

2. Introduction

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

2.1.1 California Environmental Quality Act Compliance

This draft environmental impact report (DEIR) has been prepared to evaluate the potential environmental impacts associated with the proposed Brea 265 Specific Plan project (referred to in this DEIR as the proposed project or project), as required under CEQA, as amended (California Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3, Sections 15000 et seq.).

CEQA requires that all state and local governmental agencies consider the potential environmental consequences of projects over which they have discretionary authority before taking action on those projects. This DEIR has been prepared to satisfy CEQA, including but not limited to the State CEQA Guidelines. An EIR is the public document designed to provide decision makers and the public with an analysis of the potential environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental impacts and to identify alternatives to the proposed project. An EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present and reasonably foreseeable future projects.

The intent of this DEIR is to provide sufficient information on the potential environmental impacts of the proposed Brea 265 Specific Plan to allow the City of Brea to consider environmental consequences and make an informed decision about whether to approve, modify, or deny approval of the proposed project. The DEIR also serves to inform the public, responsible agencies, and other public agencies about the project. Specific discretionary actions to be considered by the City and other agencies are described in Section 3.4, *Intended Uses of the EIR*.

The overall purpose of this DEIR is to inform the lead agency, responsible agencies, decision makers, and the general public about the environmental effects of the development and operation of the proposed project. This DEIR addresses effects that may be significant and adverse; evaluates alternatives to the proposed project; and identifies mitigation measures to reduce or avoid adverse effects.

2.1.2 Lead Agency and Responsible Agencies

The lead agency means “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment” (Guidelines sec. 21067). The City of Brea has the principal responsibility for approval of the Brea 265 Specific Plan. For this reason, the City of Brea is the CEQA lead agency for this project.

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A “responsible agency” is the public agency which proposes to carry out or approve a project for which a lead agency is preparing or has prepared an environmental document. For the purposes of CEQA, the term “responsible agency” includes all public agencies that have discretionary approval power over the project other than the lead agency.

2.2 NOTICE OF PREPARATION

The City complied with CEQA Guidelines Sections 15082 and 15083 by providing opportunities for responsible and trustee agency participation in the environmental review process as well as opportunity for public consultation with interested organizations and individuals.

The notice of preparation (NOP) was distributed on December 14, 2018, to federal, state, regional, and local government agencies and interested parties to solicit comments and to inform agencies and the public of the proposed project during an extended, 41-day public review period from December 14, 2018, to January 23, 2019. A notice announcing the scoping meeting and availability of the NOP was published in a newspaper of general circulation in Brea on December 14, 2018. The NOP was also posted on the City’s website at <http://www.cityofbrea.net/projectsinprocess> beginning December 14, 2018, to the present. Copies of the NOP were made available at the following locations:

- City of Brea – Planning Division, Level 3: 1 Civic Center Circle, Brea, CA 92821
- Brea Library: 1 Civic Center Circle, Level 1, Brea, CA 92821

The proposed project was described in the NOP (see Appendix A). Potential environmental effects associated with project approval and implementation were identified, and agencies and the public were invited to review and comment on the NOP. Comments on the NOP were received from 9 agencies and 14 individuals and organizations (see Appendix B). Table 2-1 compiles the comment letters received from government agencies during the NOP public review period. The table identifies the section(s) of the DEIR where the issues are addressed.

Table 2-1 Government Agency NOP Written Comments Summary

Commenting Agency/Person	Letter Dated	Summary of Comments	Response/Issue Addressed In:
Agencies			
Orange County Public Works	1/24/2019	The DEIR must clearly identify the possible impacts to Orange County Flood Control District facilities.	Section 5.10, Hydrology and Water Quality.
		The hydrology and hydraulic impacts resulting from the project must be assessed, and the analysis must be consistent with the prevailing criteria of the Orange County Hydrology Manual (OCHM), Addendum No. 1 to the OCHM, the Orange County Flood Control Design Manual, the Orange County Local Drainage Manual, and other related design criteria.	Section 5.10, Hydrology and Water Quality.
		The City of Brea and County of Orange should ensure that floodplains are properly identified and that structures are located outside the FEMA 100-year floodplain, or designed in conformance with local floodplain ordinances, and Federal	Section 5.10, Hydrology and Water Quality.

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Commenting Agency/Person	Letter Dated	Summary of Comments	Response/Issue Addressed In:
		Emergency Management Agency.	
		All work within or adjacent to any OCFCD right-of-way shall be conducted so as not to adversely impact the channel's structural integrity, hydraulic flow conditions, access and maintainability.	Section 5.10, Hydrology and Water Quality.
		Potential long-term water quality impacts of the project should be evaluated in accordance with provisions outlines in Section 7 of the County of Orange Drainage Area Management Plan (DAMP).	Section 5.10, Hydrology and Water Quality.
		If the project disturbs one or more acres, the project is required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit.	Section 5.10, Hydrology and Water Quality.
		The proposed project should consider the Trash Amendments Track 1 as it designs BMPs for the proposed project.	Section 5.10, Hydrology and Water Quality.
		How will the drainage for the proposed project, specifically the west side of park above the maintenance road, be sufficiently addressed to ensure that the park is not impacted?	Section 5.10, Hydrology and Water Quality.
		The area between the HOA and Carbon Canyon Regional Park, defensible space clearance should be at minimum 100 feet and maintenance of fuel modification area to be completed by HOA.	Section 5.15, Public Services Section 5.20, Wildfire
		Where is the planned construction staging area, and what, if any, impact will there be on the public accessing the regional park from Carbon Canyon Road?	Chapter 3, Project Description.
		Fencing along HOA and Carbon Canyon Regional Park must be constructed in a way that would not allow for homeowners to create independent gates and access into the park.	Chapter 3, Project Description.
		The proposed project should provide opportunities for the City and developer to work with the County to ensure regional bikeway and trail requirements are met per the General Plan.	Chapter 3, Project Description.
		Requests that a copy of the Traffic Study be submitted to OC Traffic Engineering.	Noted.
Caltrans	1/23/2019	Requests a traffic analysis and queue analysis for all ramps to SR-142 and SR-57.	Section 5.17, Transportation
		Requests the Traffic Management Plan (TMP) for Caltrans to review and comment.	Section 5.17, Transportation
		Requests that all works within Caltrans rights-of-way be submitted to the Permits Branch for review & comment.	Section 5.17, Transportation
		Directs the City/consultant to use HCM 2010 for Caltrans signals analysis.	Section 5.17, Transportation
		Requests adequate connections to the bicycle network near the project site.	Chapter 3, Project Description.
		All projects of one acre or more of soil disturbance will be subject to the requirements of the NPDES program.	Section 5.10, Hydrology and Water Quality.
		Any work performed within Caltrans rights-of-way will require discretionary review and approval by Caltrans, and an encroachment permit will be required prior to construction.	Section 5.17, Transportation
City of Yorba Linda	1/23/2019	Impacts related to access and circulation along Rose Drive must be addressed in detail. Traffic impacts on Rose Drive and other proximal local roadways and intersections within the City of Yorba Linda must be quantitatively addressed based on the City of Yorba Linda's thresholds of significance.	Section 5.17, Transportation

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Commenting Agency/Person	Letter Dated	Summary of Comments	Response/Issue Addressed In:
		Excessive speed has been well documented along Rose Drive, and the DEIR should consider the effect of the proposed project's access points along this segment of Rose Drive on vehicle speeds and consider signalization and/or other traffic-calming measures to mitigate excessive speeds.	Section 5.17, Transportation
		The DEIR must determine roadway and/or intersections impacts along Rose Drive, Imperial Highway, and Yorba Linda Boulevard among other potentially affected roadways. The analysis should consider what additional east and westbound SR-91 commuter "cut-through" traffic (that presently diverts via Carbon Canyon Road as an alternate route to the SR-91) may be encouraged to alternately divert through the City of Yorba Linda upon project buildout via Rose Drive, Imperial Highway, La Palma Avenue, and Gypsum Canyon Road due to increased project-related congestion at the intersection of Valencia Avenue and Lambert Road/Carbon Canyon Road.	Section 5.17, Transportation
		The DEIR should provide a detailed discussion of the visual impacts of the proposed project as viewed from existing Park and Redwood Grove, as well as residential uses within Vista Del Verde to the immediate east. Changes in the aesthetic environment pertaining to scenic vistas and visual character should be addressed as required under the CEQA Guidelines.	Section 5.1, Aesthetics
		The DEIR should identify opportunities to link proposed trails to existing trails within the City of Yorba Linda to provide an expanded network of regional trails.	Chapter 3, Project Description Section 5.16, Recreation
Los Angeles County Fire Department	1/16/2019	The project site is entirely within the City of Brea, which is not a part of the emergency response area of the Los Angeles County Fire Department and therefore would not have any impact on the LACFD.	Noted.
LAFCO	1/16/2019	The DEIR should include municipal service responsibilities such as, police protection, fire protection, solid waste, library, animal control, code enforcement, education, maintenance of public facilities (e.g., roads, landscaping, street sweeping) and general government services.	Section 5.15, Public Services.
OCTA	1/21/2019	Recommends that the Specific Plan include improvements along both Lambert Road-Carbon Canyon Road and Valencia Avenue, which will provide bikeways consistent with City of Brea and County of Orange master plan documents.	Chapter 3, Project Description. Section 5.17, Transportation
		Recommends to include plans to provide a paved off-road bikeway as identified on the County of Orange "Major Riding & Hiking Trails and Off-Road Paved Bikeways" map.	Chapter 3, Project Description.
		Recommends the Specific Plan include short- and long-term bicycle parking and bicycle facilities for residents and guests, considering a short-term parking ratio of one bicycle space for each four units, and inclusion of a secure ground floor indoor bicycle storage area for long-term bicycle parking.	Chapter 3, Project Description Section 5.16, Recreation.
		Notes that Rose Drive, currently built as two lanes, is classified as a primary arterial highway that is planned for four lanes per its MPAH classification, and the proposed project should consider the planned buildout of Rose Drive as it relates to potential future right-of-way needs.	Section 5.17, Transportation

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Commenting Agency/Person	Letter Dated	Summary of Comments	Response/Issue Addressed In:
SCAG	1/22/2019	SCAG requests that the EIR include consistency analysis with the applicable 2016 RTP/SCS Goals. And the comment recommends that the EIR review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance as appropriate.	Section 5.11, Land Use
City of La Habra	1/18/2019	The proposed project could affect the signal synchronization related to vehicular trips to and from La Habra, and the DEIR should analyze the potential impacts to La Habra.	Section 5.17, Transportation
		At a minimum, the DEIR should study the intersections of Lambert Road/Palm Street, Lambert Road/Harbor Boulevard, La Habra Boulevard/Harbor Boulevard, and Harbor Boulevard/Imperial Highway based on the trip distribution pattern identified in the Traffic Study. And a condition should be placed on the project that requires the developer to contribute their fair share traffic impact fees.	Section 5.17, Transportation
		Imperial Highway in the City of La Habra is on the Orange County Congestion Management Program Highway System, and the intersection of Imperial Highway/Harbor Boulevard is a monitored intersection on the Orange County CMP system, and the DEIR should address CMP impacts at this intersection.	Section 5.17, Transportation
SCE	1/2/2019	Asks if the development will cause any of SCE facilities (mainly 50 kV and above) to be relocated, and if so, the scope of relocation should be included in the EIR.	Chapter 3, Project Description.

The NOP and scoping process are used to help determine the scope of the environmental issues to be addressed in the EIR. The City determined at the time of the NOP that the EIR will address every topic on the CEQA Guidelines Appendix G Checklist Form. Because the City decided to prepare an EIR during initial review of the proposed project, as permitted by CEQA Guidelines Section 15063, no Initial Study was required to determine whether the proposed project required an EIR, and no Initial Study was prepared. The NOP identified that all environmental categories have the potential to result in significant impacts, and therefore they are addressed in this DEIR.

The City held a scoping meeting for the EIR at 5:00 pm on January 16, 2019, at the Brea City Hall, Room B, 1 Civic Center Circle, Brea, Orange County, California. The purpose of the scoping meeting was to provide an additional forum for the public and other agencies to provide input on the environmental issues that should be addressed in the EIR. A total of 13 comment cards were collected during the scoping meeting, and these are included in Appendix B.

2.3 SCOPE OF THIS EIR

Based in part on the State CEQA Guidelines Appendix G Environmental Checklist Form, City staff determined that an EIR should be prepared for the proposed project. An Initial Study is not required to determine that an EIR will be prepared; therefore, the City began its work directly on the EIR process without preparing an Initial Study. The scope of the EIR was determined based on review of the current

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conditions of the project site and surrounding area, the scope of the proposed project, comments received in response to the NOP, and comments received at the scoping meeting conducted by the City. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the DEIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

The information in Chapter 3, *Project Description*, establishes the basis for analyzing future, project-related environmental impacts. However, further environmental review by the City may be required as more detailed information and plans are submitted on a project-by-project basis.

2.3.1 Potentially Significant Adverse Impacts

All environmental areas from the CEQA Guidelines Appendix G Environmental Checklist Form have been identified as having potentially significant impacts if the proposed project is implemented:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

2.3.2 Unavoidable Significant Adverse Impacts

This DEIR identifies two significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the proposed project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and/or potentially significant. The City must prepare a “statement of overriding considerations” before it can approve the project, attesting that the decision-making

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body has balanced the benefits of the proposed project against its unavoidable significant environmental effects and has determined that the benefits outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impacts that the DEIR found to be significant and unavoidable are:

- Air Quality
- GHG Emissions

2.4 INCORPORATION BY REFERENCE

Some documents are incorporated by reference into this DEIR, consistent with Section 15150 of the CEQA Guidelines, and they are available for review at the City of Brea Planning Division, Level 3, 1 Civic Center Circle, Brea, CA 92821.

- **Brea General Plan:** The Brea General Plan serves as the major blueprint for directing growth in Brea and regulates the existing land uses in the project site. The General Plan addresses existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities. The General Plan also looks at trends, issues, and concerns that affect the region; includes City goals and objectives; and provides policies to guide development and change.
- **Brea Municipal Code:** The Brea Municipal Code is a set of laws governing the City of Brea and covers all aspects of City regulations, including zoning, permitted uses and standards, and various development requirements. Zoning district standards are also included in the code. Where applicable, code sections are referenced throughout the DEIR.
- **Brea 265 Specific Plan.** The Brea 265 Specific Plan implements a series of objectives that have been crafted to ensure the project develops as a high-quality master planned community. It provides various plan elements that include Land Use Plan, Circulation Plan, Grading Plan, Infrastructure Plan, and Public Facilities and Services. Each of these plan elements work in tandem with the others to establish a framework for Brea 265. The Specific Plan also provides design guidelines, development regulations and standards, and implementation and administration that are necessary to implement the various objectives of the Specific Plan.

2.5 FINAL EIR CERTIFICATION

This DEIR is being circulated for public review for 45 days. Interested agencies and members of the public are invited to provide written comments on the DEIR to the City address shown on the title page of this document. Upon completion of the 45-day review period, the City of Brea will review all written comments received and prepare written responses to these comments. A Final EIR (FEIR) will incorporate the received comments, responses to the comments, and any changes to the DEIR that result from comments. The FEIR will be presented to the City of Brea City Council for potential certification as the environmental document for the proposed project. All persons who comment on the DEIR will be notified of the availability of the FEIR and the date of all public hearings related to this project.

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The DEIR is available to the general public for review at various locations:

- **City of Brea – Planning Division, Level 3.** 1 Civic Center Circle, Brea, CA 92821
- **Brea Library.** 1 Civic Center Circle, Level 1, Brea, CA 92821

The DEIR is also available for electronic download from the City’s website:

<http://www.cityofbrea.net/projectsinprocess>

2.6 MITIGATION MONITORING

CEQA, in Public Resources Code Section 21081.6, requires that agencies adopt a monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code Section 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted.

The Mitigation Monitoring Program for the Brea 265 Specific Plan will be completed as part of the Final EIR, prior to consideration of the project by the Brea City Council.