

**Appendix A**

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**Notice of Preparation and Scoping Comments**

## **Notice of Preparation**



ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

PUBLIC NOTICE/POSTING: MEETING FOR THE VILLAGE SANTA ANA  
SPECIFIC PLAN PROJECT

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type): POSTING

FILED IN THE OFFICE OF THE ORANGE  
COUNTY CLERK-RECORDER ON November 3, 2023

Posted for 30 days

DEPUTY CARINA CORTES

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.



## California Environmental Quality Act NOTICE OF PREPARATION AND SCOPING MEETING

**Date:** November 3, 2023  
**To:** Responsible Agencies and Interested Persons  
**Subject:** Notice of Preparation of a Supplemental Environmental Impact Report and Public Scoping Meeting for The Village Santa Ana Specific Plan Project

NOTICE IS HEREBY GIVEN that the City of Santa Ana (City) will prepare a Supplemental Environmental Impact Report (EIR) for the proposed The Village Santa Ana Specific Plan Project (proposed project or The Village) located on the northeast corner of West Sunflower Avenue and Bear Street, transected by South Plaza Drive. The City has determined that a Supplemental EIR to the City's General Plan Update (GPU) Final Program EIR (GPU FEIR) (SCH # 2020029087) is necessary pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15163 to evaluate the potential environmental impacts from the proposed project. The City is the Lead Agency for the proposed project pursuant to CEQA Guidelines Section 15050. The purpose of this notice is: (1) to serve as a Notice of Preparation of a Supplemental EIR pursuant to the CEQA Guidelines Section 15082; (2) to advise and solicit comments and suggestions regarding the scope and content of the forthcoming Supplemental EIR to be prepared for the project; and (3) to serve as a notice of the public scoping meeting. Copies of the Notice of Preparation are available for review at the following locations:

City of Santa Ana, Planning Division  
20 Civic Center Plaza, M-20  
Santa Ana, CA 92701

City of Santa Ana Public Library  
26 Civic Center Plaza  
Santa Ana, CA 92701

The documents can also be accessed on the City's website and on the CEQAnet webportal at: <https://www.santa-ana.org/the-village-santa-ana-specific-plan/> and <https://ceqanet.opr.ca.gov/>.

**NOTICE OF PREPARATION:** Pursuant to Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082, the City has prepared a Notice of Preparation to solicit comments related to the scope and content of the Supplemental EIR. The 30-day public comment period for the Notice of Preparation is from Friday, November 3, 2023 to Monday, December 4, 2023. The City, as the Lead Agency, requests that responsible and trustee agencies respond in a manner consistent with Section 15082(b) of the CEQA Guidelines. **All environmental related comments to the Notice of Preparation should be submitted in writing by 5:00 p.m. on Monday, December 4, 2023 to:**

Jerry C. Guevara, Senior Planner  
City of Santa Ana, Planning and Building Agency  
P.O. Box 1988 (M-20)  
Santa Ana, CA 92702  
Email: [JGuevara@santa.ana.org](mailto:JGuevara@santa.ana.org)

**SCOPING MEETING:** The City will conduct a public scoping meeting in conjunction with this Notice of Preparation in order to receive public comments and suggestions regarding the scope and content of the Supplemental EIR. The meeting will be held on:

**Date:** Wednesday, November 15, 2023  
**Time:** 6:00 p.m. to 7:30 p.m.  
**Location:** McFadden Institute of Technology  
2701 South Raitt Street, Santa Ana, CA 92704

**PROJECT TITLE:**

The Village Santa Ana Specific Plan Project

**PROJECT LOCATION:**

The project site comprises approximately 17.2 acres located on the northeast corner of West Sunflower Avenue and South Bear Street, transected by South Plaza Drive. The project site comprises seven parcels (Assessor's Parcel Numbers 412-451-01 through -04 and 412-131-10, -20, -21). (Refer to Figure 1, Project Site.)

**PROJECT SITE DESCRIPTION:**

The project site is currently occupied by the South Coast Plaza Village commercial center on both sides of South Plaza Drive which consists of approximately 164,049 square feet of retail shops and restaurants, offices, and the Regency Theatres cinema building. The property also provides surface parking, a variety of trees and a half-acre open space lawn area. Surrounding properties include South Coast Plaza, to the south across Sunflower Avenue in the City of Costa Mesa; the multi-family housing communities of Versailles on the Lake and St. Albans to the north; a retail shopping center to the east; and the Village Creek condominium community to the west across Bear Street in the City of Costa Mesa. The project site is located within 2 miles of the John Wayne Airport, approximately 1.2 nautical miles northwest of the airport.

The City's GPU Land Use Element designates the project site as District Center-High (DC-5) within the South Bristol Street Focus Area. Development in the DC-5 designation is intended to provide urban retail, residential, mixed-use, and employment centers with an intensity of up to 5.0 floor area ratio (FAR) and/or 125 dwelling units per acre. Mixed-use projects may be vertical or horizontal. The DC-5 designation also has a maximum height of 25 stories. The project site is currently zoned as Specific Development Plan Number 48 (SD-48) which was adopted in 1989 and was last amended in 1997.

**PROJECT DESCRIPTION:**

The Village Santa Ana Specific Plan Project would provide for redevelopment of the approximately 17.2-acre site with a mix of residential and commercial uses. The Village is proposed as a mixed-use community that allows for vertical and horizontal mixed uses across the site. The proposed project would include mixed-use commercial and residential, residential only, and commercial only buildings. A central commercial area would include a variety of commercial uses, such as restaurants and neighborhood retail uses, with additional commercial uses extending through the ground floor of adjacent residential buildings. Stand-alone residential and mixed-use buildings would provide housing opportunities for residents in the City's South Bristol Street Focus Area.

In total, The Village would include approximately 1,583 residential units (encompassing approximately 1,850,000 square feet of building space), 80,000 square feet of retail space, 300,000 square feet of office space, and over 3.6 acres of open space. The residential-only buildings are anticipated to include a range of heights from 5 to 25 stories and the commercial-only buildings are anticipated to include a range of heights from 1 to 20 stories. The mixed-use commercial/residential buildings are anticipated to include a range of heights from 5 to 25 stories. The proposed Specific Plan includes a maximum height of 25 stories with a minimum of 1 story for commercial/office only buildings. No minimum height is included for residential or mixed use buildings. Parking would be provided in tower and podium buildings and underground building levels with up to four levels below grade.

At full buildout, the project is anticipated to provide a minimum of 3.6 acres of publicly accessible open space and common areas. Public open spaces at The Village would consist of active spaces, outdoor seating, garden paseos, a fitness loop, recreational lawn, and the incorporation of architectural features. The project would also provide private open space amenities which would consist of outdoor balconies and patios, pools and spas, outdoor kitchens, and communal gathering spaces. The proposed project would also include roadway and streetscape modifications and improvements along Sunflower Avenue, Bear Street, and South Plaza Drive in addition to new access points throughout the project site. (Refer to Figure 2, Conceptual Land Use Plan.)

Construction of the proposed project is anticipated to begin January 2026 and would be built out in phases, each with access, public facilities, and infrastructure connections. The Village would be developed in a series of five phases with full buildout occurring in approximately 20 years. Phase one is anticipated to include 360 residential units and 73,175 square feet of commercial space. Phases two and three would consist of further development of 513 and 177 residential dwelling units respectively. Phase four would include the development of approximately 264 residential dwellings units, 300,000 square feet of office space, and the remaining 6,825 square feet of commercial space. The final phase five would complete the project with 269 residential units. (Refer to Figure 3, Conceptual Phasing Plan.)

The construction period would include demolition of the existing buildings, excavation, grading, trenching, installation of utilities, building construction, architectural coating, paving activities, and installation of landscaping and hardscape elements. Demolition of the existing site would primarily occur during Phase 1 (west of S. Plaza Drive) for approximately 3 months and Phase 4 (site east of S. Plaza Drive) for approximately 2 months. The maximum excavation would occur where up to four levels of subterranean parking is proposed during Phase 4, where excavations would reach approximately 52 feet below grade. Approximately 420,000 cubic yards of material would be excavated and hauled away from the project site. An estimated daily average of 150 and maximum of 300 construction workers would be employed.

**DISCRETIONARY ACTIONS:**

The project would require the following entitlements, which will be considered at the discretion of the City: the Village Santa Ana Specific Plan to regulate future development at the site; certification of a Supplemental EIR: an Amendment Application (zone change) to change the zoning of the site from Specific Development Plan Number 48 (SD-48) to The Village Santa Ana Specific Plan District (SP No. 6); a Tentative Tract Map (TTM) to delineate parcel boundaries and public rights-of-way; and a development agreement detailing development rights and public benefits pursuant Government Code Section 65864 et seq.

Consideration by outside agencies such as the John Wayne Airport's Airport Land Use Commission (ALUC) is also required.

**PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT:**

Pursuant to CEQA Guidelines, Section 15060(d), the City has determined that the project will require a Supplemental EIR and will work directly on preparation of the Supplemental EIR without conducting an initial study. The Lead Agency will focus the Supplemental EIR on the potentially significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or potentially significant.

Based on the City’s preliminary analysis, the probable environmental effects of the project would be related to the following environmental topics and will be further evaluated in the Supplemental EIR:

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

**EFFECTS FOUND NOT TO BE SIGNIFICANT:**

As detailed below, it is determined that the project’s effects related to the environmental topics listed below would not be significant based on the project’s environmental setting and development characteristics. No new significant impacts and no substantial increase in the severity of previously identified impacts of the GPU FEIR associated with the proposed project would occur. Likewise, there would be no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis, verification, or mitigation measures. Therefore, the project would not trigger the need for a Supplemental EIR analysis related to the following environmental topics:

- **AESTHETICS:** Public Resources Code Section 21099 states that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site<sup>1</sup> within a transit priority area shall not be considered significant impacts on the environment.” A Transit Priority Area (TPA) is defined as “an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.” As the proposed project is a mixed-use project located on an infill site within a TPA as identified by the Southern California Association of Governments (SCAG) (2022),<sup>2</sup> aesthetics-related impacts would not be considered significant. Therefore, no impacts related to aesthetics would occur, and no further analysis is required in the Supplemental EIR.
- **AGRICULTURE AND FORESTRY RESOURCES:** The GPU FEIR found that according to the California Resource Agency’s Department of Conservation,<sup>3</sup> the City does not have any significant agricultural resources, has no land designated or zoned for agricultural use, forest land, or timberlands, and does not have any land subject to a Williamson Act contract.<sup>4</sup> As such, no farmland, forest, or timberland exists on the project site. The City is also almost completely built out and the GPU would allow for development in highly urbanized areas. Therefore, the proposed project would not result in the loss of agricultural or forest uses, convert farmland/forest land to non-agricultural/non-forest use, or conflict with existing zoning for agricultural use, forest or timberlands. No impacts to agricultural or forest lands would occur, and no further analysis is required in the Supplemental EIR.

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<sup>1</sup> Public Resources Code Section 21099 defines “infill site” as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.  
<sup>2</sup> Southern California Association of Governments (SCAG), 2022, Connect SoCal 2024: The Regional Transportation Plan/Sustainable Communities Strategy, Local Data Exchange Process Data/Map Book for the City of Santa Ana, pp 48-49.  
<sup>3</sup> California Department of Conservation, California Important Farmland Finder, available at: <https://maps.conservation.ca.gov/dlrp/ciff/>, accessed October 2023.  
<sup>4</sup> City of Santa Ana, 2022, General Plan Update Final Program Environmental Impact Report - SCH # 2020029087, April.

- **BIOLOGICAL RESOURCES:** According to the GPU FEIR, parcels with a proposed land use designation that allows for development under the GPU (i.e., not an open space designation) currently have ruderal vegetation and no sensitive vegetation. The GPU FEIR states that buildout under the GPU would be required to comply with all applicable federal and state laws and regulations governing the protection and preservation of wildlife, plants, and habitat.<sup>5</sup> The project site is fully developed with existing commercial uses, surface parking, and limited, ornamental landscaping, including grass lawns and trees. The surrounding area is heavily urbanized with residential and commercial uses. As such, the project site would not warrant further investigation for biological resources as no natural, vegetated areas that could support candidate, sensitive, or special status species, or habitat for such species; riparian habitat or other sensitive natural community; wetlands; wildlife corridors; or Natural Community Conservation and Habitat Conservation Plan areas exist on the project site.<sup>6,7</sup> The proposed project would involve infill development within an already highly disturbed urban environment. Additionally, the proposed project would comply with the City's Municipal Code pertaining to trees within parkways and rights-of-way and would not conflict with any local policies or ordinances protecting biological resources.<sup>8</sup> Therefore, the proposed project would result in no impacts or less than significant impacts related to biological resources, and no further analysis is required in the Supplemental EIR.
- **MINERAL RESOURCES:** The project site is not delineated as a locally important mineral resource recovery site in the GPU or other land use plan and is located entirely within an area designated as MRZ-3, indicating that the significance of mineral deposits cannot be determined from the available data.<sup>9</sup> The project site is currently developed with existing commercial retail and surface parking lot uses. No mineral extraction, mineral resource sectors, or mines occur within or near the project site, and no mineral extraction would occur with implementation of the proposed project. Thus, the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or of a locally important mineral resource recovery site. No impact would occur, and no further analysis is required in the Supplemental EIR.
- **WILDFIRE:** The GPU FEIR identified that the nearest very high fire hazard severity zone (VHFHSZ) to the City in a state responsibility area is about four miles east along the western edge of Loma Ridge.<sup>10</sup> The nearest VHFHSZ in a local responsibility area is about 3.8 miles east at the southern tip of the Peters Canyon Regional Park.<sup>11</sup> Therefore, the City is not in or near a state responsibility area or lands classified as VHFHSZs. Likewise, the project site, which is located within the City, is not located in or near a state responsibility area or lands classified as a very high fire hazard severity zone. No impact would occur, and no further analysis is required in the Supplemental EIR.

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<sup>5</sup> Ibid.

<sup>6</sup> United States Fish and Wildlife Service, National Wetlands Inventory, available at: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>, accessed October 2023.

<sup>7</sup> California Department of Fish and Wildlife, NCCP Plan Summary – County of Orange (Central/Coastal) NCCP/HCP, available at: <https://wildlife.ca.gov/Conservation/Planning/NCCP/Plans/Orange-Coastal>, accessed October 2023.

<sup>8</sup> City of Santa Ana, Municipal Code Chapter 33, Article VII. Regulation of the Planting, Maintenance, and Removal of Trees.

<sup>9</sup> California Department of Conservation, 1995, Open File Report 94-15. Update of Mineral Land Classification of Portland Cement Concrete Aggregate in Ventura, Los Angeles, and Orange Counties, California, Part III – Orange County.

<sup>10</sup> City of Santa Ana, 2022, General Plan Update Final Program Environmental Impact Report - SCH # 2020029087, April.

<sup>11</sup> California Department of Forestry & Fire, FHSZ Viewer, available at: <https://egis.fire.ca.gov/FHSZ/>, accessed October 2023.



Figure 1: Project Site



Figure 2: Conceptual Land Use Plan



Source: Gensler, PlaceWorks

Figure 3: Conceptual Phasing Plan



## **Scoping Comments**

## NATIVE AMERICAN HERITAGE COMMISSION

November 6, 2023

Jerry C. Guevara  
City of Santa Ana  
20 Civic Center Plaza PO Box 1988  
Santa Ana, CA 92701

**Re: 2020029087, The Village Santa Ana Specific Plan Project, Orange County**

Dear Mr. Guevara:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

[AB 52](#)



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

**1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:**

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

**2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

**3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

**4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

**5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

**6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.



3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,

*Andrew Green*

Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse

**From:** [Zachariasen, Judith@DOC](mailto:Zachariasen, Judith@DOC)  
**To:** [Guevara, Jerry](mailto:Guevara, Jerry)  
**Subject:** The Village Santa Ana Specific Plan Project - NOP - SCH No. 2020029087  
**Date:** Wednesday, November 15, 2023 11:47:39 AM  
**Attachments:** [image001.png](#)

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Dear Jerry Guevara,

The California Geological Survey (CGS) has received the Notice of Preparation of a Supplemental Environmental Impact Report (SEIR) for The Village Santa Ana Specific Plan Project in Santa Ana. This email conveys the following recommendations from CGS concerning geologic issues related to the project area:

1. Liquefaction Hazards

The entire project area is located within an earthquake zone of required investigation (ZORI) for liquefaction mapped by CGS. The SEIR and supporting documents should address this hazard as it relates to the design of the proposed structures. Additional information is available at the links below:

<https://maps.conservation.ca.gov/cgs/EQZApp/app/>  
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>

2. Ground Shaking Hazards

The project area is not located in an Earthquake Fault Zone mapped by CGS. However, several active faults are nearby, and the site could be subject to significant ground shaking. The SEIR and supporting documents should address this hazard as it relates to the design of the proposed structures. Additional information about ground shaking hazard can be obtained at the following sites:

<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=14d2f75c7c4f4619936dac0d14e1e468>  
<https://earthquake.usgs.gov/scenarios/catalog/bssc2014/>

If you have any additional comments or questions, please feel free to call or email.

Thank you,  
Judy Zachariasen



**Judith Zachariasen, PhD, PG, CEG**

Senior Engineering Geologist  
Fault Zoning Unit Supervisor  
Seismic Hazards Program

**California Geological Survey**

**California Department of Conservation**

715 P Street, MS 1900, Sacramento, CA 95814

T: (916) 879-2844

E: [judith.zachariasen@conservation.ca.gov](mailto:judith.zachariasen@conservation.ca.gov)

**From:** [Gil, Kathleen](#)  
**To:** [Guevara, Jerry](#)  
**Cc:** [Molloy, Julie](#)  
**Subject:** Acknowledgment of Receipt of Notice of Preparation for Village Project SEIR  
**Date:** Thursday, November 16, 2023 4:06:47 PM

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Jerry,

On behalf of the Santa Ana Unified School District, to formally acknowledge the receipt of the Notice of Preparation for the Supplemental Environmental Impact Report (SEIR) for the Village Project.

As representatives of the school district, we are interested in staying informed about the project's progress and potential impacts, particularly those that may affect our local schools.

We kindly request continued inclusion in the notification process for the SEIR launch and subsequent review meetings

Thanks,

**Kathleen Gil**

Santa Ana Unified School District

Planning & Design Department

[1601 East Chestnut Ave, Santa Ana, CA 92701](#)

Ph: (714) 480-5349

Web: <https://www.sausd.us/domain/47>

- [Facilities Enhancement Request \(FER\)](#)
- [Site Visit Request](#)
- [School Locator](#)
- [Project Tracking Number \(PTN\)](#)
- [Bid Opportunities](#)
- [Pre-Qualification](#)

**From:** [pil](#)  
**To:** [Guevara, Jerry](#)  
**Subject:** Development South Santa Ana  
**Date:** Saturday, November 18, 2023 11:32:45 AM

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New General Plan calls for extensive development in South Bristol Corridor. Plans are in process for Related Development South Bristol and Segerstrom Village Santa Ana. Related is first in the pipeline.

If we allow the first project(s) in the pipeline to over-influence the parking and traffic, it will greatly inhibit the maximal development of other (potential) projects in the corridor. These first projects are positioned to greatly restrict access (Bristol – Macarthur- Sunflower), making egress- entrance of other projects problematic. They will greatly increase the expense of mitigation. If for no other reason, we need to carefully examine the long term effect on the properties that currently have no plans, ensuring the best benefit for the City and neighborhoods.

Neither project has plans at this moment for adequate parking. Bloom, recently opened to the East has parking at 2:1. (and they have a parking spot surcharge, increasing profitability). Note also Halcyon House and others across Sunflower in Costa Mesa.

Developments currently anticipate maximum 1.4 parking. These projects are an order of magnitude (to Bloom, and the current usage), AND have retail and commercial. It really is grossly inadequate. The neighborhoods already have parking /traffic issues. The development will not want their precious spaces used by low paying retail / hospitality type employees. These employees will end up parking in the adjoining neighborhoods. “Employment” is one of the touted benefits to the development, but low paying retail / hospitality is hardly a bootstrap for individuals or the City. With the expansion of ADUs / garage conversions, this problem will grow exponentially. ADUs will expand traffic / parking; garage conversions will actually reduce available parking, and simultaneously increase parking / traffic demand. (Both are intended as “affordable;” incentivizing low paid residents) The developments are decidedly not anticipating residents / shoppers of the Santa Ana median income. This will lead to accelerated gentrification and overcrowding of our neighborhoods.

OCTA cannot be depended on to provide quality and timely mass transit. They utilize outmoded bus models; those models will be increasingly inadequate as traffic expands. Traffic is already bad; and will double with only the Related development. VSA will compound the problem. South Coast Plaza already tacitly admits the problem, and not a shovel has been lifted. In holiday season they mandate that employees park off site, and use shuttles. Related is limited in this (and other) options, and will need to cross Bristol / Sunflower / Macarthur to use this technique, assuming they can, and actually find the will to make this adjustment.

For the longer term, as technology and infrastructure changes, and if parking is found to be more than adequate, certain portions could easily be repurposed; e.g. top level of a parking structure could be a garden area / allotments, outdoor grilling, reception facility, pickleball /sports / work out, even a farmers market. Other (covered) levels could be private storage areas, car detailing facilities, dog walking (covered for sun and rain) or other imaginative possibilities.

VSA can always add a valet for parking, and use the lot across the street. Or put in a pedestrian

overpass to parking at SCP and /or add a parking structure across Sunflower. Related will have no such options, and any expansion for parking will be problematic; not only for the development but for the entire area.

Far better to “overbuild” parking now, and have the capability to repurpose, than to “under-build;” and try to shoehorn a band-aid solution later. Especially considering the relative scope of each project.

## Pete



“Ordaining of laws in favor of one part of the nation to the prejudice and oppression of another is certainly the most erroneous and mistaken policy...An equal dispensation of protection, rights, privileges, and advantages, is what every part is entitled to, and ought to enjoy.” **Benjamin Franklin**

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10844 Ellis Avenue  
 Fountain Valley, CA 92708  
 714.962.2411  
 www.ocsan.gov

November 20, 2023

Jerry C. Guevara, Senior Planner  
 City of Santa Ana, Planning and Building  
 P.O. Box 1988 (M-20)  
 Santa Ana, CA 92702

**SUBJECT: The Village Santa Ana Specific Plan Project – Notice of Preparation of Supplemental Environmental Impact Report**

Thank you for providing the Notice of Preparation of Supplemental Environmental Impact Report for The Village Santa Ana Specific Plan Project, located on the northeast corner of West Sunflower Avenue and Bear Street, transected by South Plaza Drive. The Orange County Sanitation District (OC San) has reviewed it and would like to bring to your attention a requirement, as it applies to your project. One of the items in the proposed project is to build a new parking structure. This would be an above grade, lower level, and underground parking structure. OC San does not allow parking structure drains to be connected to a sewer. OC San realizes the connection may be made to one of the of City Santa Ana sewers; however, City sewers eventually connect to OC San sewers that lead to the Reclamation Plant in Fountain Valley. Also, for this project OC San does not permit private connections to OC San’s trunk connection. Any new or proposed changes to existing connections to OC San’s trunk line made by the City shall be coordinated with OC San.

OC San would be interested in reviewing Appendix E - Civil Utility Layout Sheet, and requests it is provided when available. If there is a sewer study performed for this project, and or proposed street improvements work that will impact OC San’s facilities, please contact OC San engineer Adrian Siew, Planning Division, at (714) 593-7164, or [asiew@ocsan.gov](mailto:asiew@ocsan.gov).

If you have any questions regarding this letter, please contact Kevin Hadden, Principal Staff Analyst, Planning, at (714) 593-7462 or [khadden@ocsan.gov](mailto:khadden@ocsan.gov).

Andrew Brown  
 Engineering Supervisor  
 Planning Division  
 714 593-7052

AB:KH:op  
[https://ocsdgov.sharepoint.com/sites/Planning/CEQA\\_Externally\\_Generated/2023\\_Comment\\_Letters/City\\_of\\_Santa\\_Ana\\_Response\\_Ltr\\_20231120.docx](https://ocsdgov.sharepoint.com/sites/Planning/CEQA_Externally_Generated/2023_Comment_Letters/City_of_Santa_Ana_Response_Ltr_20231120.docx)

cc: Jason Daniel, OC San  
 Adrian Siew, OC San

- Serving:
- Anaheim
- Brea
- Buena Park
- Cypress
- Fountain Valley
- Fullerton
- Garden Grove
- Huntington Beach
- Irvine
- La Habra
- La Palma
- Los Alamitos
- Newport Beach
- Orange
- Placentia
- Santa Ana
- Seal Beach
- Stanton
- Tustin
- Villa Park
- County of Orange
- Costa Mesa Sanitary District
- Midway City Sanitary District
- Irvine Ranch Water District
- Yorba Linda Water District



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

December 1, 2023

[JGuevara@santa-ana.org](mailto:JGuevara@santa-ana.org)

Jerry C. Guevara, Senior Planner  
City of Santa Ana  
Planning and Building Agency  
P.O. Box 1988 (M-20)  
Santa Ana, CA 92702

## **Notice of Preparation of a Supplemental Environmental Impact Report for the Village Santa Ana Specific Plan Project (Proposed Project)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Supplemental Environmental Impact Report (EIR). Please send a copy of the Supplemental EIR upon its completion and public release directly to South Coast AQMD as copies of the Supplemental EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses (electronic versions of all emission calculation spreadsheets, air quality modeling, and health risk assessment input and output files, not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

### **Responsible Agency and South Coast AQMD Permits**

CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <http://www.aqmd.gov/home/permits>.



### **CEQA Air Quality Analysis**

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website<sup>1</sup> as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod<sup>2</sup> land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds<sup>3</sup> and localized significance thresholds (LSTs)<sup>4</sup> to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment<sup>5</sup>.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants and include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project will include, among others, approximately 1,583 residential units and is located in close proximity to freeways or other sources of air pollution, and to facilitate the purpose of an EIR as an informational document, it is recommended that the Lead Agency perform a mobile source health risk assessment<sup>5</sup> to disclose the potential health risks<sup>6</sup>.

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<sup>1</sup> South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

<sup>2</sup> CalEEMod is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

<sup>3</sup> South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

<sup>4</sup> South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

<sup>5</sup> South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>6</sup> *Ibid.*

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*<sup>7</sup> is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory<sup>8</sup>.

The South Coast AQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*<sup>9</sup> includes suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. It is recommended that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions.

### **Mitigation Measures**

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,<sup>10</sup> South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,<sup>11</sup> and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.<sup>12</sup>

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.

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<sup>7</sup> CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at:

<http://www.arb.ca.gov/ch/handbook.pdf>.

<sup>8</sup> CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

<sup>9</sup> South Coast AQMD. 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. Available at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

<sup>10</sup> <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

<sup>11</sup> South Coast AQMD's 2022 Air Quality Management Plan can be found at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan> (Chapter 4 - Control Strategy and Implementation).

<sup>12</sup> Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

[https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A\\_ConnectSoCal\\_PEIR.pdf](https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf).

- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

### **Health Risk Reduction Strategies**

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters<sup>13</sup>, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Draft EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Draft EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at [swang1@aqmd.gov](mailto:swang1@aqmd.gov).

Sincerely,

*Sam Wang*

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW

ORC231108-02

Control Number

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<sup>13</sup> This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

## California Department of Transportation

DISTRICT 12  
1750 East 4<sup>th</sup> Street, Suite 100 | SANTA ANA, CA 92705  
(657) 328-6000 | FAX (657) 328-6522 TTY 711  
<https://dot.ca.gov/caltrans-near-me/district-12>



December 1, 2023

Jerry C. Guevara  
City of Santa Ana Planning Division  
20 Civic Center Drive  
Santa Ana, CA 92708

File: LDR/CEQA  
SCH#: 2020029087  
LDR LOG #2023-02417  
I-405, SR-55

Dear Mr. Guevara,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Notice of Preparation for the Draft Environmental Impact Report (EIR) for The Village Santa Ana Specific Plan. The Project would provide for redevelopment of the approximately 17.2-acre site with a mix of residential and commercial uses. The Village is proposed as a mixed-use community that allows for vertical and horizontal mixed uses across the site. The proposed project would include mixed-use commercial and residential, residential only, and commercial only buildings. A central commercial area would include a variety of commercial uses, such as restaurants and neighborhood retail uses, with additional commercial uses extending through the ground floor of adjacent residential buildings. Stand-alone residential and mixed-use buildings would provide housing opportunities for residents in the City's South Bristol Street Focus Area. In total, The Village would include approximately 1,583 residential units (encompassing approximately 1,850,000 square feet of building space), 80,000 square feet of retail space, 300,000 square feet of office space, and over 3.6 acres of open space. Construction of the proposed project is anticipated to begin January 2026 and would be built out in phases, each with access, public facilities, and infrastructure connections. The Village would be developed in a series of five phases with full buildout occurring in approximately 20 years. The nearest state facility to the project site is Interstate 405 (I-405).

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Caltrans is a responsible agency on this project and has the following comments:

1. The Village Santa Ana Specific Plan, Chapter 3, Page 42, states "Bear Street runs north-south, providing access to the western part of the Village and offering direct access to SR-73." An operational and safety analysis for any new trips added to the Bear Street at SR-73 as a result of the Village Santa Ana Specific Plan, should be included in the EIR. Bear Street at SR-73 NB Ramps was identified

to operate at unacceptable Level of service in Santa Ana General Plan Update-Related Bristol Specific Plan that was reviewed on August 23, 2023, and the following comment was made:

The Memorandum prepared by Linscott Law & Greenspan Engineers on August 16, 2023, Page 3, indicate that the intersection of Bear Street at SR-73 NB Ramps (Intersection No. 37) is forecasted to operate at unacceptable LOS E in the PM peak hour, without or with Project traffic and recommended improvements for Bear Street at SR-73 NB Ramps (Intersection No. 37). The recommended improvements include the following: No. 37 – Bear Street at SR-73 NB Ramps: Restripe the existing westbound left-turn lane to provide a shared left/right-turn lane. Modify the existing traffic signal as necessary. Please provide the analysis and discussion of fair share calculation for this recommendation.

2. When analyzing the proposed projects potential short- and long-term traffic impacts with respect to regional vehicle miles traveled (VMT's), please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts and add the analysis results to the TIA.
3. Consider ensuring that the proposed bicycle facilities in the project provide connections to other existing bicycle facilities in the project vicinity. Caltrans supports the inclusion of Complete Streets facilities, providing connectivity to nearby bicycle facilities enhances the overall bicycle network. Regional connectivity is important to further encourage residents and visitors to utilize active transportation, promote mode shift, and improve first-/last-mile connections.
4. Please consider linking the proposed Class I bikeway with the existing Class I north of MacArthur, thereby facilitating trips north and south of the project site. In addition, consider design solutions to integrate the proposed Class IV bike lane with proposed east/west Class II – for example, if feasible, consider Class IV throughout the corridor. When building separated cycle track infrastructure, please review Caltrans guidance, found in DIB 89 -- <https://dot.ca.gov/-/media/dot-media/programs/design/documents/dib-89-02-final-a11y.pdf> For additional guidance on proposed bike parking, see "Essentials of Bike Parking" guidance created by the Association of Pedestrian and Bicycle Professionals (link to online PDF: <https://www.apbp.org/Publications>). For resources to ensure local and regional connectivity, please review OC Active See OC Active for Costa Mesa and Santa Ana plans.  
[https://www.octa.net/pdf/OC\\_ACTIVE\\_REPORT\\_2019-12-23.pdf](https://www.octa.net/pdf/OC_ACTIVE_REPORT_2019-12-23.pdf)

5. Please provide a discussion about the City's multimodal mobility strategies and the existing bus route services and future transit improvement opportunities.
6. Look for opportunities to partner with transit operators and bus services for intercounty and regional connectivity and connectivity to the closest train station for Metrolink and Amtrak Pacific Surfliner rail services.
7. Encourage the use of transit among future residents, visitors, and workers of the development. Increasing multimodal transportation will lead to a reduction to congestion, Vehicle Miles Traveled, and improve air quality.
8. Provide adequate wayfinding signage and related amenities to the transit stops within the project vicinity and local roadways.
9. Ensure that truck parking, ingress and egress, and staging will not interfere with vehicle parking, pedestrian paths, or bicycle lanes/bicycle parking.
10. Establish freight pick up & drop off times that do not coincide with peak commute hours to reduce passenger vehicle conflicts and congestion for freight. Consider designating on-street freight-only parking and delivery time windows so trucks will not resort to double parking, thus causing street traffic congestion.
11. For the 1,583 multifamily residential units proposed, consider how many individual packages will be delivered daily to individual residences. Amazon lockers or an equivalent shared drop-off location can help reduce the amount of driving done by delivery trucks and can increase the efficiency of deliveries.
12. Work with local partners and community representatives to mitigate any truck traffic routing onto residential streets or conflicting with other road users, including and especially bicyclists and pedestrians.
13. The Department firmly embraces racial equity, inclusion, and diversity. These values are foundational to achieving our vision of a cleaner, safer, and more accessible and more connected transportation system. Please consider including a discussion on equity in the environmental document.
14. In the event of any work performed within Caltrans right-of-way an encroachment permit will be required prior to construction. Please submit all applications and associated documents/plans via email to

Jerry C. Guevara  
December 1, 2023  
Page 4

D12.Permits@dot.ca.gov until further notice. Caltrans Encroachment Permits will be transitioning to an online web portal base for all applications in Fall 2023. Further details to be announced on the Caltrans Encroachment Permits homepage. Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (657) 328-6246. For specific details on Caltrans Encroachment Permits procedure and any future updates regarding the application process and permit rates, please visit the Caltrans Encroachment Permits homepage at <https://dot.ca.gov/programs/traffic-operations/ep>.

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi, at [Maryam.Molavi@dot.ca.gov](mailto:Maryam.Molavi@dot.ca.gov).

Sincerely,



Scott Shelley  
Branch Chief, Local Development Review-Climate Change-Transit Planning  
District 12



December 4, 2023

Mr. Jerry C. Guevara  
City of Santa Ana  
Planning and Building Agency  
PO Box 1988  
Santa Ana, CA 92702

Sent via e-mail:  
[JGuevara@santa.ana.org](mailto:JGuevara@santa.ana.org)

**Subject: Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (EIR) for The Village Santa Ana Specific Plan Project in the City of Santa Ana**

Dear Mr. Guevara:

The City of Irvine is in receipt of an NOP for a supplemental EIR for The Village Santa Ana Specific Plan Project located at the northeast corner of West Sunflower Avenue and Bear Street. The project proposes the redevelopment of a 17.2-acre site with a mix of residential and commercial uses. In total, the project would consist of 1,583 residential units, 80,000 square feet of retail space, 300,000 square feet of office, and 3.6 acres of open space.

City of Irvine staff has completed its review and recommends the preparation of a traffic study. The traffic study should address both VMT impacts as well as potential Level-of-Service effects to roadway conditions, particularly in the areas near Irvine's city boundaries. Please apply adopted Irvine performance criteria for study area locations within Irvine city limits.

If you have any questions, please contact me at 949-724-6364 or at [jequina@cityofirvine.org](mailto:jequina@cityofirvine.org).

Sincerely,

Justin Equina  
Senior Planner

ec: Marika Poynter, Manager of Planning Services  
Alyssa Matheus, Principal Planner  
Sun-Sun Murillo, Project Development Administrator





*AFFILIATED AGENCIES*

*Orange County  
Transit District*

*Local Transportation  
Authority*

*Service Authority for  
Freeway Emergencies*

*Consolidated Transportation  
Service Agency*

*Congestion Management  
Agency*

December 4, 2023

Mr. Jerry C. Guevara, Senior Planner  
City of Santa Ana Planning and Building Agency  
PO Box 1988 (M-20)  
Santa Ana, CA 92702

Via email: [JGuevara@santa.ana.org](mailto:JGuevara@santa.ana.org)

**Subject: Notice of Preparation (NOP) of a Supplemental Environmental Impact Report Regarding The Village Santa Ana Specific Plan Project**

Dear Mr. Guevara:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (EIR) for The Village Santa Ana Specific Plan Project. The following comments are provided for your consideration:

- On page 55 of the specific plan, the document describes a transit stop located at the southeast corner of the intersection of Sunflower Avenue and South Plaza Drive from Figure 3-18: Public Transit Stops. Please remove this transit stop from the diagram, this stop does not exist.
- There are two bus stops and two routes operating in the project area as outlined below. Please ensure this information is added to the specific plan as appropriate.
  - Routes
    - OCTA Route 150: Operates in an East and West direction along Sunflower.
    - OCTA Route 86: Operates Westbound on Sunflower and Northbound on Plaza.
  - Bus Stops
    - Bus Stop #6716: Located at Westbound Sunflower, Front Side Plaza.
    - Bus Stop #7684: Located at Northbound Plaza, Front Side Sunflower.
- When plans are at the 30-60% completion stage, please submit the plans to OCTA for a thorough review with the OCTA Scheduling and Bus Operations Support.

Mr. Jerry C. Guevara  
December 4, 2023  
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- Please notify OCTA Scheduling and Bus Operations Support at least 48 hours in advance of any anticipated temporary closures of any bus stops at (800) 560-7433.

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at [dphu@octa.net](mailto:dphu@octa.net).

Sincerely,



Dan Phu  
Sustainability Planning Manager

DP:tc

The Village Santa Ana Specific Plan Supplemental EIR  
Scoping Meeting  
November 15, 2023

Written comments to the NOP may be submitted by Monday, December 4, 2023 via:

**Mail:** Jerry C. Guevara, Senior Planner  
City of Santa Ana, Planning and Building Agency  
PO BOX 1988 (M-20)  
Santa Ana, CA 92702

**Email:** Jguevara@santa-ana.org

*testing on traffic + noise*  
*possible debris → debris and limit of walking space during construction*

The Village Santa Ana Specific Plan Supplemental EIR  
Scoping Meeting  
November 15, 2023

Written comments to the NOP may be submitted by Monday, December 4, 2023 via:

**Mail:** Jerry C. Guevara, Senior Planner  
City of Santa Ana, Planning and Building Agency  
PO BOX 1988 (M-20)  
Santa Ana, CA 92702

**Email:** Jguevara@santa-ana.org

*• Need more concrete plan to study impact on water resources electric grid + traffic.*  
*• Need to inform public more frequently on what is transpiring*