southern California legless lizard)	None	None	S3	SSC
Astragalus hornii var. hornii (Horn's milk-vetch)	None	None	S1	1B.1
Atriplex parishii (Parish's brittlescale)	None	None	S1	1B.1
Bombus crotchii (Crotch's bumble bee)	None	CE	S2	--
Bombus pensylvanicus (American bumble bee)	None	None	S2	--
Buteo swainsoni (Swainson's hawk)	None	T	S4	--
Centromadia parryi ssp. Australis (southern tarplant)	None	None	S2	1B.1
Coccyzus americanus occidentalis (western yellow-billed cuckoo)	T	E	S1	--
Eumops perotis californicus (western mastiff bat)	None	None	S3S4	SSC
Euphydryas editha quino (quino checkerspot butterfly)	E	None	S1S2	--
Laterallus jamaicensis coturniculus (California black rail)	None	T	S2	FP
Nasturtium gambelii (Gambel's water cress)	E	T	S1	1B.1
Oncorhynchus mykiss irideus pop. 10	E	CE	S1	--

(steelhead - southern California DPS)				
Phrynosoma blainvillii **(**coast horned lizard)	None	None	S4	SSC
Polioptila californica californica (coastal California gnatcatcher)	T	None	S2	SSC
*Sidalcea Neomexicana (*salt spring checkerbloom)	None	None	S2	2B.2
*Spea hammondii (*western spadefoot)	PT	None	S3S4	SSC
*Symphyotrichum defoliatum (*San Bernardino aster)	None	None	S2	1B.1

Source: California Department of Fish and Wildlife, California Natural Diversity Database, July 2024.
Federal or State Status: E=listed endangered, CE=candidate endangered, T=listed threatened, PT=proposed threatened
State Ranking: S1=critically imperiled, S2=imperiled, S3=vulnerable, S4=apparently secure
Other Ranking: FP=fully protected, SSC=Species of Special Concern, 1B.1=plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California, 2B.2=plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California

Based on available information, MIG biologists concluded the project site does not support, nor will the project impact any listed or otherwise sensitive species of plants or animals. Therefore, the proposed project impacts will be less than significant, and no mitigation is required.
Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Riparian/Sensitive Habitat. Riparian habitats occur along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors. Although the site lies adjacent to the Santa Ana River, the river is channelized with riprap banks with a sandy bottom that is kept clear of vegetation as it is regularly used for groundwater recharge.

The project site is vacant, disturbed, and located in an urbanized area and does not contain any riparian or riverine features. According to the National Wetlands Inventory (NWI)[12], maintained by the USFWS, no riparian habitat or other sensitive natural communities occur on or adjacent to the Project site). The only identified body of water in the project area is the Santa Ana River (designated by the NWI as L2USCh). However, there are no riparian resources within this portion of the river, and according to the project plans. Thus, the proposed project will have no impacts on the Santa Ana River levee, banks, or channel.

Additionally, the Project site and adjacent areas are not included in any local or regional species or habitat conservation plans, policies, and regulations that identify riparian habitat or other sensitive natural community. Thus, the proposed project will have less than significant impacts, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Wetlands. Wetlands are defined under the Federal Clean Water Act[13] as land that is flooded or saturated by surface water or groundwater sufficient to support vegetation adapted to saturated soils. Wetlands include areas such as swamps, marshes, and bogs. As previously described, the project site is disturbed and contains no drainage facilities or any wetlands[10]. Thus, the proposed project will result in no impacts to wetlands, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Wildlife Movement/Corridors. Even in urban areas, wildlife can move through or along natural open space areas or along drainage courses. Wildlife corridors are linear features that connect areas of open space and provide avenues for the migration of animals and access to additional areas of foraging. In this case, wildlife occasionally moves along the adjacent Santa Ana River, but the banks are armored with riprap (large angular rocks) that do not promote effective movement of wildlife other than along the sandy bottom of the channel when a large amount of water is not present.

The proposed project site is within an urbanized area and is vacant and disturbed but with a number of large trees spread across the property. According to the General Plan Natural Resources Element, the project site does not contain, and is not adjacent to, any designated wildlife corridors. However, the Santa Ana River adjacent to the proposed project site does provide opportunities for wildlife to move north-south within the river channel when not conveying storm flows or recharging groundwater. However, project plans show the proposed project will not impact the adjacent river levee, banks, or bed.

The proposed project site contains ornamental trees spread across the site that may be utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15. If any trees need to be removed during nesting bird season, Mitigation Measure BIO-1 has been included to require a nesting bird survey to be conducted prior to initiating vegetation clearing. With the implementation of Mitigation Measure BIO-1, impacts related to nesting birds will be less than significant with mitigation incorporated. .

Significance Determination: Potentially Significant

Mitigation Measures:

BIO-1: Pre-Construction Nesting Bird Survey. In order to avoid violation of the Migratory Bird Treaty Act and the California Fish and Game Code, site preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species. The nesting season in Riverside County generally extends from February 1 through September 1 although the nesting season may be extended due to weather and drought conditions.

If site-preparation activities are proposed during the nesting/breeding season, the project proponent shall retain a qualified biologist to conduct a pre-activity field survey prior to the issuance of grading permits for the project to determine if active nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present within the construction zone.

If active nests are not located within the project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, then construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, then the biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The biologist shall monitor the nest at the onset of project activities and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the biologist determines that such project activities may be causing an adverse reaction, the biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The on-site qualified biologist shall review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.

Significance Determination After Mitigation: Less than Significant

e) Local Policies/Ordinances. The General Plan Natural Resources Element[1] indicates the City has a Street Tree Ordinance and Tree Preservation Ordinance as part of their Municipal Code. The Street Tree Ordinance has clear specifications and requirements for the planting, removal and maintenance of trees and shrubs. The Tree Preservation Ordinance provides protection for healthy, mature trees on private property and provides criteria under which trees may be removed. The *Street Tree Master Plan*, Street Tree Ordinance, and Tree Preservation Ordinance are intended to help preserve and manage the City's urban forest and maintain the City's Tree City U.S.A. status.

The proposed project is designed to preserve all 11 of the existing oak trees onsite in the center and northern portions of the project site. Approximately two dozen new trees will also be added as part of the proposed park plan. Orange Municipal Code Chapter 12.28 prohibits the removal of trees, including historic trees, from undeveloped and public interest property without a permit. In addition, the removal of City of Orange street trees must be approved by the Director of Public Works and must comply with the provisions within the Master Street Tree Plan. These regulatory requirements include replacement or relocation of trees as needed. The proposed project may require the removal of existing trees from the vacant project property, but not likely any from a public right-of-way adjacent to the site. With City review and approval of the proposed project site plan and obtaining tree removal permits, if necessary, the proposed project will not conflict with local policies, and impacts will be less than significant.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

f) Regional Conservation Planning. The City is a participant in the Orange County Natural Community Conservation Planning (NCCP) which was approved in 1996. Figure 5.4-2, *NCCP Habitat Reserve Area,* from the Orange General Plan Program EIR[14] indicates the project site is not identified as a reserve, non-reserve open space, or special linkage. As such, the project will not conflict with any of the provisions set forth in the Orange County NCCP. The project site does not fall within any other local or regional conservation plans. Thus, the proposed project will result in no conflicts or impacts with such plans, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

5. Cultural Resources

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

Impact Analysis:

a) Historical Resources. The project site contains no structures or buildings, and construction of Santa Ana River channel just east of park site likely disturbed the entire project site and surrounding area to some depth. While there are many historic buildings in and around the downtown portion of Orange, there is no indication of any historic buildings on or near the project site as far back as the 1930's. The project area is also not identified within any of the four historic "neighborhood character areas" in City's Cultural Resources and Historic Preservation Element Policy 2.1.

Cultural resources within the City include the Old Towne Historic District located within the City's downtown center "plaza" around the intersection of Chapman Avenue and Glassell Street 1.7 miles east of the project site. This district, as well as multiple sites within the district, are recognized for their significant cultural history by the National Register of Historic Places (NRHP). According to the Element, there are a number of proposed local historic districts and neighborhood conservation areas located within the City. However, the project site is not located within any existing or proposed site for historic or cultural preservation.[15] The project site in its existing condition is disturbed and undeveloped with a bike trail defining the eastern boundary of the parcel along the Santa Ana River.

Development of the proposed project will not cause an adverse change in the significance of a historical resource since no such resources have been identified on the project site. Thus, the proposed project will not result in an impact which will have a substantial impact on a historical resource, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Archaeological Resources. Native American tribal groups have inhabited Southern California, including Orange County, for thousands of years. Initial occupation is thought to have occurred more than 10,000 years ago with early occupants being mobile foragers primarily dependent on hunting terrestrial game. Recent archaeological evidence from some coastal sites indicates the extensive use of marine resources, including shellfish, during this period. The generally accepted archaeological framework recognizes four broad temporal periods or cultural horizons: Paleo-coastal or Early Man Period dating to more than 10,000 years ago; the Millingstone Period falling between 10,000 years ago and 3,000 years ago; the Intermediate Period from 3,000 years to 1,350 years ago; and the Late Prehistoric Period from 1,350 to 650 years ago.

Natural Resources Element of the General Plan context statement for archaeological resources in the City of Orange represents a synthesis of over 50 years of surveys, excavations, and analysis of material culture, written documents and records, and oral histories undertaken by archaeologists at federal, state, and local agencies and in the private sector. To date, over 50 surveys have been conducted within the City or its surrounding unincorporated areas. Most of these have been small in size (less than 10 acres), although a few have investigated hundreds or thousands of acres. These larger projects have been confined to relatively undeveloped areas, such as Burruel Point, Santiago Creek, or the unincorporated east Orange hills within the City's sphere of influence (SOI). These surveys have resulted in the recording of only 25 sites within the City, although others have been documented along the coast or in other portions of Orange County more open land and larger studies in eastern portion of City. The project site and the City as a whole lie within the ethnographic territory of the Gabrielino Indians which includes most of present-day Los Angeles and Orange Counties, and several offshore islands.

Note that the historical natural alignment of the Santa Ana River was further west of its present-day improved alignment and construction of the current riverbed and banks disturbed much of the soils at depth along both sides of the current channel, which will likely include the project site. Given that the site and surrounding areas have been substantially disturbed by development over time, any cultural resources that may exist likely have been previously unearthed, disturbed, or left in place. However, based on input from local Native American tribal representatives, it is still possible that archeological/tribal materials may be uncovered even during shallow grading. Therefore, Mitigation Measure CUL-1 has been included to ensure archaeological/tribal materials are properly avoided, recorded, and treated. With Mitigation Measure CUL-1, potential impacts will be less than significant with mitigation incorporated.

Significance Determination: Potentially Significant

Mitigation Measures:

CUL-1: If unknown cultural resources are discovered during project construction, all work in the area of the find shall cease, and a qualified archaeologist shall be retained by the project sponsor to assess the significance of the find, make recommendations on its disposition, and prepare appropriate field documentation, including verification of the completion of required mitigation. If human remains are encountered during construction, all work shall cease, and the Orange County Coroner's Office shall be contacted pursuant to procedures set forth in Section 7050.5 of the Health and Safety Code. If the remains are identified as prehistoric, a Native American representative shall be consulted to participate in the recovery and disposition of the remains.

Significance Determination After Mitigation: Less than Significant with Mitigation Incorporated

c) Human Remains. As outlined above, the project site has been previously disturbed and developed, and is located in an urbanized area. In the unlikely event that human remains are uncovered during earthmoving activities, Mitigation Measure CUL-1 shall be incorporated to ensure that uncovered remains are properly evaluated and removed. Through adherence to existing regulations, and incorporation of Mitigation Measure CUL-1, impacts will be less than significant with mitigation incorporated.

Significance Determination: Potentially Significant

Mitigation Measures: See Mitigation Measure CUL-1 above

Significance Determination After Mitigation: Less than Significant with Mitigation Incorporated

6. Energy

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

Impact Analysis:

a) Energy Consumption. Construction activities associated with the proposed project will require the use of equipment and construction-related vehicle trips that will combust fuel, primarily diesel and gasoline. Heavy-duty construction equipment will be required to comply with the California Air Resources Board's (CARB's) airborne toxic control measures, which restrict heavy-duty diesel vehicle idling to five minutes. Once operational, the proposed project will consume energy in the form of some vehicle trips from parkgoers not arriving via bicycle or on-foot, electricity consumption, and water and wastewater conveyance. Electricity, gasoline, and water consumption are energy sources necessary to

operate and maintain the proposed project. Water consumption will occur via drinking fountains, water bottle stations, irrigation systems. Additional energy-related amenities proposed as part of the new park include solar and LED area lighting. The inclusion of drought-tolerant native landscaping, and solar and LED lighting fixtures will help alleviate the likelihood of wasteful or inefficient consumption of energy. Electricity consumption on-site will primarily be from on-site lighting, and as such, the project will be required to comply with energy and efficiency standards as adopted by the City of Orange, including the California Building Code, California Green Building Code, and the California Energy Code.[16] As such, the proposed project will not result in the wasteful, inefficient, or unnecessary use of energy resources.. Thus, the proposed project will result in less than significant impacts, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Conflict with Energy Plans. The proposed project is required to comply with the California Building Energy Efficiency Standards. The project does not place facilities in any area designated for renewable energy development, interfere or impede with the installation of any utility or other renewable energy systems or related infrastructure, or conflict with or obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency. Thus, the proposed project will result in no impacts and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

7. Geology and Soils

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☐	☒
(b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

(c)	Be located on a geologic unit or soil that is unstable, or that will 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 waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Impact Analysis:

a.i) AP Zones/Fault Rupture.

There are no Alquist-Priolo Earthquake Fault Zones located in Orange County including the project site. The California Geological Survey[17] indicates the nearest Alquist-Priolo Fault Zones to the project site are the Newport-Inglewood Fault 10.5 miles to the southwest and the Whittier Fault 11 miles to the north.[18] Therefore, the proposed project will not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault that is delineated on an Alquist-Priolo Earthquake Fault Zoning Map. Thus, the proposed project will result in no impacts, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

(a.ii) Seismic Groundshaking. Similar to all of Southern California, the project site could experience moderate to severe groundshaking from a major regional earthquake. The City General Plan Public Safety Element[19] indicates the City could experience severe groundshaking from either a magnitude 8.3 earthquake along the San Andreas Fault or a magnitude 7.5 earthquake along the Newport-Inglewood Fault. However, the proposed project will have very low intensity recreational equipment and facilities on the site with no occupied buildings, onsite residents, or employees. Any park structures will be constructed and installed per applicable requirements of the State Green Building Code[20] (CBC). Therefore, the proposed project will not expose residents or structures to strong seismic ground shaking. Thus, the proposed project impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

(a.iii) Seismic Related Ground Failure. Figure PS-1, Environmental and Natural Hazard Policy Map in the City General Plan Public Safety Element shows the project area is subject to liquefaction due to the presence of shallow groundwater, sandy soils, and the potential for moderate to severe groundshaking (i.e., site is in a designated "liquefaction hazard area"). Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Soils underlying the project site are relatively sandy and have a low potential for expansion (as certain clay soils exhibit) and the site is relatively flat so there is no potential for seismically inducted slope failure, landslides, or seismic spreading. The project proposes very low intensity recreational equipment and facilities on the site with no occupied buildings, onsite residents, or employees. Therefore, the proposed project will not expose residents or structures to seismic-related ground failure, including liquefaction. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

(a.iv) Landslides. Landslides and other slope failures are secondary seismic effects of earthquakes. Areas that are most susceptible to earthquake-induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits. Figure PS-1, *Environmental and Natural Hazard Policy Map* in the City General Plan Public Safety Element shows the project area is not subject to landslides which is primarily due to the area being relatively flat. In addition, the project proposes very low intensity recreational equipment and facilities on the site with no occupied buildings, onsite residents, or employees. Due to the lack of slopes in the area, the proposed project will not expose residents or structures to seismic-related risks from landslides. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Soil Erosion. The NRCS Soil Survey indicates the project site is underlain by Metz clay loam soil with high infiltration rates and deep, well drained to excessively drained sands and gravels. These sandy soils could be subject to erosion by wind or water if they were exposed during site preparation.

During project construction, the City will comply with Orange Municipal Code Title 7, Chapter 7.01 which establishes water quality and stormwater discharge standards. This includes installation of best management practices (BMPs) in compliance with the Orange County MS4 Permit to minimize soil erosion.[21] Additionally, the Construction General Permit (CGP; Order No. R8-2002-0011) issued by the State Water Resources Control Board (SWRCB), regulates construction activities to minimize water pollution, including sediment. The proposed project will be subject to the National Pollution

Discharge Elimination System (NPDES) permitting regulations, including implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated BMPs during grading and construction, which will be required during construction permitting of the proposed project. Adherence to the BMPs in the SWPPP will reduce, prevent, or minimize soil erosion from project-related construction activities.

Due to the size of the site and the nature of the proposed project, no extensive grading or excavation is anticipated. In addition, the project will cover native soil with a variety of mainly pervious but also some impervious surfaces as part of the planned park improvements. New surfaces include poured rubber, wood chips, landscaping in planter areas, stabilized decomposed granite, and concrete (mainly in the southern end of the park as part of a skate plaza). In total approximately 25% or less of the park will have impermeable surfaces so most of the precipitation that falls on the site will percolate back into the ground. Runoff from impervious areas will be directed to adjacent planters or pervious surfaces to minimize potential offsite runoff. These added surfaces will also minimize any areas of exposed soil that could be subject to wind erosion, especially in the fall when the region is subject to hot dry "Santa Ana" winds out of the east. In addition, the City will follow its own procedures during construction and operation/maintenance of the park that minimize water quality impacts. With this regulatory compliance, the proposed project will have less than significant impacts related to soil erosion from wind or water runoff. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Unstable Geology. The project site is flat and does not contain or is adjacent to any slope or hillside area. However, the riprap protected slopes of the Santa Ana River are just east of the project site. As previously stated, the project site is not within any landslide hazard areas identified in the Safety Element of the General Plan. The proposed project will not create any onsite slopes. Therefore, on or offsite landslides will not occur from implementation of the proposed project.

Lateral spreading is a phenomenon associated with seismically-induced soil liquefaction and is the horizontal displacement of soils due to a reduction in soil cohesion. It usually takes place on gently sloping ground or level ground near drainages or stream channels. The Safety Element indicates the project site is within a liquefaction area so it likely also has a potential for lateral spreading as well. However, the project proposes very low intensity recreational equipment and facilities on the site with no occupied buildings, onsite residents, or employees. Therefore, the risk to people or structures will be relatively low. Compliance with the CBC will also ensure that project structures will withstand the effects related to ground movement, including lateral spreading. Thus, impacts will be less than significant, and no mitigation is required.

Differential settlement or subsidence could occur if buildings or other improvements are built on low strength foundation materials or if improvements are constructed on different types of subsurface materials (e.g., a boundary between native material and fill). Although differential settlement generally occurs slowly enough that its effects are not dangerous to inhabitants, it can cause building damage over time. Soils susceptible to seismically induced settlement typically include dry loose sands. As previously described, the project site is underlain by relatively sandy soils so there may be some risk of settlement or subsidence. With CBC compliance, potential project impacts related to settlement or subsidence will be less than significant.

The proposed project is not expected to be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

d) Expansive Soils. Expansive soils contain certain types of clay minerals that shrink or swell as moisture content changes. Shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experiences, such as Southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture. Onsite soils are part of the Metz association and include relatively sandy soils so the potential for expansion is relatively low. In addition, the project proposes very low intensity recreational equipment and facilities on the site with no occupied buildings, onsite residents, or employees. Therefore, there is a low potential risk to people or structures from expansive soils. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

e) Septic Tanks. The proposed project will have no bathrooms onsite, and as such will have no septic facilities or connection to existing sewer lines. Thus, t no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

f) Paleontological Resources. The project site is underlain by deep alluvial sediments deposited by historical runoff and flooding along the Santa Ana River. The project area was previously disturbed by grading and bank protection activities along the Santa Ana River in the 1940's as a result of major flooding in 1927, 1934, and 1938. Recent surficial Holocene (last 11,000 years) alluvial sediments in Orange County do not generally yield paleontological resources (e.g., fossils). However, some fossils have been found at depth in older Pleistocene (12,000 to 2.6 million years ago) deposits in the northern portions of the City, typically at depths of five feet or greater.[22] It should be noted the proposed project is very small (1.8 acres) and proposes low intensity facilities and activities on the site which will not require excavations below five feet in depth. Therefore, the likelihood of finding fossiliferous materials is low. Thus, paleontological resources impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

8. Greenhouse Gas Emissions

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

Impact Analysis:

a) Greenhouse Gas Emissions. The emission of greenhouse gases (GHGs) has become a major environmental and policy issue in California since the 1980's. GHGs are typically emitted from vehicular exhaust and other processes that burn fossil fuels. These emissions are most commonly associated with new private development (e.g., residential, commercial, etc.) and public works projects (e.g., new roads, buildings, or other improvements). The City's *Guidance for Greenhouse Gas Emissions Analysis Memo*[23] states that the City utilizes the Tier 3 quantitative thresholds recommended in the SCAQMD's Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans. The proposed project is not a private development project, so the applicable Tier 3 threshold is 3,000 Metric Tons of Carbon Dioxide Equivalents ($MTCO_2e$) per year. It should be noted that this amount of GHG emissions is typically generated by private development projects that cover dozens of acres and that add hundreds of new residential units along with hundreds of new daily vehicular trips.

The proposed project is a small linear park proposed along the Santa Ana River trail along the west bank of the river. It will require limited or minimal grading or earthwork to prepare the site for installation of the various recreational facilities planned for the park (see Exhibit 3). In addition, once installed, use of the park will be of relatively low intensity since it has no onsite parking or restrooms, and park users can only access it as pedestrians or bicyclists from Chapman Avenue and the Santa Ana River trail. There will be no associated daily vehicular traffic and maintenance activities will only generate 1-2 trips per month.

The proposed project will install new landscaping, but provide minimal lighting for security as the park will not be open for nighttime use. Therefore, potential offsite GHG emissions from water and energy use will be minimal. Thus, the proposed project is not expected to generate significant GHG emissions, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Conflict with GHG Plans. The City of Orange has not adopted a Climate Action Plan or similar GHG reduction plan, so the two regional plans that deal with GHG reduction are the 2022 CARB

Scoping Plan and the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by the Southern California Association of Governments (SCAG).

The 2022 CARB Scoping Plan requires an immediate state target of reducing GHG emissions to 40 percent below 1990 levels by 2030 while laying out a path to achieving carbon neutrality set by AB 1279 no later than 2045. The Plan focuses on building clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen. The Plan states that in almost all sectors, electrification will play an important role in transitioning away from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the amount of current hydrogen supply. It requires that all new passenger vehicles sold in California will be zero-emission by 2035 and all other fleets will have transitioned to zero-emissions as fully possible by 2045, which will reduce the percentage of fossil fuel combustion vehicles. Energy efficient measures are intended to maximize energy efficiency building and appliance standards as well.

The proposed project is a small linear park along the Santa Ana River trail which is not expected to generate vehicular traffic (i.e., it will mainly serve pedestrians and bicyclists using the river trail) and will not have equipment that burns fossil fuels. It will use a limited amount of water for landscaping irrigation but will not have onsite parking or restrooms. It will also use a limited about of electricity for security lighting but will not be open for nighttime activities. Vehicular use will be limited to maintenance activities with an estimated 1-2 trips per month. The very low level of use will not conflict with any activities, programs, or goals of the 2022 CARB Scoping Plan as a regional GHG plan.

In addition, the 2020-2045 SCAG RTP/SCS tries to minimize regional traffic impacts by balancing growth and vehicle miles traveled between homes and work in the communities that make up the SCAG region. However, the proposed project does not add any housing, population, or employment to the region so it will make no contribution to regional VMT levels. Therefore, the proposed project will not have any impact relative to the 2020-2045 SCAG RTP/SCS as a region GHG plan. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

9. Hazards and Hazardous Materials

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☒	☐
(b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
(d)	Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, will 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, will 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?	☐	☐	☐	☒

Impact Analysis:

a) Use of Hazardous Materials. A hazardous material (hazmat) is generally defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released. Hazardous materials include but are not limited to any material that is acidic, caustic, corrosive, explosive, or that regulatory agencies believe is injurious to the health and safety of persons or harmful to the environment. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. Construction of the project will involve very limited routine transport, use, and disposal of hazardous materials due to the size of the site and the nature of the project to be constructed (i.e., small park). Fuels and solvents for construction will be stored and utilized pursuant to existing regulatory requirements. The use, storage, transport, and disposal of hazardous materials for construction will be carried out in accordance with federal and state regulations. No extremely hazardous substances (such as those governed under Title 40, Part 335 of the Code of Federal Regulations) will be used, stored, transported, or disposed of during project construction.

The routine use of hazardous materials in accordance with applicable regulations during construction will not pose health risks or result in significant impacts. However, the improper use, storage, transportation, and disposal of hazardous materials could result in accidental spills or releases. To avoid an impact related to an accidental release, the City will use Best Management Practices (BMPs) during construction are that are implemented as part of a Stormwater Pollution Prevention Plan (SWPPP) as required by the National Pollution Discharge Elimination System (NPDES) Construction

General Permit. Implementation (CGP) of a SWPPP will minimize potential adverse effects to workers, the public and the environment. In addition, a Phase I Environmental Site Assessment (ESA)[38] was prepared in 2017 for the property immediately west of the project site that indicated there were no sources of contamination on the park site or on the vacant land just west of the park site.

Regular daily operation of the proposed project will not involve use or storage of any common hazardous materials such as paints, solvents, cleaning products, fuels, lubricants, adhesives, sealers, and pesticides/herbicides. However, maintenance when needed on the site could require one or more of these hazardous materials depending on need. No hazardous materials will be stored onsite for such activities but brought to and taken from the site by maintenance personnel as needed. With regulatory compliance, the proposed project is not expected to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Hazardous Material Accidents. According to the State Water Resources Control Board, there are no leaking underground storage tank (LUST) cleanup sites or disposal sites within the project site.[24] However, there are two LUST sites located within close proximity to the site. The nearest site is located less than 100 feet west of the bike trail entrance of the project site along Chapman Avenue. The case involved the potential contamination of gasoline in the soil; however, the case was closed as of January 19th, 2006. The second site is located approximately 250 west of the bike trail entrance of the project site, on the north side of Chapman Avenue. This case also concerned the possible contamination of gasoline in the soil, however, the site was remediated and the case was closed as of January 29th, 1997.[25] Therefore, there is no chance of upset or accidental release of hazardous materials through a LUST cleanup site.

The project site is undeveloped, and development of the proposed project will require earth-moving activities for installing the planned park equipment and improvements. Disposal of any remaining construction and demolition materials will be required to comply with the California Green Building Standards Code as adopted by the City of Orange Municipal Code.[26] As a public works project, the City will implement applicable erosion, sediment, waste management and tracking BMPs at the project site; in compliance with the State's CGP and corresponding SWPPP requirements. With adherence to existing regulations, impacts related to the foreseeable upset or accidental release of hazardous materials due to the development of the proposed project will be less than significant. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Proximity to Schools. The project site is not located within one-quarter mile of an existing or proposed school. The nearest school to the project site is West Orange Elementary School, located approximately 1.5 miles east of the project site. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Cortese List. The project site is not listed on the state *Cortese List* which is a compilation of various sites throughout the state that have been compromised due to soil or groundwater contamination from past uses.[27] Based upon review of the *Cortese List*, the project site is not:

- listed as a hazardous waste and substance site by the Department of Toxic Substances Control (DTSC),[28]
- listed as a leaking underground storage tank (LUST) site by the State Water Resources Control Board (SWRCB),[29]
- listed as a hazardous solid waste disposal site by the SWRCB,[30]
- currently subject to a Cease and Desist Order (CDO) or a Cleanup and Abatement Order (CAO) as issued by the SWRCB,[31] or
- developed within a hazardous waste facility subject to corrective action by the DTSC. [32]

Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

e) Airport Hazards. The project site is not located within two miles of an airport. The nearest airport is the Fullerton Municipal Airport located approximately 8.5 miles northwest of the project site. Thus, no impacts will occur, and no mitigation is required.
Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

f) Emergency Response Plan. Access to the proposed park will be available chiefly via the existing bike trail that traverses the eastern boundary of the project site and also for pedestrians access the park via Chapman Avenue. Pedestrian and bicyclist access is available to the path via an existing

undercrossing beneath Chapman Avenue before the road extends over the channel. Circulation in and out of the proposed park will allow for emergency access and evacuation from the site in the event of an emergency situation, as the park is immediately adjacent to Chapman Avenue, providing easy access for emergency services.

Additionally, construction of the proposed project will not impact access to surrounding locations for emergency services, nor will it impact evacuation out of surrounding areas in the case of an emergency. All proposed improvements will be designed in accordance with the City of Orange Fire Code, as amended by the 2022 California Fire Code.[33] Additionally, given the project's location along the Santa Ana River, proposed park improvements will need to adhere to the City's flood damage prevention guidelines and standards as outlined in the City's Municipal Code.[34] Construction and operation of the proposed project will not interfere with an emergency response plan or evacuation plan, and with adherence to existing regulations. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

g) Wildland Fire Risks. The project site is located within an urbanized area and is undeveloped with 11 mature oak trees scattered throughout the site and an existing bike path along the eastern boundary. The project site is not located within a fire hazard zone, as identified on the latest First Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE).[35] Development and use of the proposed project will not expose people or structure to significant risks involving wildland fires. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

10. Hydrology and Water Quality

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which will:	☐	☐	☒	☐

	(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	(ii) increase the rate or amount of surface runoff in a manner which will result in flooding in- or off-site;	☐	☐	☒	☐
	(iii) create or contribute runoff water which will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	(iv) impede or redirect flood flows?	☐	☐	☐	☒
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
(f)	Potentially impact stormwater runoff from construction activities?	☐	☐	☒	☐
(g)	Potentially impact stormwater runoff from post-construction activities?	☐	☐	☒	☐
(h)	Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☒	☐
(i)	Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☒	☐
(j)	Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☒	☐
(k)	Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☒	☐

Impact Analysis:

a) Water Quality. The Santa Ana Regional Water Quality Control Board (RWQCB) will have jurisdiction over the groundwater quality and surface water discharges for the proposed project. The proposed project will be required to comply with the State of California's Construction General Permit regulations and the Santa Ana Regional Board MS4 permit which require the preparation and implementation of a Storm Water Pollution Prevention Program (SWPPP) implement appropriate Best Management Practices (BMPs) to protect water quality during construction, primarily for erosion control, and use low impact development design features during post-construction activities to control storm water on-site. These activities are considered regulatory compliance and not unique mitigation under CEQA.

The proposed project involves construction on a small site (1.8 acres) which will maintain at least 75% of the site with various pervious surfaces (e.g., bark, landscaped planters, wood chips, stabilized decomposed granite, etc.) that will minimize onsite runoff and allow it to percolate back into the ground. Runoff from impervious surfaces will be directed to low impact development design features in the adjacent areas using pervious surfaces to prevent offsite runoff or erosion. Operation of the site will involve relatively low intensity recreational activities and maintenance of the park. With existing regulatory compliance, the proposed project will result in less than significant short- and long-term water quality impacts. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Groundwater Supplies. The City's Urban Water Management Plan[36] (UWMP) indicates the City relies on 77 percent groundwater, 18 percent imported water, and 5 percent surface water. The main source of the City's water supply is the Orange County Groundwater Basin with groundwater supplies managed by the Orange County Water District (OCWD). The depth to groundwater in the project area is estimated by be approximately 80 feet below ground surface (bgs).[37]

The proposed project is small (1.8 acres) and will consume very little water, mainly for the small amount of landscaping proposed including existing and new trees that will be added. The park will not have bathrooms and water use will be minimal, consistent with the open space land use designation of the project site. The proposed project will have no impacts on the adjacent Santa Ana River which is periodically used for groundwater recharge by detaining storm runoff in temporary man-made ponds in the sandy river bottom. Therefore, the proposed project will not decrease groundwater supplies or interfere substantially with groundwater recharge and will not impede sustainable groundwater management of the basin. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

c) Overall Drainage Impacts. The project site does not contain any man-made or natural drainage channels or facilities. It is adjacent to the Santa Ana River, a major flood protection channel in Southern California. The County of Orange is working on the proposed redevelopment/raising of an existing setback levee located along the Santa Ana River (SAR) Reach 5 between Chapman Avenue and the I-5 Freeway. The redevelopment, as proposed by OC Flood Programs, will bring the levee into compliance with the United States Army Corps of Engineers (USACE) lower levee elevation requirements, as the levee at its current height is approximately 1.5 to 4 feet lower than required (average 3 feet) per the USACE General Design Memorandum (GDM). The park project site is located approximately 50 feet west of the top of the lower levee. This County levee project is adjacent and just east of the project site but the two projects are completely independent of each other and are being carried out by two different agencies (City and County). The park project will also undergo environmental analysis under the National Environmental Policy Act (NEPA) under the jurisdiction of the Department of Housing and Urban Development (HUD) because the City is utilizing federal funds from HUD to help build the park. However, according to the applicable federal Flood Insurance Rate Map (FIRM) the project site is not and will not be within the Federal Flood Risk Management Standard (FFRMS) floodplain so little or no impacts are expected in this regard. At present, the City understands the County anticipates construction of the levee to begin by June 2026. Based on its location and design, the proposed passive park project will not impact the river or its operation.

The proposed project will incrementally increase runoff on the site but will have mainly pervious surfaces and will not change the overall drainage pattern on the site. Therefore, the proposed project

will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c.i) Substantial Erosion. The NRCS Soil Survey indicates the project site is underlain by Metz clay loam soil with high infiltration rates and deep, well drained to excessively drained sands and gravels. This sandy soil could be subject to erosion by wind or water if they were exposed during site preparation work.

During project construction the City will comply with the city of Orange Grading Manual to control runoff from the project. Compliance with the Grading Manual includes installation of best management practices (BMPs) in compliance with the Orange County Construction Runoff Guidance Manual to minimize soil erosion.[38] Additionally, for any site with greater than 1 acre of exposed soil during construction, the Construction General Permit (CGP; Order No. R8-2002-0011) issued by the State Water Resources Control Board (SWRCB), regulates construction activities to minimize water pollution, including sediment. The proposed Project will be subject to the National Pollution Discharge Elimination System (NPDES) permitting regulations, including implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated BMPs during grading and construction, which will be required during construction permitting of the proposed project. Adherence to the BMPs in the SWPPP will reduce, prevent, or minimize soil erosion from project-related construction activities.

Due to the size of the site and the nature of the proposed project, no extensive grading or excavation is anticipated. In addition, the proposed project will cover native soil with a variety of mainly pervious surfaces as part of the planned park improvements. New surfaces include poured rubber, wood chips, landscaping in planter areas, stabilized decomposed granite, and concrete (mainly in the southern end of the park as part of a skate plaza). In total approximately 25% or less of the park will have impermeable surfaces so most of the precipitation that falls on the site will percolate back into the ground. Runoff from impervious areas will be directed to adjacent planters or pervious surfaces to minimize potential offsite runoff. In addition, the City will follow its own procedures during construction and operation/maintenance of the park that minimize water quality impacts. With this regulatory compliance, the proposed project will have less than significant impacts related to soil erosion. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c.ii) Increased Runoff. The project site currently consists of almost all pervious surfaces which allows onsite runoff to percolate back into the ground and there are no natural or improved drainage features on the site (although the park is adjacent to the Santa Ana River). The proposed project will have at least 75% pervious surfaces, and the remaining impervious surfaces will direct runoff to adjacent areas with pervious surfaces. The proposed project will incrementally increase runoff that will either percolate directly back into the ground or be temporarily retained in areas with pervious surfaces to maximize onsite infiltration and prevent any offsite runoff in excess of flood control designs. The largest park feature with impervious surfaces will be the skate plaza in the southern portion of the project site. However, this facility is essentially flat and does not have depressions or tubular improvements that could retain runoff. Any small amount of excess runoff from the project site will be directed to existing drains into the Santa Ana River as occurs under current conditions. Therefore, the proposed project will not significantly increase runoff. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c.iii) Flooding. The project site does not include any natural or man-made drainage features but is adjacent to the Santa Ana River (Federal Emergency Management Agency or FEMA Flood Zone A), a regional flood control channel for Southern California (100-year storm containment). According to the FEMA Map 06059C0142J via its Flood Mapping Website[39] the project site is within Flood Zone X which is defined as "area with reduced flood risk due to levee." Therefore, it is outside of the 100-year and 500-year flood plains identified by FEMA.

While City records show a portion of the project site is in a Special Flood Hazard Area, the planned Santa Ana River levee raising project by the Orange County Flood Control District (OCFCD) in this area will remove the project site from the Special Flood Hazard Area prior to this park becoming operational (see the attached Supplemental Environmental Information). The project site is currently not within the Federal Flood Risk Management Standard (FFRMS) area designated by HUD for the west side of the Santa Ana River and will remain outside of the FFRMS area after completion of the levee raising project and the park becomes operational.

As described previously, buildout of the proposed project will not substantially alter the existing drainage pattern onsite while the percentage of impervious surface will increase from near zero to approximately 25% from planned park improvements. The proposed project will also not involve any uses or improvements that will contribute pollutants to onsite runoff. Therefore, the proposed project will not create or contribute runoff water which will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c.iv) Impede Flood Flows. As outlined in Impact Section 10.c.iii above, the proposed project is not within an area of identified flood risk. In addition, the park will contain only low-scale recreational facilities and improvements (e.g., play equipment, picnic tables and benches, fitness stations, skate plaza) which will not impede or redirect any flood flows should they occur on the site. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Flood Hazard, Tsunami, or Seiche Zones. As previously discussed in Impact Sections 10.c.ii, 10.c.iii, and 10.c.iv above, the project is not in a flood hazard zone and proposes no uses with occupants or buildings that will be impacted by flooding. A tsunami is a seismic sea wave that can cause damage inland depending on its size. The project site is at an elevation of 141 feet above sea level and is approximately 12 miles from the Pacific Ocean to the southwest. Therefore, the potential risk to the site from tsunamis is minimal. A seiche is a standing wave within an enclosed body of water such as a lake. It is most often caused by large earthquakes and can result in damage or failure of dams, lakes, or other flood control/protective structures. The closest upstream enclosed body of water that could affect the project site will be Prado Dam approximately 15 miles northeast of the site on the Santa Ana River. However, since completion of the Seven Oaks Dam in Highland, approximately 35 miles northeast of Prado in the San Bernardino Mountains, the potential failure risk and possible subsequent inundation or flooding downstream of the Prado Dam is considered minimal. Therefore, the proposed project has less than significant potential impacts from flooding, tsunami, or seiche/inundation. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

e) Water Planning. As described previously, pre- and post-construction conditions of the project site will not significantly increase the amount of impervious surfaces or result in large increases in runoff from the site. Therefore, the proposed project will not interfere with groundwater recharge and impacts related to groundwater recharge will not occur. As discussed further in Section 19, *Utilities and Service Systems*, water demands from the proposed project are minimal and have already been accounted for in the City of Orange 2020 UWMP since the proposed project is consistent with the existing land use designation and zoning classification. The 2020 UWMP determined that water supply and demands will be met, and the City will monitor groundwater withdrawals so as to not overdraft supplies. Therefore, the proposed project will not conflict with the OCWD groundwater management plan. During construction and operation, the proposed project will be required to comply with

regulations under the City's Local Improvement Plan (LIP). Compliance with the LIP will be ensured through the City's permitting process, as well as through post-construction BMP inspections and verifications. Thus, less than significant impacts to water quality control plans will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

f) Construction Runoff. As described in the previous responses, construction of the 1.8-acre proposed project will involve limited excavation and installation of low intensity recreational improvements and equipment, and new concrete for the skate plaza. These activities could temporarily impact stormwater runoff during construction. However, pursuant to Orange Municipal Code Title 7, Chapter 7.01, implementation of BMPs, described within the SWPPP and Erosion and Sediment Control Plans (ESCPs), the site will address site specific pollutant and drainage issues related to construction of the proposed project.[40] Thus, less than significant stormwater runoff impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

g) Operational Runoff. Once constructed, the proposed park will incrementally increase runoff on the site by installing impervious surfaces, mainly in the southern portion of the site with the skate plaza. However, onsite runoff from impervious surfaces will be directed to adjacent areas with pervious surfaces to allow it to percolate back into the ground. With planned low impact design features, any small amount of excess runoff will be directed to the adjacent Santa Ana River as under existing conditions. Due to the small size and planned low intensity of uses on the site, the proposed project will have less than significant runoff and water quality impacts from operational runoff. Thus, less than significant operational runoff impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

h) Stormwater Pollutants. Operation and maintenance of the proposed project will not involve the transport, storage, use, or disposal of hazardous materials. As described in Section 9, *Hazards and Hazardous Materials*, the proposed project is not a business that involves hazardous materials or regulated substances that exceeds a specified quantity which will be required to comply with state and federal regulations regarding the storage, handling, and cleaning of hazardous materials. Through

implementation of the Low Impact Development BMPs (in addition to the erosion control during active grading and post-construction), the site will not contribute a significant amount of pollutants during a rain event from this small site. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

i) Beneficial Uses. The Santa Ana Regional Water Quality Control Board (SARWQCB) maintains the Santa Ana River Basin Plan which identifies beneficial uses for all waters within the Santa Ana River watershed.[41] The project site has no man-made or natural drainage features although it is adjacent to the Santa Ana River, a flood protection and natural resource for the entire region. The Santa Ana River flows directly to the Pacific Ocean approximately 12 miles southwest of the site, and both the river and the ocean have a number of beneficial uses including recreation and wildlife habitat. The proposed project is designed to retain onsite runoff during both construction and operation/maintenance so activities on the proposed project site will not directly impact beneficial uses of the river or the ocean. The project will also meet storm water quality treatment regulatory requirements of the State Water Resources Control Board NPDES MS4 permit. Therefore, the proposed project will not result in a discharge of stormwater that will affect the beneficial uses of the receiving waters. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

j) Stormwater Changes. As described previously, construction of the 1.8-acre project will involve limited excavation and installation of low intensity recreational improvements and equipment, and new concrete for the skate plaza. These activities could temporarily impact stormwater runoff during construction. However, pursuant to Orange Municipal Code Title 7, Chapter 7.01, implementation of BMPs, described within the SWPPP and Erosion and Sediment Control Plans, the site will address site specific pollutant and drainage issues related to construction of the proposed project.[42]

Once constructed, the proposed park will incrementally increase runoff on the site by installing impervious surfaces, mainly in the southern portion of the site with the skate plaza. However, onsite runoff from impervious surfaces will be directed to adjacent areas with pervious surfaces to allow it to percolate back into the ground. Any small amount of excess runoff will be directed to the adjacent Santa Ana River as under existing conditions. Due to the small size, low impact design features, and planned low intensity of uses on the site, the proposed project will have less than significant runoff volume or velocity impacts from construction or operation of the proposed project. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

k) Erosion. As previously discussed, grading and construction activities will disturb and expose soil, which could be moved by wind and water, resulting in erosion and sedimentation of stormwater runoff. However, the project site is very small and is generally flat which reduces the potential for erosion. A majority of soil disturbance will be related to limited excavation and backfill to install the proposed recreational equipment and facilities. The use of construction BMPs, as required by the State Water Resources Control Board Construction General Permit and City of Orange Local Improvement Plan (LIP), will help ensure any project construction impacts related to erosion of the site or surrounding areas will be less than significant.

In addition, the proposed project will install mainly pervious surfaces and landscaping (approximately 75% coverage of the site) that will reduce the long-term potential for erosion. The low impact development BMPs available to integrate into the design of the park will follow the Orange County Technical Guidance Document to ensure that the park design limits the potential for erosion and storm water runoff pollution. Over the long-term, the proposed drainage system of the park and adherence to existing water quality regulations will ensure that project impacts related to erosion will be less than significant. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

11. Land Use/Planning

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

Impact Analysis:

a) Divide a Community. The proposed project includes the development of a new park adjacent to the existing bike trail. The proposed project will include several access points for entry by bicyclists and pedestrians, but no direct vehicular access for drivers. Development of the project site will not result in the division of an existing community as the site is mostly undeveloped, and its development will

foster engagement from the surrounding community. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Conflict with Land Use Plans. The project site has a land use designation of Open Space (OS) and is zoned RO – Recreation Open Space. As outlined in the City's Municipal Code, this zoning designation is intended to protect properties from flooding and landslide hazards, and to protect natural resources and scenic features for public enjoyment and use, as well as set aside those areas for recreational use that is consistent with general plan policy.[43] The City General Plan, Natural Resources Element contains Goal 1.0 which is to "Provide recreational use, scenic enjoyment, and the protection of natural resources and features in open space areas." This goal is supported by Policy 1.3 to "Promote development of additional open spaces and access points adjacent to waterways and planned trails. In addition, the Element contains Goal 5.0 which is to "Provide recreational facilities and programs that adequately serve the needs of residents" and supported by Policy 5.5 which is to "Explore and pursue new approaches to new park development and to providing a balanced mix of amenities and facilities". The proposed park is consistent with these goals and policies as well as the OS designation and the RO zone.

The proposed project is consistent with the City's Land Use and Zoning requirements. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

12. Mineral Resources

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒
(b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Impact Analysis:

a) Regional Mineral Resources. The project site is located in an urbanized area where there are no mining operations or processing facilities on or adjacent to the site. The project site is in an area designated by the California Department of Conservation as Mineral Resource Zone 3 (MRZ-3) which indicates that mineral deposits in the area are of an unknown significance due to a lack of available data.[44] Therefore, development of the project site will not result in a loss of availability of a known locally or regionally valuable mineral resource and no impacts will occur. Thus, no impacts will occur, and no mitigation is required.

b) Local Mineral Resources. The City General Plan, Natural Resources Element, indicates that mineral resource deposits in Orange are primarily limited to the sand and gravel resources contained in and along the Santa Ana River and Santiago Creek. Sand and gravel resources are referred to collectively as "aggregate." Aggregate is the primary component of Portland cement concrete, a material widely used in the construction industry. The state requires general plan land use policy to recognize the importance of these deposits to the region's economy. As these resource deposits are important to the region's economy, the City will evaluate development proposals within these areas and ensure adequate mitigation or preservation of the areas for future aggregate mining activity. It should be noted the Santa Ana River is often used for groundwater recharge in the project area but not for sand and gravel extraction, and the project site is not identified in the Natural Resources Element as a potential aggregate source site. Therefore, no impacts will occur to local mineral resources. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

13. Noise

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

Impact Analysis:

a) Generate Substantial Noise. Potential increase in ambient noise levels in the vicinity of the Project were evaluated for surrounding receptors which are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. The Orange General Plan Noise Element defines noise-sensitive uses as residences, hospitals, convalescent and day care facilities, schools, and libraries. The nearest sensitive receptors to the Project site are multi-family residential units ("Renaissance Uptown Orange Apartments") approximately 200 feet north of the park site across Chapman Avenue.

Orange Municipal Code Section 8.24.50(I) exempts construction noise if activities occur during the hours of 7:00 AM to 8:00 PM, Monday through Saturday, or during the hours of 9:00 AM to 8:00 PM on Sundays and federal holidays. The City does not have daytime construction noise level limits for activities that occur within the specified hours of the Orange Municipal Code. For its public works projects the City conducts construction within the hours allowable by the Orange Municipal Code. In addition, in this case project construction will be very limited with little grading (estimated at 500 cubic yards or less) or deep excavations (generally 6 feet or less in depth) for the installation of recreation equipment, landscaping, lighting, and related improvements. These construction activities are expected to generate minimal noise which will be below the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* criteria of 80 dbA (decibels on the A-weighted scale) for daytime one-hour levels for residential uses.

The City's General Plan Noise Element determined that traffic was the predominant noise source within the City. Traffic noise modeling that was conducted using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model for the year 2030 was included in the City's General Plan EIR, Appendix C. On the segment of Chapman Avenue between The City Drive and Eckhoff Street, which borders the project site to the north, existing traffic noise levels are estimated to be 68.4 dB CNEL at a distance of 100 feet from the road centerline.

The proposed project will not generate vehicle trips, and as such will not increase traffic noise levels. Therefore, the proposed park will have no ongoing noise impacts.

In addition, park construction is expected to last five months after which time noise levels from park operation or use will be similar to existing ambient noise levels. The reason no measurable increase in noise levels around the park are expected during its operation is the limited nature of the planned park improvements. The only exception to these limits will be the skate plaza located at the far south end of the site which is almost 900 feet from the multi-family units which are also across Chapman Avenue from the park site. It should also be noted that the park site is approximately six feet lower in elevation than Chapman Avenue to the north, which will help provide some passive shielding of noise from the park toward the multi-family units. However, as with construction noise, traffic noise along Chapman Avenue, which separates the park from the apartments, will produce noise levels in excess of those expected from park activities.

The park will be open 5am to 11pm, Monday through Sunday. The City General Plan Noise Element contains operational noise standards for stationary equipment. However, the park project proposes only low intensity recreational uses with the potentially loudest activity (i.e., the skate plaza) located almost 900 feet south of the existing multi-family units across Chapman Avenue. Due to the low level of noise expected from the park. For these reasons, the proposed project is not expected to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in the local general plan or noise ordinance. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Groundborne Noise and Vibration. Similar to the assessment of potential noise impacts in Subsection 13.a above, the park project is proposing uses that will not generate significant vibrations either during construction or operation of the park. The activity with the most potential for generating vibration will be the skate plaza which is almost 900 feet from the apartments located north across Chapman Avenue. Also similar to noise impacts, it is likely that vehicular traffic along Chapman Avenue has a greater potential to generate vibration than the proposed passive park which will occur within the hours allowable by the Orange Municipal Code. Thus, impacts will be less than significant, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Airport Noise. The project site is not located within two miles of an airstrip or an airport. The nearest airport is the Fullerton Municipal Airport located approximately 8.5 miles northwest of the project site. Therefore, no noise impacts related to aircraft activities will occur. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

14. Population and Housing

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Impact Analysis:

a) Population Growth. The proposed project does not include any housing and will not result in an increase in City population. The proposed project includes the development of a new park adjacent to the existing Santa Ana River bike trail. The development of the proposed park and associated recreational amenities will result in an increase in foot and bike traffic to the park and bike trail, however, this increase in visitors will not represent a permanent increase in population. Therefore, no impact related to substantial unplanned population growth will occur. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Displace Persons or Housing. There is no housing located at the project site. The project site is not zoned for housing, and the development of the proposed park will not result in the demolition of any existing housing. Therefore, no impact related to displacement of people or housing will occur. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

15. Public Services

		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Will the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire Protection?	☐	☐	☒	☐
	ii) Police Protection?	☐	☐	☒	☐
	iii) Schools?	☐	☐	☐	☒
	iv) Parks?	☐	☐	☐	☒
	v) Other public facilities?	☐	☐	☐	☒

Impact Analysis:

(a.i) Fire Protection. Fire protection and emergency medical services are provided to the City of Orange by the Orange City Fire Department. The Department operates eight stations within the City, with the closest station being Station #6 located approximately 0.8 miles southwest of the project site at 345 The City Drive South. The proposed project does not propose any development or improvements that will increase the population in the area and trigger additional demand for fire services. As such, the proposed project will not have a significant impact on fire response times and will not require new or physically altered fire protection facilities. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

a.ii) Police Protection. The Orange Police Department (OPD) provides police protection services in the City of Orange. The department is located at 1107 North Batavia Street, approximately 2.7 northeast of the project site. The proposed project will not result in any permanent population increase and will not require new or physically altered police facilities. To ensure adequate services are provided and to minimize the demands on police services, security and design measures that employ Defensible Space concepts will be incorporated into the project. These measures incorporate the concepts of Crime Prevention though Environmental Design (CPTED), which considerations such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing, and landscaping. CPTED promotes public safety, physical security and allows citizens the ability to monitor activity in the area. It is based on five concepts to provide non-invasive and permanent measures to prevent and reduce crime: territoriality, natural surveillance, access control, activity support, and maintenance. Police protection impacts will be addressed by the incorporation of the OPD's requirements to be included in the design of the project, adhering to the requirements

contained in the City of Orange Municipal Code Chapter 15.52 Building Security Construction Standards reference Ordinance #6-22. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

a.iii) Schools. The City is proposing the project to develop a new park along the Santa Ana River Trail (SART). The project does not propose a use which could result in population or housing increases that could require new or physically altered school facilities. Thus, no impact will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

a.iv) Parks. The proposed project will create a new park with educational and recreational amenities along the Santa Ana River for Orange residents. The proposed project will not impact existing park infrastructure, and no impacts will occur. Conversely, this project represents an incremental benefit to the City in terms of parks and recreational facilities. Thus, a beneficial impact will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

a.v) Other Public Facilities. The project does not propose a residential component which could increase the total population within the city. As such, the proposed project will not increase the demand of such services such as libraries or hospitals. Thus, no impact will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

16. Recreation

		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Will the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Impact Analysis:

a) Existing Parks. The project site is located at the southwest corner of the City along the Santa Ana River channel, with an existing bike trail traversing the eastern boundary of the project site along the river in a north-south direction. The proposed project includes the development of a new park adjacent to the bike trail. The park will feature various amenities for visitors of all abilities and ages, including but not limited to a skate plaza, fitness area, solar and LED lighting, and ADA concrete paving. Improvements to the project site will improve access to the river bike trail for cyclists. Improvements to the project site will give City residents access to a new park with state-of-the-art amenities, with access available to pedestrians and bicyclists. Development of the proposed park is beneficial because it provides additional recreational facilities and will not result in the direct deterioration of an existing recreational facility. Finally, the proposed project will not result in a housing or population increase that could impact existing recreational parks and amenities located within the City. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Require New Parks. The 1.8-acre project is a new park located on County of Orange Flood Control property in the southwestern portion of the City. As discussed in Subsection 4, *Biological Resources*, the project site has no value as habitat for endangered, rare or threatened species. Construction and operation of the proposed project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed project is consistent with the zoning for the area, will enhance the project site and surrounding area, and will not have an adverse impact on the environment.. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

17. Transportation

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
(b)	Will the project 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)?	☐	☐	☐	☒
(d)	Result in inadequate emergency access?	☐	☐	☒	☐

Impact Analysis:

a) Circulation Plans. The City General Plan Circulation Element indicates Chapman Ave is a major arterial (6 lanes divided) in the vicinity of the proposed project (Circulation Element Figure CM-2, City Master Plan of Streets and Highways). The park project will generate minimal vehicular traffic since it is a small park with no onsite parking or restrooms, and its users will mainly access the park as pedestrians or bicyclists along the SART.

Bus/Rail Service. OCTA operates bus service in OC, Route 54 runs east-west of Chapman Avenue adjacent to project site with bus stops a quarter mile to the east and west of the project site. Route 54 east connects to the City of Orange Transit Center near the downtown area (Chapman/Glassell Plaza) with access to other bus routes and Metrolink commuter trains.

Pedestrians/Bicycles. Chapman Avenue has no bicycle lanes but does have sidewalks on both sides for pedestrian access. The SART multi-use trail is classified as a Class I off-street bikeway in General Plan Circulation Element Figure CM-3, *Plan for Recreational Trails and Bikeways*). Figure CM-3 also does not include any future bicycle lanes along Chapman Avenue. The SART will allow both pedestrians and bicyclists to directly access the park site and will incrementally enhance the desirability of using the SART. The park may generate a dozen or less daily trips during construction and a maximum of 1-2 trips per month for maintenance. There will be no impacts as the project provides a beneficial impact relative to non-vehicular circulation. No street or intersection improvements are required to serve the proposed project due to its size and nature. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Vehicle Miles Traveled (VMT). In accordance with CEQA Guidelines Section 15064.3(c), the City of Orange, as the lead agency, is implementing the provisions of Section 15064.3 of the CEQA Guidelines regarding VMT analysis as of July 1, 2020. The following analysis is based on the City's Traffic Impact Analysis Guidelines[45].

A key element of Senate Bill (SB) 743, signed in 2013, is the elimination of automobile delay and Level of Service (LOS) congestion measure as the basis of determining CEQA impacts. The updated CEQA Guidelines, released in December 2018, recommend VMT analysis as the most appropriate method for measuring project transportation impacts. However, SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (e.g., the general plan), studies, or ongoing network monitoring.

For purposes of SB 743 compliance, a VMT analysis should be conducted for land use projects as deemed necessary by the Traffic Division and will apply to projects that have the potential to increase the baseline VMT per service population (i.e., population plus employment) for the City of Orange. Normalizing VMT per service population essentially provides a transportation efficiency metric on which the analysis is based.

Project Screening. There are three types of screening that may be applied to effectively screen projects from project-level assessment. These screening steps are: (1) Transit Priority Area (TPA) Screening; (2) Low VMT Area Screening; and (3) Project Type Screening.

Step 1: TPA Screening. Per the City's TPA map[46], the project area in the City's designated TPA and Chapman Avenue is a major east-west corridor within this TPA. In addition, California Public Resources Code Section 21064.3 defines a "major transit stop" as "…the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." The project site is adjacent to Chapman Avenue which is served by OCTA Route 54 with the closest stop just east of the project site at South Anita Drive just east of the SAR. The site is also proximate to OCTA bus routes 47 and 83 west of the site. In addition, according to the Orange County Council of Governments (OCCOG) VMT Screening Tool, the project site is within a "High Quality Transit Area" as designated by the Southern California Association of Governments (SCAG). Therefore, the project meets the TPA screening criteria (see Appendix G-1, OCCOG VMT Screening Tool Materials).

Step 2: Low VMT Area Screening. The project will not generate a substantial amount of vehicular traffic during either construction or operation/maintenance, and there is no direct road access, onsite parking, or restrooms. Users will be mainly pedestrians coming off of Chapman Avenue and pedestrians and bicyclists using the SART. The project contains no residential or non-residential uses that will generate new population, employment, or commuting traffic. In addition, according to the Orange County Council of Governments (OCCOG) VMT Screening Tool, the project site is in Traffic Analysis Zone (TAZ) 485 which has a VMT per capita of 10.72 which is well below the Orange County mean VMT per capita of 18.64 so the project site is in a "Low VMT Area". Therefore, it is essentially a non-VMT generating project and it meets the OCCOG low VMT area screening criteria (see Appendix G-2, OCCOG VMT Screening Tool Materials).

Step 3: Project Type Screening. Some specific project types have been identified in the City's TIA Guidelines as having the presumption of a less than significant VMT impact, including local parks (page 13, City TIA Guidelines). Therefore, the proposed project meets the project type screening criteria.

Summary. Based on the preceding analysis, the proposed project meets all three VMT screening criteria. Therefore, the proposed project will have less than significant VMT impacts per the City's TIA Guidelines and no additional quantified analysis of VMT impacts is required. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Traffic Hazards. The proposed project is not oriented toward vehicle access and does not have any onsite roads or parking. Access is mainly by pedestrians and bicycles. Parking may eventually be added immediately offsite to the west on the project site of a proposed commercial office building. However, there is no parking proposed as part of the proposed project at this time. Therefore, the site will not create or contribute to any traffic hazards. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Emergency Access. The project site does not include parking or direct public vehicular access. However, emergency access will be available to the site via a locked gate off of Chapman Avenue that will only be accessible to emergency responders via a Knox Box. The site will be visible to police patrol personnel from Chapman Avenue and the property just west of the park site. The proposed park will not be lit for nighttime use including the skate plaza at the south end of the park. Therefore, impacts related to emergency access will be less than significant. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

18. Tribal Cultural Resources

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

Impact Analysis:

a) CRHR Listings. The project site is fully disturbed from past grading. Based on a records search of the California Historic Resources Information System and field survey in 2017 that included the project site, it does not contain any known historic resources. In addition, a Sacred Lands File search from the Native American Heritage Commission also in that previous survey indicated negative results for the presence of sacred sites. Therefore, the proposed project will not result in impacts to historic resources that are listed or eligible for listing. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Needed

Significance Determination After Mitigation: No Impact

b) Tribal Consultation. The project is required to comply with AB 52 regarding tribal consultation. Chapter 532, Statutes of 2014 (i.e., AB 52), requires that Lead Agencies evaluate a project's potential to impact "tribal cultural resources (TCRs)." Such resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register or included in a local register of historical resources (PRC Section 21074). AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource falling outside the definition stated above nonetheless qualifies as a "tribal cultural resource."

In compliance with this requirement, the City emailed and mailed letters on July 17. 2024 to the following tribes that have previously requested notification of development projects:

- Gabrieleno Band of Mission Indians – Kizh Nation
- San Gabriel Band of Mission Indians
- Torres Martinez Desert Cahuilla Indians
- Gabrielino/Tongva Nation

In response, only the Gabrieleno Band of Mission Indians – Kizh Nation indicated via email that they wished to consult with the City on this project stating that the overall project area is within the Tribe's Ancestral Tribal Territory. Consultation occurred with the Kizh Nation which recommended three measures to mitigate potential impacts to tribal cultural resources if any were found during grading, trenching, or excavation onsite. In addition to Mitigation Measure CUL-1 recommended in Subsection 5, Cultural Resources, the Kizh Nation's recommendations have been incorporated into Mitigation Measures TCR-1 through TCR-3.

It should also be noted that discovery of human remains during grading is also covered by California Health and Safety Code Section 7050.5 which was discussed previously in Section 5, *Cultural Resources*.

Significance Determination: Potentially Significant

Mitigation Measures:

TCR-1: Native American Monitoring. 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.

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

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.

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. 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 and 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. 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.

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.

Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

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

Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Significance Determination After Mitigation: Less than Significant with Mitigation Incorporated

19. Utilities/Service Systems

	Will the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
(b)	Have sufficient water supplies available to serve the project and reasonably forseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐

(c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
(d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes?	☐	☐	☐	☒

Impact Analysis:

a) New Utilities. The City of Orange Water Division provides water and infrastructure services to the city and its residents. The project proposes the development of a park and amenities along the SART. The project does not propose residential, commercial, or industrial uses that will subsequently increase water usage. The project proposes no restrooms so no connection to the existing sewer line is needed. In its existing condition, a sanitary sewer line and a water line intersect the project site in the southern portion of the site. The water line runs parallel along the western boundary of the project site, while the sewer line is oriented in an east-west direction perpendicular through the project site, before changing directions and moving north-south through the southern boundary of the project site toward the I-5 freeway. Water uses within the proposed park will include landscape irrigation, drinking fountains and water bottle stations. The conceptual site plan takes into account the locations of the various utility lines onsite, including a 16-inch water line, a separate 12-inch main water line, a 72-inch OC Sanitation District line, a telephone line, and a natural gas line, which are shown in Exhibit 7 and in the park site plan in Appendix A dated 10-11-24. The park plan has been designed to avoid all of these existing utility lines.

Other sources of energy use include proposed solar and LED area lighting and security cameras. Electricity services will be provided by Southern California Edison (SCE) services. It is anticipated that the agencies and companies that currently provide water, stormwater drainage, electric power, natural gas, and telecommunications services have sufficient supplies/capacity to serve the proposed project, especially due to its size and its consumption of water and electricity is expected to be very low. As such, improvements to the project site will not result in the relocation of or construction of utility facilities that will cause significant environmental impacts. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

b) Water Supply. The project proposes the development of a new park. There is a 16-inch water main running through the site and a separate 12-inch mainline running parallel to the length of the park. As shown in Exhibit 7, no improvements will be built on top of these water mains. The proposed park will feature drought-tolerant plants and landscaping, with other water uses within the park including

drinking fountains and water bottle stations. According to the City of Orange 2020 Urban Water Management Plan prepared by the City of Orange Water Division, water demand within the City is project to increase over several decades. The City is equipped to meet rising demand through a combination of local groundwater, imported water, and surface water.[47] The proposed project does not represent a change in land use or zoning, and is consistent with the anticipated future buildout of the city. The proposed project will not represent a significant impact to the City's water resources and water use for the park will represent a negligible impact to water resources. As such, impacts related to water supplies will be less than significant. Thus, less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

c) Wastewater Treatment. The proposed project will include an irrigation system which will connect to existing water lines in Chapman Avenue, but it will have no restrooms so it will not connect to any existing sewer lines. The proposed park will therefore not result in any significant increase in demand for wastewater services. In addition, the conceptual site plan takes into account the locations of the various utility lines onsite, including an existing 72-inch OC Sanitation District sewer line, which are shown on the park site plan in Appendix A dated 10-11-24. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Generate Solid Waste. Some solid waste will be generated during construction activities. However, all construction waste will be disposed of according to state and federal regulations. The proposed park will not generate a continuous or excessive supply of solid waste that will significantly impact on one of the existing landfills that the City utilizes for solid waste disposal. The proposed project is consistent with the land use and zoning designation for the site and is consistent with other uses in the area. The proposed project will not impact existing solid waste disposal infrastructure. Thus less than significant impacts will occur, and no mitigation is required.

Significance Determination: Less than Significant

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: Less than Significant

e) Solid Waste Regulations. The proposed project will be required to comply with all applicable federal, state, County and City statutes and regulations related to solid waste. With adherence to

current requirements and regulations related to solid waste, the proposed project will have a less than significant impact. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

20. Wildfire

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

Impact Analysis:

a) Emergency Plans. The project site is located within an urbanized area, with a large undeveloped portion of land adjacent to the project site on the western boundary. The project site is not located within a fire hazard zone, as identified on the latest First Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE).[48] The project site is surrounded by and located within an urban environment. The construction of the proposed project does not include closure or reconfiguration of any roadways. Therefore, the proposed par development will not substantially impair an adopted emergency response plan or emergency evacuation plan. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

b) Exacerbate Wildfires. The project site is located within an urbanized area and features a gentle slope that rises against the Santa Ana River channel. The project site is not located within a designated wildfire hazard area per FHSZ maps prepared by CALFIRE. Development of the project site will not

exacerbate wildfire risks or expose future parkgoers to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

c) New Infrastructure. The project site is not subject to high fire hazards and will not require the installation of infrastructure that will exacerbate fire risk conditions. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

d) Increased Risks. The project site is located within an urbanized area along the western bank of the Santa Ana River channel. According to the Federal Emergency Management Agency's (FEMA) Flood Zone Maps, the project site and all its surroundings are located in Zone X, an area with reduced flood risk due to *[the presence of a]* levee.[49] However, a small portion of the site is within a Special Flood Hazard Zone due to the levee height at this time, It should be noted that the Orange County Flood Control District is proposing to redevelop the setback levee located along the river channel between Chapman Avenue and the I-5 Freeway (i.e., just east of the proposed park project site). The levee in its existing condition is lower than required and the County will be raising the lower levee by approximately four feet. This redevelopment will bring it into compliance with USACE lower levee elevation requirements. This planned improvement is not part of the proposed park project but at this time it is expected to begin construction around June 2026. The park project is not planned to be in operation before completion of the raised levee. There are also no slopes adjacent to the project site, so there is little or no risk of landslides.

Development of the project site does not involve occupied structures, so it will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Implementation of the proposed project will instead bring the project area into compliance with relevant flood control standards and improve conditions for residents and park-goers. Thus, no impacts will occur, and no mitigation is required.

Significance Determination: No Impact

Mitigation Measures: No Mitigation Measures Required

Significance Determination After Mitigation: No Impact

21. Mandatory Findings of Significance

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

Impact Analysis:

a) Biological/Cultural Resources. As described in Section 4, *Biological Resources*, the project site is located within an urban area and is fully disturbed. The northern parcel is fully paved with asphalt while the southern parcel is a bare, unpaved lot. No endangered, rare, threatened, or special status plant species (or associated habitats) or wildlife species designated by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS) occur on the site. However, the project site contains 11 oak trees in the central and northern portions of the site that may be utilized by nesting birds and raptors. Therefore, Mitigation Measure BIO-1 has been included to conduct pre-construction surveys if vegetation is required to be removed during nesting bird season. With implementation of Mitigation Measure BIO-1, impacts related to nesting birds will be reduced to less than significant.

As described in Section 5, *Cultural Resources*, the project site does not contain any buildings or structures that meet any of the California Register of Historical Resources (California Register) criteria or qualify as "historical resources" as defined by CEQA. In the unlikely event that potential archaeological or tribal cultural resources are discovered during grading, excavation, or other construction activities, Mitigation Measure CUL-1 has been included. This measure involves retaining an archaeological monitor and requires that work in the vicinity of a find be halted until the find can be assessed for significance by a qualified archaeologist to determine appropriate treatment. Therefore, potential impacts related to cultural resources will be reduced to a less than significant level.

Likewise, as described in Section 18, *Tribal Cultural Resources*, the site has the potential to contain tribal cultural resources. Therefore, Mitigation Measures TCR-1 through TCR-3 have been included to include monitoring of native soils and to ensure that any inadvertent discovery of potential tribal cultural resources during ground-disturbing activities will be less than significant.

Significance Determination: Potentially Significant

Mitigation Measures: BIO-1, CUL-1, and TCR-1 through TCR-3

Significance Determination After Mitigation: Less than Significant with Mitigation Incorporated

b) Cumulative Impacts. Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. CEQA Guidelines Section 15130 (a) and (b), states:

> (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
>
> (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The proposed project will develop the site with a new passive park consistent with the General Plan Open Space (OS) land use designation and the Recreation-Open Space (R-OS) zoning classification. As previously described, all potential impacts related to implementation of the proposed project will be less than significant or reduced to a less than significant level with implementation of the recommended mitigation measures. Therefore, the cumulative effect of the proposed project taken into consideration with other development projects in the area will be limited, because the Project will develop the site consistent with the Orange General Plan. Therefore, any cumulative impacts associated with the proposed project will be consistent with impacts disclosed in the Orange General Plan EIR for buildout based on the Orange General Plan.

Overall, impacts to environmental resources or issue areas will not be cumulatively considerable; and cumulative impacts will be less than significant.

Significance Determination: Less than Significant

Mitigation Measures: No Measures Required

Significance Determination After Mitigation: Less than Significant

c) Substantial Risks to Humans. As described previously, the project site is within an urban area and surrounded by consistent land uses. The proposed project will not consist of any use or any activities that will result in a substantial negative effect on persons in the vicinity (e.g., hazardous materials, noise, etc.). All resource topics associated with risks to human beings and the proposed project have been analyzed in accordance with CEQA and the CEQA Guidelines and were found to pose no impacts

or less than significant impacts with implementation of the project as proposed and regulatory compliance.

With implementation of the project as proposed, the project will not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Significance Determination: Less than Significant

Mitigation Measures: No Measures Required

Significance Determination After Mitigation: Less than Significant

PREPARERS AND PERSONS CONSULTED

(Identify preparers, including preparers of technical studies, as well as persons consulted in person, by phone or in correspondence for the environmental impact analysis)

- No technical studies were prepared for this analysis

MITIGATION MONITORING AND REPORTING PROGRAM

- MMRP document to be completed after review of the Admin. Draft by City staff (includes mitigation measures are BIO-1 for nesting birds, CUL-1 for archaeo monitoring, and TCR-1 through TCR-3 for tribal monitoring)

APPENDICES

(Include any technical studies used in the environmental impact analysis)

- Project Materials Appendix A)
- Native American Consultation Documentation (Appendix B)
- Biological Resource Data (Appendix C)
- Cultural Resources Assessment (previous project)(Appendix D)
- Phase I Environmental Site Assessment (previous project)(Appendix E)
- Geotech Report (Appendix F)
- VMT Screening Tool Materials (Appendix G)

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