Duarte Housing and Safety Element Update

Initial Study – Negative Declaration

prepared by

City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, California 91010
Contact: Craig Hensley

prepared with the assistance of

Rincon Consultants, Inc.
250 East 1st Street, Suite 1400
Los Angeles, California 90012

September 2021

RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
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1. Project Title

Duarte Housing and Safety Element Update

2. Lead Agency Name and Address

City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, California 91010

3. Contact Person and Phone Number

Craig Hensley, Community Development Director
(626) 357-7931
chensley@accessduarte.com

4. Project Location

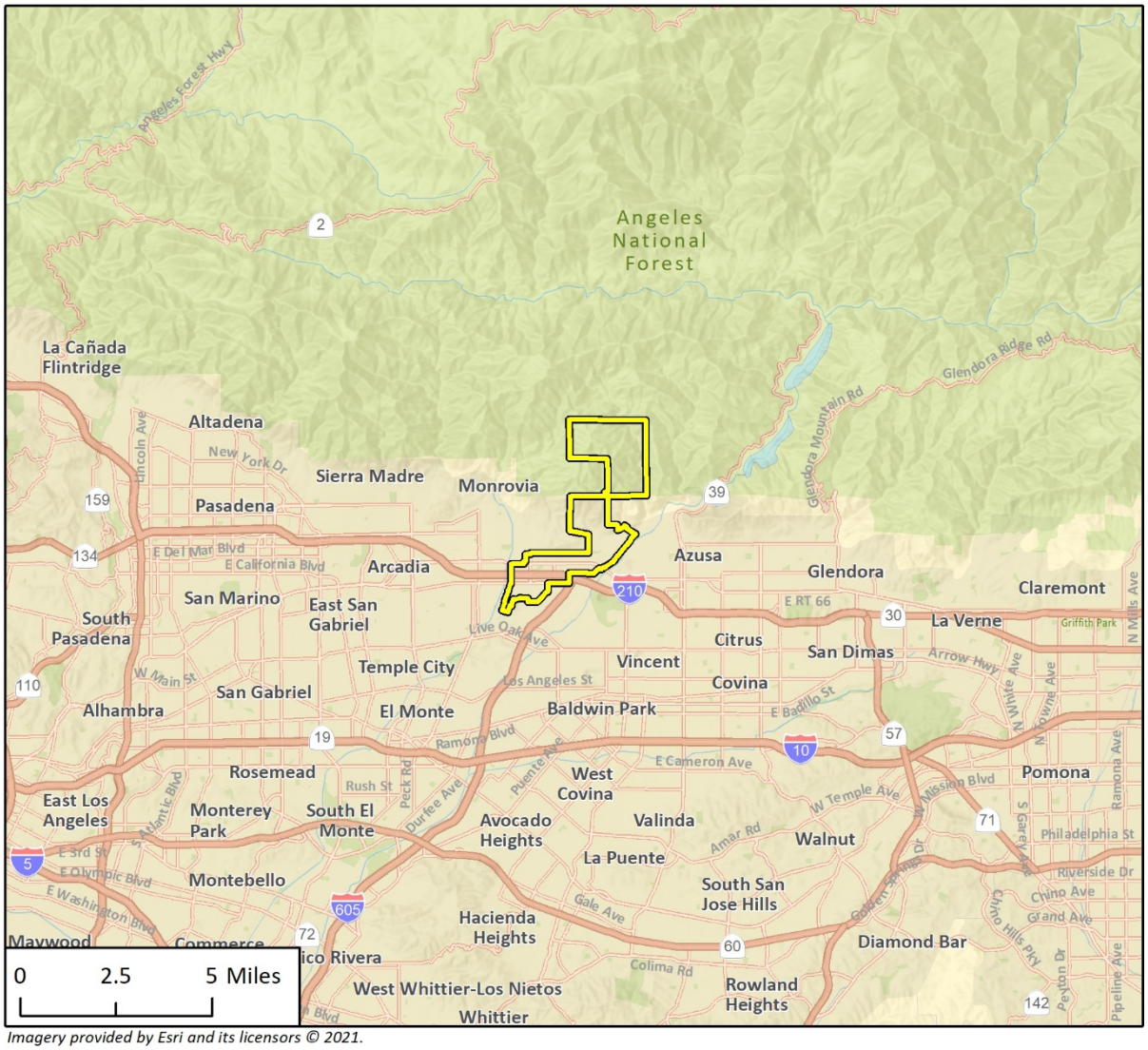
The Duarte Housing and Safety Element Update (hereafter referred to as "Housing Element Update" or "Safety Element Update" or collectively as "proposed project") would apply to the entire geographic area located within the boundaries of the City of Duarte (City), which encompasses 6.8 square miles (hereafter referred to as "project area").[1] Duarte is located in the San Gabriel Valley Region of Los Angeles County, approximately 21 miles northeast of Los Angeles, and is generally bounded by the San Gabriel Mountains and the City of Bradbury to the north, the City of Azusa to the east, the City of Irwindale to the south, and the City of Monrovia to the west. The San Gabriel River and Santa Fe Flood Control Basin abuts Duarte to the east and south. The city is bisected by Interstate 210 (I-210), and the northern portion of the city is located within the Angeles National Forest. Figure 1 and Figure 2, as follows, illustrate the location of the city in a regional and local context.

5. Project Sponsor's Name and Address

City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, California 91010

[1] The proposed project will also include updates to the Safety Element and the various other elements of the General Plan to incorporate the goals, policies and objectives related to environmental justice. These updates are required for compliance with State law and to ensure consistency with the updated Housing Element. The title of the proposed project is "Duarte Housing and Safety Element Update."

Figure 1 Regional Location



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City of Duarte

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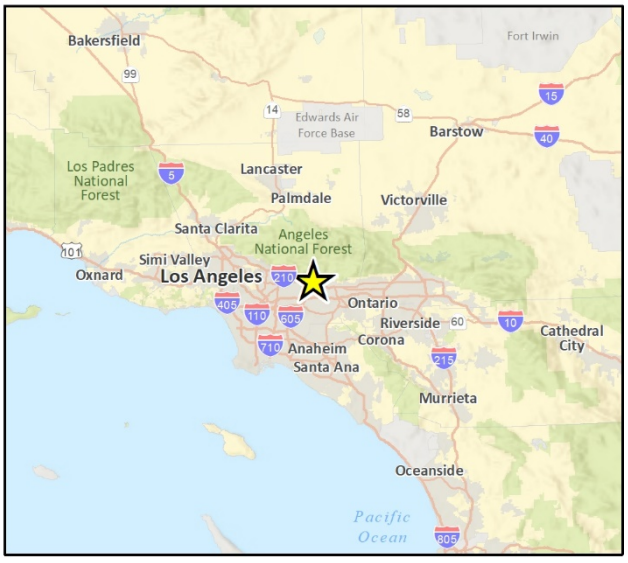
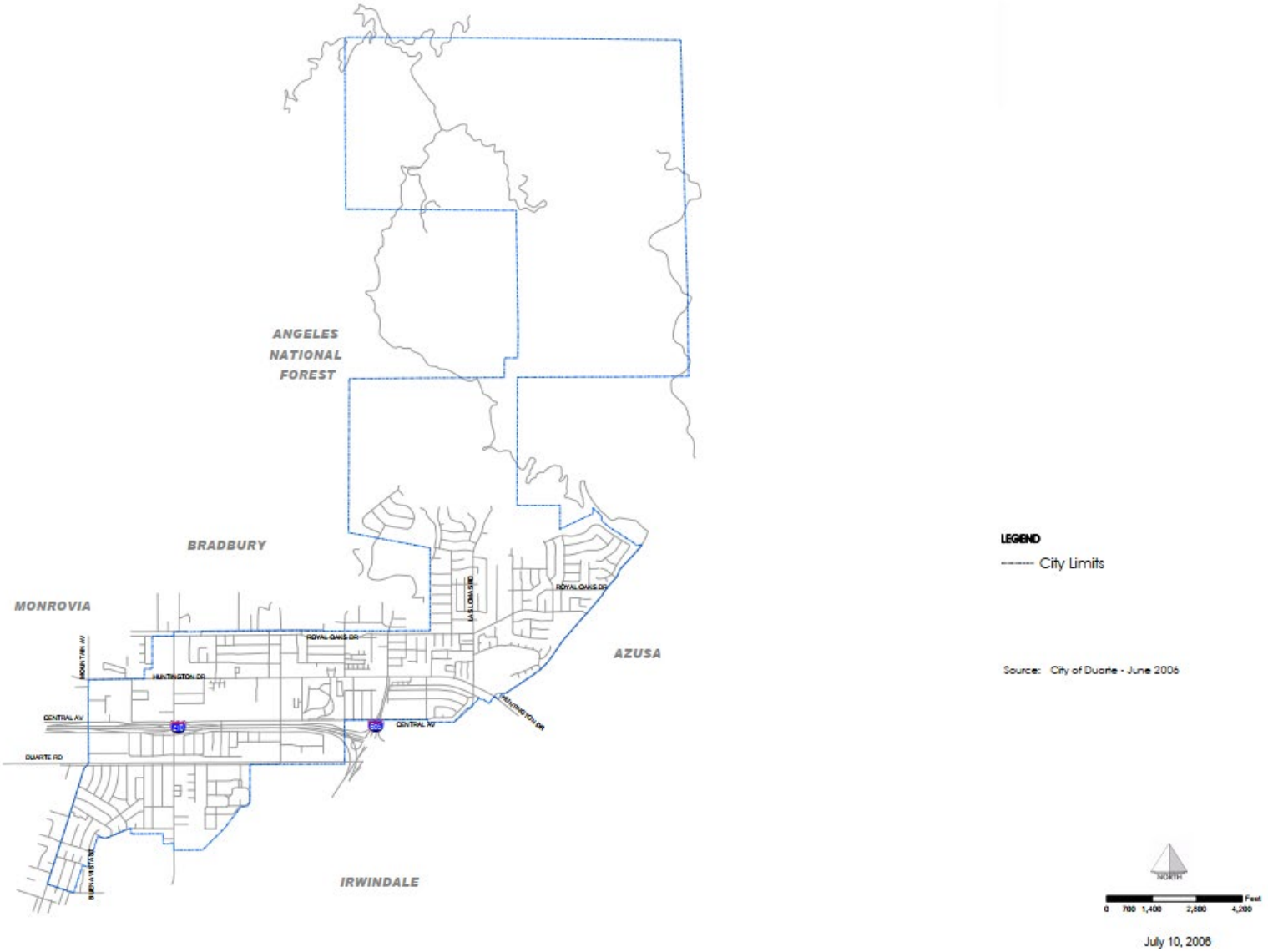


Figure 2 Project Location



6. General Plan Designation

The City's General Plan includes a variety of land use designations for the project area including: Very Low, Low, Medium, and High Density Residential; Administrative/Professional; Neighborhood Commercial; General Commercial; Industrial; Public Facility; Research and Development; Hospital; Open Space; and Specific Plan. Land uses throughout the city's various neighborhoods and commercial areas include single-family and multi-family residential housing, mixed-use development, public spaces like parks and playgrounds, and some industrial land uses.

7. Zoning

The Duarte Development Code (DDC) provides standards, regulations and guidelines on a series of land use related topics. Article 2 of the DDC includes various zones that correspond to the General Plan land uses, including residential, commercial, manufacturing/industrial, hospital, public facility, open space, and Specific Plan.

8. Description of Project

The proposed project would involve an update to the Housing Element of the City's General Plan for the 2021-2029 planning period, along with minor updates to the Safety Element, and incorporation of environmental justice goals, policies, and objectives into the City's General Plan. The proposed project establishes programs, policies and actions to further the goal of meeting the existing and projected housing needs of all household income levels of the community; provides evidence of the City's ability to accommodate the Regional Housing Needs Assessment (RHNA) allocation through the year 2029, as established by the Southern California Association of Governments (SCAG); and identifies any rezoning program needed to reach the required housing capacity. The Safety Element Update is triggered by various new provisions of State legislation and guidelines, and the environmental justice policies would be added pursuant to the requirements of Senate Bill (SB) 1000, the Planning for Healthy Communities Act.

Housing Element Update

The Housing Element is comprised of the following major components:

- An introduction to review the requirements of the Housing Element, recent State laws and public participation process
- A community profile evaluating the City's demographic, household, and housing characteristics and related housing needs
- An analysis of potential constraints on housing production and maintenance, including market, governmental, infrastructure and environmental limitations to meeting the City's identified housing needs
- An evaluation of available resources to facilitate the production and maintenance of housing, including land available for new construction, financial and administrative resources available for housing, and opportunities for energy conservation
- The Housing Plan for addressing the City's identified housing needs, constraints and resources; including housing goals, policies, and programs

The Housing Element Update provides a framework for accommodating new housing at all levels of affordability within access to transit, downtown jobs, services, and open spaces. New housing units may occur anywhere in the city where residential uses are permitted, as well as in areas that may be rezoned in the future to allow for multi-family residential uses and mixed uses of adequate density to meet affordability targets.

RHNA Allocation

Through the RHNA, SCAG has allocated a regional housing need of 1,341,827 housing units to each city and county within its jurisdiction. As shown in Table 1, Duarte's final RHNA for the 2021-2029 planning period (6th RHNA cycle) is 888 housing units, distributed among the four income categories (California Department of Housing and Community Development [HCD] 2020).

Table 1 RHNA Percentage of Income Distribution

Income Level	Percent of Area Median Income (AMI)	Units	Percent
Very Low	0-50%	269	30.3%
Low	51-80%	145	16.3%
Moderate	81-120%	137	15.4%
Above Moderate	>120%	337	38.0%
Total	--	**888**	**100%**

Source: SCAG 2021

The RHNA represents the minimum number of housing units that the City is required to plan for in its Housing Element by providing "adequate sites" through the City's General Plan and zoning.

Since Duarte is a built-out community with few remaining vacant residential sites, the City plans to accommodate the level of housing growth through residential projects in process, the Duarte Station Specific Plan, the Town Center Specific Plan, the Westminster Gardens Specific Plan, Affordable Housing Overlay, and Accessory Dwelling Units (ADUs). Table 2 shows the estimated units for projects that are entitled and pending entitlement whereas Figure 3 shows their location.

Table 2 Estimated Net Housing Units for the City of Duarte

Areas/Projects	Total Net Units	Income Distribution			
		Very Low	Low	Moderate	Above Moderate
2021 – 2029 RHNA Targets	**888**	**269**	**145**	**137**	**337**
Projects in Progress	833	–	–	–	833
Duarte Station Specific Plan Sites	557	81	81	–	395
Town Center Specific Plan Sites	172	21	21	–	130
Westminster Gardens Specific Plan	300	75	–	75	150
Affordable Housing Overlay Sites[1]	183	91	92	–	–
Accessory Dwelling Units (ADUs)[2]	96	23	43	2	28
Total Site Capacity	**2,141**	**291**	**237**	**77**	**1,536**
RHNA Surplus/(Shortfall)	**+1,253**	**+22**	**+92**	**(60)**	**+1,199**

[1] Affordable Housing Overlay Sites include an overlay that layers on top of the base zoning regulations for the site, leaving the option to develop under the base zoning, or develop to a greater intensity without the requirement for a General Plan amendment or zone change. See the Housing Element for further discussion.

[2] ADUs are complete independent housing units that can be either detached or attached from an existing single-family or multi-family residence.

As shown in Table 2, the City would facilitate the development of up to 2,141 housing units under the Housing Element Update, which would exceed the RHNA allocation by 1,253 units. The State requires jurisdictions to create a sufficient buffer in the Housing Element sites inventory beyond that required by the RHNA to ensure that adequate site capacity exists throughout the eight-year planning period. Although the sites inventory displays a shortfall of sites to address the City's moderate income RHNA, the additional site capacity for lower income units can be applied towards the moderate income sites.

Several residential and mixed-use projects in various stages of entitlement would contribute towards addressing the City's housing needs. Projects under construction with occupancy projected to occur prior to June 30, 2021 are discussed under Section 5.A., *Evaluation of Accomplishments Under the Current Housing Element*, of the Housing Element. Only those projects with occupancy in the 2021-2029 planning cycle are credited towards the sites inventory, as presented in Table 3.

Table 3 City of Duarte Projects in Process

Project Name	Zoning	Project Units	Project Density	Anticipated Occupancy
Duarte Town Center Mixed Use (1405-37 Huntington Drive)	Town Center Specific Plan	161 apartment units	55 du/ac	Early 2022
The Residences at Duarte Station -Building A (1700 Business Center Drive)	Duarte Station Specific Plan	344 apartment units	79 du/ac	Early 2023
The Residences at Duarte Station -Building B (1750 Business Center Drive)	Duarte Station Specific Plan	292 apartment units	85 du/ac	2024
928 Huntington Drive	R-4	16 apartment units	26 du/ac	2022
1401 Santa Domingo Drive	Town Center Specific Plan	20 condominium units	20 du/ac	2022

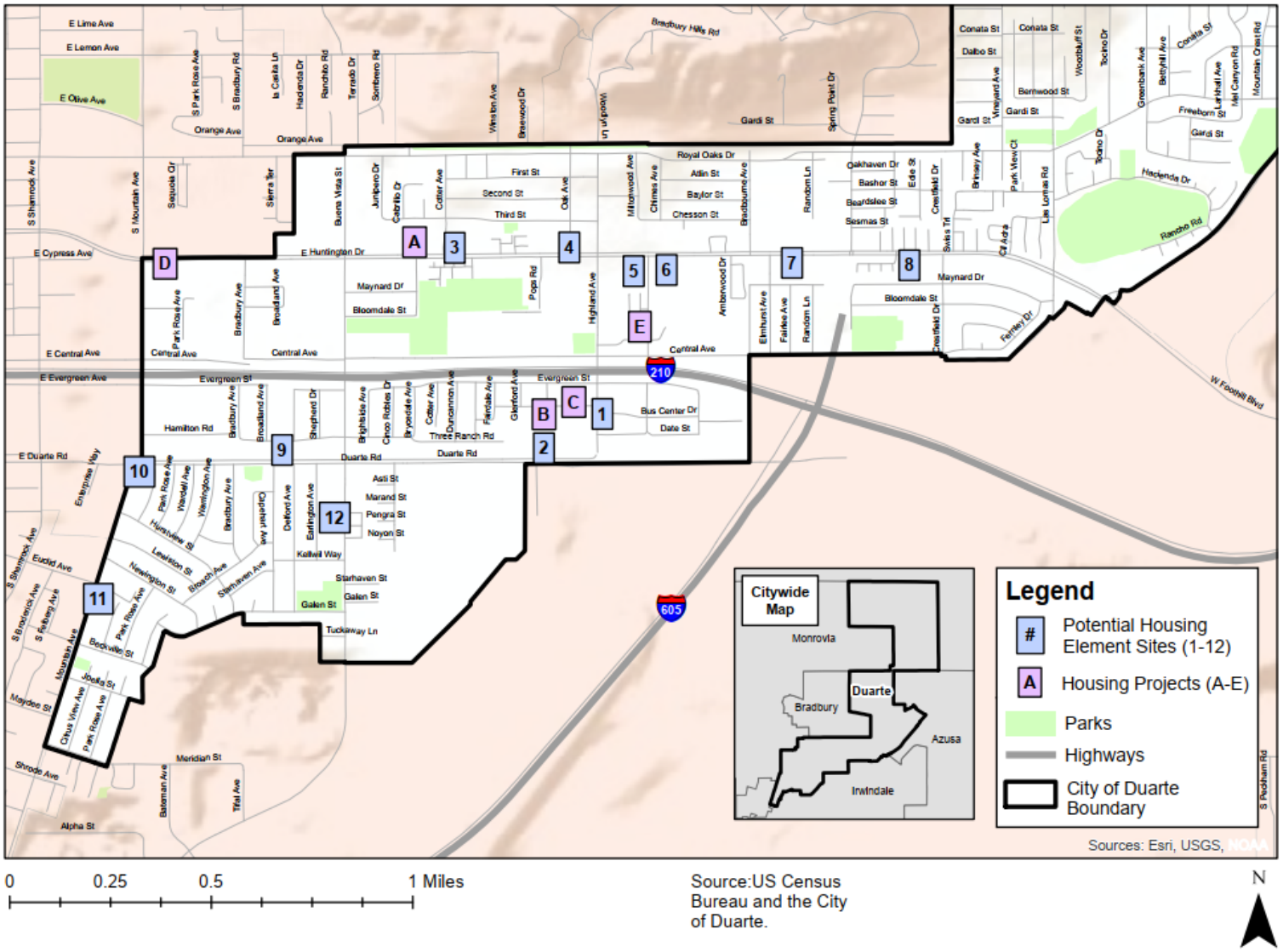
Housing Opportunity Sites

The City has identified a total of 12 opportunity sites that have the greatest potential to accommodate the City's RHNA allocation during the 2021-2029 planning period. The selection of these opportunity sites was based on a combination of factors, including physical underutilization of the site; economic obsolescence of the existing use (as measured by an improvement-to-land value ratio of < 1.0); developer and/or property owner interest in acquiring and assembling underdeveloped parcels into larger development sites; and site proximity to various resources (i.e., transit, shopping, medical facilities and open space). Table 4 summarizes the unit potential associated with each of these sites whereas their locations are shown in Figure 3. Of the 12 opportunity sites, two are within the Duarte Station Specific Plan, and three are within the Town Center Specific Plan. No rezoning or specific plan updates are required for these five sites. However, one site would require an update to the Westminster Gardens Specific Plan, and six sites would require the addition of the Affordable Housing Overlay. Following the adoption of the Housing Element Update, jurisdictions have three years to adopt the proposed housing programs. As shown in Table H 5-3 of the 2021-2029 Housing Element Update, the City anticipates that the Westminster Gardens Specific Plan will be amended by 2024 and the Affordable Housing Overlay will be adopted by 2023.

Table 4 City of Duarte Housing Opportunity Sites

Site Number	Site Description	Acres	Current Zoning	Proposed Zoning Action	Net Unit Potential
1	Metro Gold Line Parking	1.4	Duarte Station Specific Plan	N/A	62
2	1801 Highland Avenue	6.6	Duarte Station Specific Plan	N/A	495
3	1501-1515 Huntington Drive	1.27	Town Center Specific Plan	N/A	50
4	1709-1735 Huntington Drive	1.05	Town Center Specific Plan	N/A	42
5	1838-1856 Huntington Drive	2.0	Town Center Specific Plan	N/A	80
6	Westminster Gardens	30.0	Westminster Garden Specific Plan	Update Specific Plan	300
7	2150-2200 Huntington Drive	1.8	Commercial (C-G)	Affordable Overlay	54
8	2400-2422 Huntington Drive	1.4	Residential (R-4)	Affordable Overlay	40
9	1159 3 Ranch Road	1.1	Industrial (M-1)	Affordable Overlay	30
10	1806-1812 Mountain Avenue	0.35	Residential (R-1)	Affordable Overlay	11
11	2012-2018 Mountain Avenue	0.61	Residential (R-1)	Affordable Overlay	18
12	1900 Buena Vista	4.34	Residential (R-4)	Affordable Overlay	30
Total Opportunity Sites		**51.92**			**1,212**

Figure 3 Housing Projects and Housing Opportunity Locations



Safety Element Update

The Safety Element Update would ensure consistency with the Housing Element Update and would comply with recent State legislation and guidelines (including Assembly Bill [AB] 162, Senate Bill [SB] 1241, SB 99, AB 747, SB 1035, and SB 379). Amendments incorporate updated data and maps regarding key areas of the element, address vulnerability to climate change, and incorporate goals from the City's Hazard Mitigation Plan. Key areas of the Duarte Safety Element include seismic and geologic hazards, flooding, and fire hazards, as well as emergency response and preparedness especially as they relate to the City's projected climate change exposure, and vulnerability. The Safety Element amendments will be submitted to the California State Board of Forestry and Fire Protection (CAL FIRE) for review. As mandated under SB 1000, the Safety Element Update considers strategies to reduce pollution exposure, promote public facilities, promote food access, promote safe and sanitary homes, promote physical activity, reduce unique or compounded health risks, promote civic engagement, and prioritize the needs of disadvantaged communities (DACs).

Environmental Justice Update

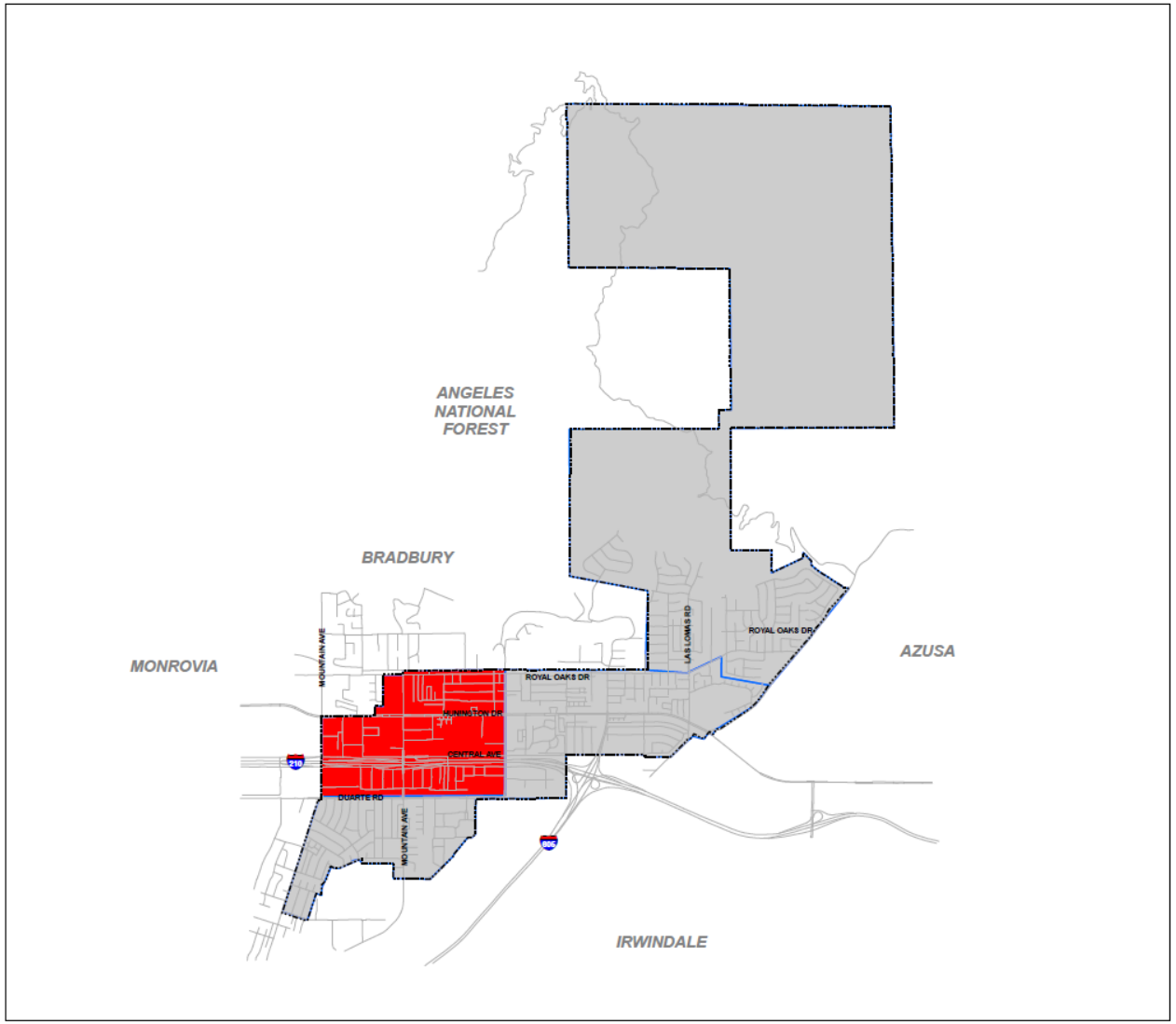
SB 1000 states that revisions or adoption of two or more elements of a general plan on or after January 1, 2018 trigger a requirement to "adopt or review the Environmental Justice Element, or the environmental justice goals, policies, and objectives in other elements." Environmental justice goals, policies, and objectives must aim to reduce health risks to DACs, promote civil engagement, and prioritize the needs of these communities. These updates focus on the inclusion of disadvantaged communities in decision making procedures as well as increasing protections for these communities. Figure 4 provided below, displays CalEnviroScreen results for Duarte. One census tract in west Duarte has a combined DAC score of 75 percent or higher which exceeds the minimum criterion for DAC designation based on pollution burden and population characteristics.

9. Required Approvals

The proposed project would require discretionary approval of a General Plan Amendment.

After adoption, by the City Council, the updated Housing Element would be submitted to the HCD for certification. The Safety Element updates would also be submitted to CAL FIRE for their review and approval.

Figure 4 CalEnviroScreen – Disadvantaged Communities



10. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

For compliance with AB 52 and SB18, on July 1, 2021, the following Native American Heritage Commission (NAHC)-identified local Native American tribal groups were formally notified by the City that the environmental review for the Housing and Safety Element Updates had commenced:

- Andrew Salas, Chairperson for the Gabrieleño Band of Mission Indians – Kizh Nation
- Anthony Morales, Chairperson for the Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Sandonne Goad, Chairperson for the Gabrielino / Tongva Nation
- Robert Dorame, Chairperson for the Gabrielino Tongva Indians of California Tribal Council
- Christina Conley, Tribal Consultant and Administrator for the Gabrielino Tongva Indians of California Tribal Council
- Charles Alvarez, Tribal Chairman of the Gabrielino-Tongva Tribe
- Jessica Mauck, Director of Cultural Resources for the San Manuel Band of Mission Indians
- Lovina Redner, Tribal Chair for the Santa Rosa Band of Cahuilla Indians
- Isaiah Vivanco, Chairperson for the Soboba Band of Luiseño Indians

As of the date of this document, no formal consultation has been requested.

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Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology 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	☐ Mandatory Findings of Significance

Determination

Based on this initial evaluation:

■ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

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

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

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

Maia McCurley
Signature

08/26/2021
Date

MAIA MCCURLEY
Printed Name

ASSOCIATE PLANNER
Title

Environmental Checklist

1 Aesthetics

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create aesthetic impacts and it is not discussed further in this section.

a. Would the project have a substantial adverse effect on a scenic vista?

Scenic views generally refer to visual access to, or the visibility of, a particular natural or man-made visual resource from a given vantage point or corridor. Focal views focus on a particular object, scene, setting, or feature of visual interest. Panoramic views, or vistas, provide visual access to a large geographic area for which the field of view can be wide and extend into the distance. Panoramic views are usually associated with vantage points looking out over urban or natural areas that provide a geographic orientation and view not commonly available. Examples of panoramic views might include an urban skyline, a valley, a mountain range, the ocean, or other water bodies.

The City's General Plan Open Space and Conservation Element considers open space valuable for preserving scenic views and other aesthetic considerations (City of Duarte 2007a).

Scenic views in Duarte include the foothills and canyons of the San Gabriel Mountain Range and the alluvial slopes of the mountains where the city's urban development is concentrated (City of Duarte 2007a). In more urban areas, the character of neighborhoods, architecture, vegetation, and landscaping all provide visual character. Scenic resources in Duarte include public parks and open space, such as Duarte Park, Encanto Park, and Royal Oaks Park (City of Duarte 2007a). The architecture of historic structures throughout the city are also scenic resources that represent aspects of the city's character and past (City of Duarte 2021a).

Reasonably foreseeable development under the Housing Element Update would have the potential to affect scenic vistas if new or intensified development blocked the vistas noted above. Potential impacts could include obstructing views of scenic resources, such as views of the San Gabriel Mountain Range or views of the unique urban or historic structures found throughout the city's urbanized areas.

As shown in Figure 3, future development projects are concentrated within the urbanized area of the city. Nonetheless, any development would be required to comply with General Plan goals and policies intended to protect scenic vistas and visual resources. These include, but are not limited to, the following objectives and policies under the Land Use Element and Open Space and Conservation Element:

Conservation Objective 1.1: Preserve Duarte's natural hillsides which provide significant wildlife habitat, open space, aesthetic and a visual backdrop to the community.

Policy 1.1.3 To preserve the characteristics of the mountains, river beds, and canyons and to protect the valuable watershed, grading of lots should be kept to a minimum. Streets should be carefully designed to reduce or eliminate the possibility of erosion in the hillside and mountainous areas.

Conservation Objective 6.1: Assure that development maintains the character of open space natural resources.

Policy 6.1.1 Maintain very low densities in the northernmost portion of the city not included in the national forest. Further development must be sensitive to the terrain, natural environment and aesthetics.

Land Use Objective 2.1: Ensure that future development compliments surrounding areas.

Policy 2.1.1 New infill residential development should be compatible in design, bulk, and height with existing nearby residential development as referenced in Duarte's Architectural Design Guidelines and applicable Specific Plans.

Policy 2.1.6 Hillside development must be sensitive to the local views of the hills and to the natural environment.

In addition, development under the proposed project would primarily occur in already developed and urbanized areas of the city as infill, where scenic vistas are not present and would not be affected. Moreover, each new development or renovation project would be subject to its own process under the California Environmental Quality Act (CEQA), where the project-specific impacts associated with aesthetics would be analyzed and potentially significant impacts avoided or

mitigated if required. Therefore, potential development under the Housing Element Update would not result in substantial adverse effects on scenic vistas, and the proposed project would not result in development that would create aesthetic impacts. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The California State Scenic Highway System Map indicates that no existing or proposed State scenic highways are located in the city (California Department of Transportation [Caltrans] 2018). The nearest eligible scenic highway is State Route 39, located approximately 1.25 miles east of the city limits. Therefore, the updates associated with the proposed project would not result in substantial damage to scenic resources in a State scenic highway. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

In order to implement the Housing Element Update, including accommodation of the City's 6th Cycle RHNA allocation of 888 housing units and buffer of up to 1,253 housing units, the City is proposing an update to the Westminster Garden Specific Plan and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. Development under the Housing Element Update would primarily occur in urban areas with access to transit, Downtown jobs, services, and open spaces and could alter the visual character of portions of the city due to a higher residential density, including changes to building heights and massing. However, reasonably foreseeable development under the Housing Element Update would be subject to the City's development standards, such as floor area ratio (FAR), building heights and setbacks, and transitional height requirements for properties abutting residential zones. In addition, the following goals and policies under the Housing Element Update intend to minimize the effects of land use and zone changes on the existing character of neighborhoods in the City and enhance overall visual character and quality.

Housing Element Goal 1: Maintain and enhance the quality and affordability of existing housing in Duarte.

Policy 1.1.1 Enhance the quality of existing residential neighborhoods, including those identified as low resource areas, through responsible development and investment.

Policy 1.1.2 Support the long-term maintenance and improvement of existing housing through code enforcement, inspections and housing rehabilitation programs.

Policy 1.1.7 Maintain and enhance the quality of life within neighborhoods, including those identified as low resource, by providing adequate maintenance to streets, sidewalks, alleys, parks and other community facilities.

Housing Element Goal 2: Reduce governmental constraints to housing while maintaining community character.

Policy 2.1.2 Support the use of regulatory incentives, such as density bonuses, fee deferrals and parking reductions, to offset or reduce the cost of developing affordable housing while ensuring potential impacts are addressed.

Policy 2.1.3 Provide flexibility in development/design guidelines to accommodate new models and approaches to providing housing, such as mixed use, live/work housing and transit-oriented development.

Housing Element Goal 5: Provide adequate housing sites through appropriate land use, zoning and specific plan designations to accommodate Duarte's share of regional housing needs.

Policy 5.1.1 Provide site opportunities for development of housing that responds to diverse community needs in terms of housing type, cost and location, emphasizing locations near services and transit that promote walkability.

Policy 5.1.3 Designate key sites with an Affordable Housing Overlay to provide incentives for development with affordable units.

Policy 5.1.4 Promote the efficient use of land by encouraging commercial and residential uses on the same property in both horizontal and vertical mixed-use configurations.

Furthermore, the multiple specific plans throughout Duarte include objective design standards that enhance streetscapes, buildings, and public places. Compliance with existing standards and plans would be required for all future housing developments. Therefore, reasonably foreseeable developments would be consistent with applicable zoning and other regulations and the overall pattern of development in the city would be generally maintained. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Lighting associated with reasonably foreseeable development under the Housing and Safety Element Update (e.g., security lighting, parking lot lighting, ornamental lighting, pedestrian scale lights, lighting from ground floor storefronts and signs) would increase overall lighting levels.

However, the city is urbanized and areas where new housing is anticipated primarily already have high ambient levels of nighttime lighting; thus, additional lighting from new housing development would be incremental. Furthermore, reasonably foreseeable development under the Housing Element Update would be required to comply with lighting provisions of the DDC to reduce potential impacts from light such as:

- **Chapter 19.50.070.C(2).** Lighting shall be shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site, and shall be directed downward and away from adjoining properties and public rights-of-way.
- **Chapter 19.50.070.C(4).** All lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving. Use the minimum amount of light necessary and only light areas that require it.

- **Chapter 19.50.070.D(1).** Lighting shall represent the minimum level of illumination necessary to meet the aesthetic and security needs of the property. Light sources, intensity of light, and color of light shall be designed and located to achieve security or decorative lighting goals without causing an adverse impact on neighboring properties. Light sources shall be designed and located to minimize spillover of light or glare onto neighboring properties.
- **Chapter 19.50.070.F.** Prohibited lighting. The following outdoor light fixtures shall be prohibited. Existing light fixtures legally permitted or authorized prior to the effective date of this ordinance may be maintained.
- Uplighted and back-lighted canopies or awnings.
- Searchlights, except as authorized for a special or temporary event authorized by a Temporary Use Permit.
- Flashing lights, except as used in conjunction with a security alarm system.
- Roof-mounted lights.
- Any light that imitates or causes visual interference with a traffic signal or other necessary safety or emergency light.

Glare is a common phenomenon throughout Duarte primarily due to the occurrence of a high number of days per year with direct sunlight and the urbanized nature of the city. Daytime glare can result from sunlight reflecting off glass, other structural fixtures of buildings, and windshields of parked and moving vehicles within the roadways. Reasonably foreseeable development under the Housing Element Update would be required to comply with DDC standards and regulations for lighting and glare affecting sensitive residential uses.

Light and glare associated with development would incrementally increase daytime and nighttime light and glare in portions of Duarte. In addition, each new development or renovation project would be subject to its own CEQA process where the project-specific impacts associated with aesthetics would be analyzed; and potentially significant impacts avoided or mitigated if required. However, due to the urbanized nature of the city where high levels of light and glare are already present and compliance with applicable regulations in the DDC, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	■
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts to agricultural and forestry resources, and it is not discussed further in this section.

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

The California Important Farmland Finder Map indicates that none of the land in the city is mapped as Important Farmland (California Department of Conservation [DOC] 2016a). Likewise, according to the DOC, there are no Williamson Act contracts in the City (DOC 2016b). Furthermore, the City's Zoning Map indicates that no areas are currently zoned for agricultural use (City of Duarte 2019a). The Housing Element Update would have no effect on the conversion of farmland to non-agricultural uses. No impact would occur.

NO IMPACT

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Duarte is predominately urbanized and no land in the city is zoned forest land or timberland (City of Duarte 2019a). The northeastern portion of the city is located along the foothills of the San Gabriel Mountains which is designated open space and includes forest lands. The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. As shown in Figure 3, development under the proposed project would be located in the southern portion of the city and thus, would not include forest lands. Reasonably foreseeable development under the proposed project would be concentrated in urbanized areas of the city. Therefore, no impact to forest lands would occur.

NO IMPACT

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

As discussed under impact *a.* through *d.* of this section, there would be no impacts associated with agricultural or forest lands. The Housing Element Update would not involve other changes in the existing environment that could result in the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. Therefore, no impact would occur.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	■	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to air quality and it is not discussed further in this section.

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

The city is located in the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB is a non-attainment area for the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter up to 2.5 microns in size ($PM_{2.5}$) and the California Ambient Air Quality Standards (CAAQS) for ozone, particulate matter up to 10 microns in size (PM_{10}), and $PM_{2.5}$. The Los Angeles County portion of the SCAB is also designated non-attainment for lead (SCAQMD 2016). The SCAB is designated unclassifiable or in attainment for all other federal and state standards.

Under State law, the SCAQMD is required to prepare a plan for air quality improvement for pollutants for which the SCAB is in non-compliance. Each Air Quality Management Plan (AQMP) is an update of the previous plan and has a 20-year horizon. The latest AQMP, the 2016 AQMP, was adopted on March 3, 2017. It incorporates new scientific data and notable regulatory actions that have occurred since adoption of the 2012 AQMP, including the approval of the new federal 8-hour ozone standard of 0.070 parts per million (ppm) that was finalized in 2015. The 2016 AQMP addresses several State and federal planning requirements and incorporates new scientific information, primarily in the form of updated emissions inventories, ambient measurements, and meteorological air quality models. SCAGs' projections for socio-economic data (e.g., population,

housing, employment by industry) and transportation activities from the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) are integrated into the 2016 AQMP.[2]

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding the forecasts used in the development of the AQMP. The 2016 AQMP relies on local general plans and the demographic forecasts contained in the SCAG 2016 RTP/SCS in its own projections for managing air quality in the SCAB. As such, projects that propose development that are consistent with the growth anticipated by SCAGs' growth projections and/or the General Plan would not conflict with the SCAQMD AQMP. In the event that a project would propose development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the AQMP.

As discussed in *Description of Project*, the Housing Element Update would facilitate the development of up to 2,141 units. According to the California Department of Finance (DOF), the city currently has an estimated population of 21,457 and 7,389 housing units (DOF 2021). According to DOF, the average household size in the city is 2.98 persons per household (DOF 2021). Therefore, the Housing Element Update could result in the addition of approximately 6,380 new residents in the City.[3] Consistent with State housing element law, the purpose of the Housing Element Update is to accommodate the development of adequate housing to meet housing needs associated with most recent SCAG forecasts of regional growth. The Housing Element Update does not encourage or promote growth beyond the existing growth forecasts. Therefore, although the Housing Element Update plans for the development of additional housing units, the potential increase in housing is consistent with SCAG forecasts of regional growth and the Housing Element would not conflict with the growth assumptions used in the development of the AQMP.

In addition, given that the State is currently in an ongoing housing crisis due to an insufficient housing supply (SCAG 2020b), housing units under the Housing Element Update would assist in addressing the existing crisis and meeting the housing needs of the City by meeting the need component of the City's RHNA allocation, which would be in compliance with the goals and policies of SCAGs' RTP/SCS and therefore, would be in compliance with SCAQMD's 2016 AQMP. Therefore, the proposed project would be consistent with the underlying assumptions of the emissions forecasts contained in the AQMP and would not conflict with the AQMP. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

As discussed under impact *a.* of this section, the Los Angeles County portion of the SCAB is designated nonattainment for the NAAQS for ozone, $PM_{2.5}$, and lead, as well as the CAAQS for ozone, PM_{10}, and $PM_{2.5}$. Residential development facilitated by the Housing Element Update would generate short-term air pollutant emissions associated with use of heavy-duty construction

[2] On September 3, 2020, SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS (2020 RTP/SCS), or Connect SoCal, which builds upon the progress made through implementation of the 2016 RTP/SCS and was developed through a four-year planning process to update population, housing and employment data as well as transportation strategies for the region through the horizon year of 2045. However, SCAQMD has not updated the 2016 AQMP to incorporate these new demographic projections (the next update to the AQMP is expected to occur in 2022).

[3] 2,141 residential units x 2.98 persons per household = 6,380 persons

equipment; truck trips hauling debris, soils, and construction materials; and fugitive dust from demolition and grading. In addition, long-term air pollutant emissions would result from mobile sources (motor vehicle exhaust), energy use (natural gas combustion), and area sources, such as hearths, landscaping equipment, consumer products, and architectural coatings.

Construction activities would occur at the 12 housing sites and five housing projects identified in *Description of Project*, which are located in urbanized portions of the city. Reasonably foreseeable development would be subject to compliance with applicable SCAQMD rules, including Rule 401 (Visible Emissions), Rule 402 (Nuisance), Rule 403 (Fugitive Dust), and Rule 1113 (Architectural Coatings). Specifically, Rule 403 requires the use of best available control measures for all construction activities to reduce fugitive dust emissions. The major construction elements addressed by Rule 403 include earth moving, disturbed surface areas, unpaved roads, open storage piles, demolition, and other various construction activities. Rule 403 compliance by individual property owners, developers, and/or contractors would reduce temporary construction-related air pollutant emissions of fugitive dust. In addition, Rule 1113 limits the VOC content of architectural coatings to minimize VOC emissions from the off-gassing of exterior and interior paints. Furthermore, Policies AQ 3.1.1 through AQ 3.1.4 of the City's General Plan Open Space and Conservation Element aims to reduce air quality impacts associated with construction activities:

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

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

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

Policy AQ 3.1.4. Consider rerouting the Duarte fixed route bus system to help minimize vehicle trips.

Compliance with SCAQMD rules and General Plan Policies AQ 3.1.1 through AQ 3.1.4 would reduce the overall level of air quality impacts associated with construction activities under the Housing Element Update. Furthermore, reasonably foreseeable development facilitated by the Housing Element Update would be required to implement additional mitigation if project-specific analysis identifies the potential to exceed the SCAQMD's regional thresholds and Localized Significant Thresholds (LSTs) for construction activities. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Carbon Monoxide Hotspots

A carbon monoxide hotspot is a localized concentration of carbon monoxide that is above the NAAQS and CAAQS for carbon monoxide. Localized carbon monoxide hotspots can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local carbon monoxide concentration exceeds the federal one-hour standard of 35.0 ppm or the federal and State eight-hour standard of 9.0 ppm (California Air Resources Board [CARB] 2016).

The SCAQMD conducted a detailed carbon monoxide analysis for the SCAB during the preparation of the 2003 AQMP. The locations selected for microscale modeling in the 2003 AQMP included high average daily traffic (ADT) intersections in the SCAB that would be expected to experience the highest carbon monoxide concentrations. The highest carbon monoxide concentration observed was at the intersection of Wilshire Boulevard and Veteran Avenue on the west side of Los Angeles near Interstate 405 (I-405), which had an ADT of approximately 100,000 vehicles per day. The one-hour concentration of carbon monoxide at this intersection was 4.6 ppm, which is well below the one-hour NAAQS of 35 ppm and the one-hour CAAQS of 20 ppm. Moreover, the SCAB has been in attainment of the carbon monoxide NAAQS and CAAQS since 2007 (SCAQMD 2016). The maximum 8-hour average carbon monoxide value at the Azusa monitoring station (the nearest monitoring station with available data, located approximately three miles east of the city) in 2019 was 1.1 ppm, which is well below the State and federal 8-hour carbon monoxide standard of 9.0 ppm (U.S. Environmental Protection Agency [USEPA] 2020). Based on the low background level of carbon monoxide in the project area, ever-improving vehicle emissions standards for new cars in accordance with State and federal regulations, and the low level of operational carbon monoxide emissions anticipated for reasonably foreseeable development facilitated by the proposed Housing Element Update, the proposed project would not create new hotspots or contribute substantially to existing hotspots. Therefore, the Housing Element Update would not expose sensitive receptors to substantial concentrations of carbon monoxide, and impacts would be less than significant.

Toxic Air Contaminants

Toxic air contaminants (TACs) are defined by State law as air pollutants that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. The following subsections discuss the Housing Element Update's potential to result in impacts related to TAC emissions during construction and operation.

Construction

Construction-related activities would result in temporary project-generated emissions of diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building construction, and other construction activities. DPM was identified as a TAC by CARB in 1998. The potential cancer risk from the inhalation of DPM (discussed in the following paragraphs) outweighs the potential non-cancer health impacts (CARB 2021). At this time, projects facilitated by the proposed Housing Element Update do not have sufficient detail (e.g., construction schedule, amount of soil export, specific buildout parameters) to allow for project-level analysis given the programmatic nature of the plan and thus it would be speculative to analyze project-level impacts.

Generation of DPM from construction projects typically occurs in a single area for a short period. Construction of housing units facilitated by the proposed project would occur over timeframes ranging generally from one to five years. The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 30-year exposure period (assumed to be the approximate time that a person spends at a single

household location). OEHHA recommends this risk be bracketed with nine-year and 70-year exposure periods and that health risk assessments should be limited to the period/duration of activities associated with the project (OEHHA 2015). Thus, the duration of proposed construction activities (i.e., one to five years) is approximately 3 to 17 percent of the total exposure period used for 30-year health risk calculations. Current models and methodologies for conducting health-risk assessments are associated with longer-term exposure periods of nine, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities, resulting in difficulties in producing accurate estimates of health risk (Bay Area Air Quality Management District 2017).

The maximum PM_{10} and $PM_{2.5}$ emissions would occur during demolition, site preparation and grading activities, which would only occur for a portion of the overall estimated timeframe of one to five years for construction of housing units facilitated by the proposed project. These activities would typically last for approximately two weeks to two years, depending on the extent of grading and excavation required (e.g., projects with subterranean parking structures or geological constraints require additional grading as compared to those without). Particulate matter emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less intensive construction equipment. While the maximum DPM emissions associated with demolition, site preparation, and grading activities would only occur for a portion of the overall construction period, these activities represent the worst-case condition for the total construction period. This would represent between 0.1 to 7 percent of the total 30-year exposure period for health risk calculation. In addition, SCAQMD CEQA guidance does not require preparation of a health risk assessment for short-term construction emissions. Moreover, the proposed housing sites are spread throughout the city such that people affected by construction-related TAC emissions generated at one housing site would not be affected by construction-related TAC emissions generated at another housing site, should construction activities occur simultaneously.

Furthermore, reasonably foreseeable development facilitated by the proposed Housing Element Update would be required to implement additional mitigation if project-specific analysis identifies the potential for construction-related TAC emissions to exceed the SCAQMD's thresholds for TACs. Therefore, construction-related impacts associated with TAC emissions would be less than significant.

Operation

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides recommendations regarding the siting of new sensitive land uses near potential sources of air toxic emissions (e.g., freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities). SCAQMD adopted similar recommendations in its *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* (2005). Together, CARB and SCAQMD guidelines recommend siting distances both for the development of sensitive land uses in proximity to TAC sources and for the addition of new TAC sources in proximity to existing sensitive land uses. Residential land uses are not considered land uses that generate substantial TAC emissions based on review of the air toxic sources listed in SCAQMD's and CARB's guidelines. It is expected that quantities of hazardous TACs generated on-site (e.g., cleaning solvents, paints, landscape pesticides, etc.) for the types of proposed residential land uses would be below thresholds warranting further study under the California Accidental Release Program. Because the project would not include substantial TAC sources and is consistent with CARB and

SCAQMD guidelines, it would not result in the exposure of off-site sensitive receptors to significant amounts of carcinogenic or toxic air contaminants. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The occurrence and severity of potential odor impacts depends on a number of factors, including the nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of the receiving location, each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Construction activities associated with reasonably foreseeable development under the Housing Element Update may produce temporary odors. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, and architectural coatings. Such odors would disperse rapidly from the individual construction sites, generally occur at magnitudes that would not affect substantial numbers of people and would be limited to the construction period. Furthermore, construction would be required to comply with SCAQMD Rule 402, which regulates nuisance odors. Accordingly, the construction associated with reasonably foreseeable development under the proposed project would not create objectionable odors affecting a substantial number of people and impacts would be less than significant.

SCAQMD's *CEQA Air Quality Handbook* (1993) identifies land uses associated with odor complaints as agricultural uses, wastewater treatment plants, chemical and food processing plants, composting, refineries, landfills, dairies, and fiberglass molding. Reasonably foreseeable development under the Housing Element Update would include residential and mixed-use developments, which are not major sources of odors and would not create objectionable odors to surrounding sensitive land uses. Therefore, potential impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

4 Biological Resources

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines,

and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to biological resources and it is not discussed further in this section.

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

Special Status Species

Special status species are those plants and animals listed, proposed for listing, or candidates for listing as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act (FESA); those considered "Species of Concern" by the USFWS; those listed or candidates for listing as Rare, Threatened, or Endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA); animals designated as "Fully Protected" by the California Fish and Game Code (CFGC); animals listed as "Species of Special Concern" (SSC) by the CDFW; CDFW Special Plants, specifically those with California Rare Plant Ranks (CRPR) of 1B, 2, 3, and 4 in the CNPS's Inventory of Rare and Endangered Vascular Plants of California (CNPS 2021); and birds identified as sensitive or watch list species by the Los Angeles County Sensitive Bird Species Working Group (2009).

The city contains approximately 600 acres of parks and open space, not including landscape areas such as street medians, parkways, and other green areas that provide wildlife habitat. A majority of those acres, approximately 422, are areas of City-owned, wilderness-dedicated open space with no amenities other than natural open space (City of Duarte 2007b). Urbanization in the city has substantially reduced the abundance and diversity of biological resources within city limits. In addition, Duarte is surrounded by other developed areas in Bradbury, Azusa, Irwindale, and Monrovia.

The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. The Housing Element Update would prioritize development on infill sites in urbanized areas of the city and would not encroach upon the designated open space. Reasonably foreseeable development under the Housing Element Update would be primarily concentrated on underutilized sites that have been previously developed and disturbed. Given the lack of suitable habitat to support special status species in urbanized and disturbed areas where new housing is to be concentrated, reasonably foreseeable development under the Housing Element Update would not result in significant adverse impacts to special status species or the habitats that support them.

Nesting Birds

While common birds are not designated as special status species, destruction of their eggs, nests, and nestlings is prohibited by Federal and State law. Nesting birds are protected under the CFGC Sections 3503, 3503.5, and 3513 as well as the Migratory Bird Treaty Act (MBTA). Violation of these provisions would be considered a potentially significant impact.

Development under the Housing Element Update could directly and indirectly affect nesting birds. Construction of reasonably foreseeable development under the proposed project could occur

during the bird nesting season, which is generally from March 1 through August 31 and begins as early as February 1 for raptors. As such, potential construction impacts resulting in vegetation trimming or removal during the nesting season would have the potential to disturb active nests, either directly (e.g., injury, mortality, or disruption of normal nesting behaviors) or indirectly (e.g., construction noise, dust, and vibration from equipment). Therefore, although unlikely, construction activities have the potential to disturb nesting birds and raptors, and project-specific impacts would be analyzed during the CEQA process prior to any new development projects.

As previously stated, each new residential development or renovation project would be subject to its own CEQA process, where the project-specific impacts associated with biological resources (including sensitive habitats, plants and wildlife, and wildlife corridors) would be analyzed; with potentially significant impacts avoided or mitigated if required. As a result, no significant impacts would occur.

LESS THAN SIGNIFICANT IMPACT

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Plant communities are considered sensitive biological resources if they have limited distributions, high wildlife value, include sensitive species, or are particularly susceptible to disturbance. CDFW maintains a list of sensitive plant communities (CDFW 2020). In addition, according to the USFWS's National Wetlands Inventory (NWI) there are no riparian habitats or federally protected wetlands located within the developed areas of the city. However, the San Gabriel Mountains contain a number of creeks and streams, classified as riverine wetlands, that flow into freshwater ponds in the foothills (NWI 2021).

Reasonably foreseeable development under the Housing Element Update would occur in urbanized areas of the city, and therefore, would not directly or indirectly impact sensitive natural communities or riparian habitat. As a result, impacts to sensitive natural communities or riparian habitats would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

In accordance with Section 1602 of the CFGC, the CDFW has jurisdiction over lakes and streambeds (including adjacent riparian resources). CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake. Under Section 404 of the Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) has authority to regulate activities that discharge dredge or fill material into wetlands or other "waters of the United States" through issuance of a Section 404 Permit. Finally, the Regional Water Quality Control Board (RWQCB) has jurisdiction over "waters of the State" pursuant to the Porter-Cologne Water Quality Control Act and has the responsibility for review of water quality certification per Section 401 of the federal CWA for proposed development projects.

Various streams flow down the San Gabriel Mountains, toward the northern end of the city, and terminate into seasonal freshwater ponds where the water percolates and disperses. The NWI

classifies this system as an intermittent riverine system, with flowing water only part of the year. The system falls under the class of streambed, is seasonally or temporarily flooded (NWI 2021).

Construction and operation of reasonably foreseeable development under the Housing Element Update would not result in the direct modifications or interruptions of State or federally protected wetlands. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover. Regional and local wildlife movements are expected to be concentrated near topographic features that allow convenient passage, including roads, drainages, and ridgelines.

Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas in such a way that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another, as in the fragmentation of habitats within and around “checkerboard” residential development. Habitat fragmentation also can occur when a portion of one or more habitats is converted into another habitat, as when annual burning converts scrub habitats to grassland habitats.

Much of the land in Duarte has been converted from open space to various urban uses, resulting in habitat fragmentation. There are no regional wildlife habitat linkages or described wildlife movement in the city. While there are small fragments of open space and approximately 66 acres of parkland in Duarte, it is unlikely for wildlife movement to occur due to the patchwork of parks, their small size, and existence in a highly urbanized area. The 422 acres of designated open space on the north end of the city are part of the San Gabriel Mountains, and offer much better opportunity for wildlife movement; however, this land would not be included as potential sites for the Housing Element. Thereby, the urbanized area of Duarte is surrounded by residential and commercial development and is not situated to form a link between blocks of intact habitat.

Reasonably foreseeable development under the Housing Element Update would be concentrated in urbanized areas and on sites that have been previously developed and disturbed and exclude areas within the designated open space and wilderness areas protected by the City. Development in urbanized areas would not result in substantial impacts to potential local wildlife movement. Therefore, potential impacts to wildlife corridors or nursery sites due to development under the proposed project would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Title 13, *Trees and Vegetation*, of the DMC provides guidelines for permitting, removal, and protection of trees within the city. Moreover, Chapter 13.12, *Tree Protection and Preservation*, also provides for the protection of prominent trees, trees of outstanding size and beauty, and dedicated trees. If future development resulting from the implementation of the proposed Housing Element Update includes the removal of trees (including street trees), the plans will be reviewed by the City and required to comply with the tree ordinances. Therefore, impacts related to potential conflicts with local policies or ordinances would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

No adopted local, regional, or State Habitat Conservation Plans or Natural Community Conservation Plans apply to any portion of Duarte (CDFW 2019). Therefore, no impact would occur under the proposed project.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	■	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	■	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to cultural resources and it is not discussed further in this section.

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

There are a number of potentially significant cultural resources, including historical and/or archaeological resources, found throughout the city. They primarily consist of existing historic buildings and archaeological sites. Buildings of historic value within the city generally consist of existing or former residential and commercial structures. Archaeological sites generally consist of remnants of pre-contact Native American habitation. The proposed Housing Element does not include specific development projects; instead, it only provides a framework for the City's anticipated future housing demand. The provision of such a framework would not result in any direct physical changes to existing historic structures or known or unknown archaeological sites. Nevertheless, future residential development implemented under the proposed Housing Element could potentially impact these cultural resources. However, each new residential development or renovation project is subject to its own CEQA process, and project-specific impacts associated with cultural resources would be analyzed; with potentially significant impacts avoided or mitigated if required. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

There are no formal cemeteries with human interments within the city. Although there are no known cemeteries, there is a possibility of encountering unknown buried human remains. The proposed Housing Element does not include specific development projects; instead, it only provides a framework for the City's anticipated future housing demand. The provision of such a framework would not result in any direct physical changes to existing known or unknown human remains. Nevertheless, future residential development implemented under the proposed Housing Element could potentially impact unknown human remains. However, each new residential development or renovation project is subject to its own CEQA process, and project-specific impacts associated with human remains would be analyzed; with potentially significant impacts avoided or mitigated as required. Furthermore, there are existing regulations in place that address the unanticipated discovery of human remains, including State of California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

6 Energy

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to energy and it is not discussed further in this section.

California Energy Consumption

California is one of the lowest per capita energy users in the United States, ranked 48th among states, due to its energy efficiency programs and mild climate. In 2018, California consumed 681 million barrels of petroleum, 2,137 billion cubic feet of natural gas, and one million short tons of coal in 2018 (U.S. Energy Information Administration [EIA] 2020). The single largest end-use sector for energy consumption in California is transportation (39.1 percent), followed by industrial (23.5 percent), commercial (19.2 percent), and residential (18.3 percent) (EIA 2020).

Most of California's electricity is generated in-state with approximately 30 percent imported from the northwest and southwest in 2018. In addition, approximately 32 percent of California's electricity supply comes from renewable energy sources, such as wind, solar photovoltaic, geothermal, and biomass (California Energy Commission [CEC] 2021). Adopted on September 10, 2018, SB 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce Statewide vehicle emissions, California requires all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.3 billion gallons sold in 2019 and is used by light-duty cars, pickup trucks, sport utility vehicles, and aviation (California Department of Tax and Fee Administration 2020). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2016).

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

The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. Reasonably foreseeable development under the Housing Element Update would consume energy during construction and operation through the use of petroleum fuel, natural gas, and electricity, as further addressed below.

Construction

Energy use during construction associated with reasonably foreseeable development under the Housing Element Update would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to construction trailers or electric construction equipment. Energy use during the construction of individual projects would be temporary in nature, and equipment used would be typical of construction projects in the region. In addition, construction contractors would be required to demonstrate compliance with applicable CARB regulations that restrict the idling of heavy-duty diesel motor vehicles and govern the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment.

Construction activities associated with reasonably foreseeable development would be required to utilize fuel-efficient equipment consistent with State and federal regulations and would comply with State measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. In addition, individual projects would be required to comply with construction waste management practices to divert at least 50 percent of construction and demolition debris.

These practices would result in efficient use of energy during construction of future development under the proposed project. Furthermore, in the interest of both environmental awareness and cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary. Therefore, future construction activities associated with reasonably foreseeable development under the Housing Element Update would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

Operation

Long-term operation of new projects developed in accordance with the Housing Element Update would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. As previously discussed, the Housing Element Update would prioritize development in previously developed areas of Duarte that are already served by energy providers. Electricity service in the city is provided by Southern California Edison (SCE). Southern California Gas Company (SoCal Gas) provides natural gas services to residents and businesses in the city.

Reasonably foreseeable development would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations [CCR], California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (CCR Title 24, Part 11). The California Energy Code provides energy

conservation standards for all new and renovated commercial and residential buildings constructed in California. This code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances and provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The code emphasizes saving energy at peak periods and seasons and improving the quality of installation of energy efficiency measures. The California Green Building Standards Code sets targets for energy efficiency; water consumption; dual plumbing systems for potable and recyclable water; diversion of construction waste from landfills; and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels.

In addition, the Housing Element Update would prioritize future development projects in close proximity to high quality transit areas and existing commercial/retail, recreational, and institutional land uses, which would reduce trip distances and encourage the use of alternative modes of transportation such as bicycling and walking. These factors would minimize the potential of the proposed project to result in the wasteful or unnecessary consumption of vehicle fuels. As a result, operation of reasonably foreseeable development projects would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

On November 13, 2012, the City Council adopted Duarte's Energy Action Plan (EAP) which was created in partnership with the San Gabriel Valley Council of Governments (SGVCOG) and SCE. This plan is based on California's Long Term Energy Efficiency Strategic Plan (CEESP) and identifies a clear path to successfully implementing actions, policies, and goals that will achieve the City's reduction targets. The CEESP includes a comprehensive set of electricity-related energy efficiency targets, goals, policies, and actions to help the community and the City become more energy efficient as well as policies and actions to assist with the implementation of the energy efficiency strategy (City of Duarte 2012). This includes maximizing the energy-efficient design and orientation of new buildings and encouraging the use of energy-efficient appliances and equipment in new buildings (City of Duarte 2012).

Construction activity associated with individual projects under the Housing Element Update would be required to comply with applicable City and State energy efficiency regulations and standards, which would ensure that the proposed project would not conflict with renewable energy and energy efficiency plans adopted by the City. As such, reasonably foreseeable development under the Housing Element Update would not conflict with or obstruct a plan for renewable energy or energy efficiency. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	■	☐
2. Strong seismic ground shaking?	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
4. Landslides?	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	■	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to geology and soils. Therefore, potential impacts associated with implementation of the Safety Element is not discussed further in this section. However, the Safety Element Update includes the objective and policies listed below to minimize the risks to lives and property due to seismic activities and geologic hazards, which are discussed in the following analysis as they relate to potential impacts associated with geologic and soil conditions.

Objective 4.1: Minimize risk of injury, loss of life, and property damage due to seismic and geologic hazards through mitigation and planning efforts.

- **Safe 4.1.1** Implement the Earthquake and Liquefaction actions, and the Multi-Hazard actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan.
- **Safe 4.1.2** Restrict development in areas prone to seismic hazards and other geologic hazards.
- **Safe 4.1.3** Enforce seismic design provisions of the current California Building Standards Code related to geologic, seismic, and slope hazards for all new construction.
- **Safe 4.1.4** Require that geotechnical reports include projected changes to slope stability related to climate change impacts on wildfires and erosion, and the development of mitigation strategies for new development projects in areas with the potential for liquefaction or landslide.

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The City is located in a seismically active region of southern California. Moderate to strong earthquakes can occur on numerous local faults. Southern California faults are classified as “active,” “potentially active,” or “inactive.” Faults from past geologic periods of mountain building that do not display any evidence of recent offset are considered “potentially active” or “inactive.” Faults that have historically produced earthquakes or show evidence of movement in the past 11,000 years are known as “active faults.”

The Sierra Madre Fault crosses through the city and the city is in close proximity to the Raymond Fault, Walnut Creek Fault, Sawpit Canyon Fault, and San Andreas Fault (City of Duarte 2021b). The city’s geology and close proximity to these faults could pose some concerns for development. The Sierra Madre Fault runs northwest to southeast through the city; Raymond Fault runs southwest to northeast near the western edge of city limits; Walnut Creek Fault runs southwest to northeast near the southeastern edge of city limits; Sawpit Canyon Fault runs southwest to northeast on the northwestern edge of city limits; and San Andrea Fault runs southeast to northwest near the northern edge of city limits (DOC 2015). The Housing Element Update plans for the development of up to 2,141 housing units within the southern portion of the city. Therefore, reasonably foreseeable development under the Housing Element Update could occur in areas with the potential for fault rupture and associated risk of loss, injury, or death. However, compliance with Policies 4.1.1 through 4.1.3 of the Safety Element Update would ensure that development under the Housing

Element Update would not directly or indirectly cause or exacerbate potential substantial adverse effects involving the rupture of a known earthquake fault. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The city is traversed by the Sierra Madre Fault and is in close proximity to the Raymond Fault, Walnut Creek Fault, Sawpit Canyon Fault, and San Andreas Fault (City of Duarte 2021b). These faults would be capable of producing strong seismic ground shaking in the event of an earthquake. In addition, the city is located in the highly seismic Southern California region where several fault systems are considered to be active or potentially active. Reasonably foreseeable development under the Housing and Safety Element Update may be subject to ground shaking in the event of an earthquake originating along one of the faults designated as active or potentially active in the vicinity of Duarte. However, development in Duarte is required to adhere to the Uniform Building Code (UBC) and CBC. The UBC and CBC regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking. In addition, compliance with Policies 4.1.1 through 4.1.3 of the Safety Element Update would regulate development and reduce geologic and seismic impacts. Adherence to applicable State and City standards would minimize the potential for property damage and loss of life, and reasonably foreseeable development under the Housing Element Update would not increase the frequency or severity of ground shaking. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction is a phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: shallow groundwater; low density, fine, clean sandy soils; and strong ground motion. Liquefaction-related effects include loss of bearing strength, amplified ground oscillations, lateral spreading, and flow failures.

Potential liquefaction hazard zones are in the southeastern portion of the city, which consists of alluvial valleys, floodplains, and canyons (City of Duarte 2021b). As mentioned above, development in Duarte is required to adhere to the UBC and CBC. In addition, compliance with Policies 4.1.1 through 4.1.4 of the Safety Element Update would regulate development and reduce liquefaction impacts. Compliance with applicable State and City standards would minimize the potential for property damage and loss of life. As such, reasonably foreseeable development under the Housing Element Update would not directly or indirectly cause substantial adverse effects from liquefaction risk. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The geologic character of an area determines its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential for slope failure and landslide events. In order to fail, unstable slopes need to be disturbed; common triggering mechanisms of slope failure include undercutting slopes by erosion or grading, saturation of marginally stable slopes by rainfall or irrigation; and, shaking of marginally stable slopes during earthquakes. The topography of the city is generally flat, although the northeastern portion of the city is situated along the foothills of the San Gabriel Mountains. According to the DOC Earthquake Zones of Required Investigation Map, existing development in the northern and eastern portions of the city have been identified as potential areas for landslides, but the majority of the city is not located in a landslide zone (DOC 2019). The Housing Element Update plans for the development of up to 2,141 housing units within the southern portion of the city and thus, would not be located in an identified potential landslide area. Compliance with Policies 4.1.1 through 4.1.4 of the Safety Element Update would regulate development and reduce landslide impacts. Therefore, development under the proposed project would not directly or indirectly cause impacts related to landslides. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

Soil erosion or the loss of topsoil may occur when soils are disturbed but not secured or restored, such that wind or rain events may mobilize disturbed soils, resulting in their transport offsite. The Housing and Safety Element Update would emphasize the reasonably foreseeable development on previously disturbed, infill areas within urbanized areas of the city. Ground-disturbing activities associated with the construction of development would have the potential to result in the removal and erosion of topsoil during grading and excavation.

Because the Housing and Safety Element Update would prioritize development in areas that are already built out, the potential for erosion would primarily be limited to temporary effects of possible topsoil loss at future project construction sites. Standard construction best management practices (BMPs) would be implemented in order to avoid or minimize soil erosion associated with ground-disturbing activities. Implementation of erosion control measures required by DMC Chapter 6.15, *Stormwater and Urban Runoff Pollution Control,* would be designed to capture and treat runoff from construction sites such as through stabilization of construction entrance roadways and on-site retention of eroded sediments and pollutants. Construction activities that disturb one or more acres of land are subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Permit process, which would require development of a Stormwater Pollution Prevention Plan (SWPPP) that outlines project-specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants from construction into stormwater. Typical BMPs include, but are not limited to, installation of silt fences, erosion control blankets, and anti-tracking pads at site exits to prevent off-site transport of soil material. Construction activities would also be required to comply with CBC Chapter 70 standards, which are designed to ensure implementation of appropriate measures during grading and construction to control erosion and storm water pollution. Furthermore, compliance with Policy 4.1.4 of the Safety Element Update would reduce soil erosion impacts.

With implementation of these requirements, erosion from demolition and construction activities associated with reasonably foreseeable development under the Housing Element Update would be

controlled through implementation of the requirements and BMPs contained in existing regulations, including the NPDES Construction General Permit, DMC, and the City's Safety Element. Furthermore, BMPs for post-construction erosion and sediment control would remain in effect, which would improve future erosion conditions. Compliance with the previously discussed regulations would reduce the risk of soil erosion from construction activities associated with the Housing Element Update such that there would be minimal change in risk compared to current conditions. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Impacts related to landslides and liquefaction are addressed under impacts *a.3*. and *a.4*. of this section, therefore, this discussion focuses on impacts related to unstable soils as a result of lateral spreading, subsidence, or collapse. Lateral spreading occurs as a result of liquefaction; accordingly, liquefaction-prone areas would also be susceptible to lateral spreading. Subsidence occurs at great depths below the surface when subsurface pressure is reduced by the withdrawal of fluids (e.g., groundwater, natural gas, or oil) resulting in sinking of the ground. The city may be susceptible to subsidence from groundwater withdrawal as a result of drought conditions and declining groundwater levels.

The Housing Element Update would prioritize development of housing on infill sites that may contain underlying unstable soils. Because reasonably foreseeable development under the Housing Element Update would primarily involve infill development, development under the proposed project would not affect existing conditions related to unstable soils, unless improperly constructed. Future development would be required to comply with the CBC's minimum standards for structural design and site development. The CBC provides standards for excavation, grading, and earthwork construction; fills and embankments; expansive soils; foundation investigations; and liquefaction potential and soils strength loss. Therefore, CBC-required incorporation of soil treatment programs (replacement, grouting, compaction, drainage control, etc.) in the excavation and construction plans can achieve an acceptable degree of soil stability to address site-specific soil conditions. Adherence to these requirements would achieve accepted safety standards relative to unstable geologic units or soils. In addition, compliance with Policies 4.1.1 through 4.1.4 of the Safety Element Update would regulate development and reduce potential impacts related to unstable soils as a result of lateral spreading, subsidence, or collapse. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Soils that volumetrically increase (swell) or expand when exposed to water and contract when dry (shrink) are considered expansive soils. A soil's potential to shrink and swell depends on the amount and types of clay in the soil. Highly expansive soils can cause structural damage to foundations and roads without proper structural engineering and are generally less suitable or desirable for development than non-expansive soils because of the necessity for detailed geologic investigations and costlier grading applications.

The Housing Element Update would prioritize development of housing on infill sites in the city that may contain underlying expansive soils. Because reasonably foreseeable development under the Housing Element Update would primarily involve infill development, new development would not substantially increase the potential exposure to or extent of expansive soils within the city. Future projects under the Housing Element would be subject to DMC regulations that require the submission of a soils report and all appropriate recommendations by a registered civil engineer before the issuance of building permits within liquefaction susceptibility zones. The CBC, which is based on the UBC, has been modified for California conditions with numerous more detailed and/or more stringent regulations. If expansive soils are detected based on a preliminary soil report, the CBC requires the preparation of a soil investigation prior to construction and incorporation of appropriate corrective actions to prevent structural damage, to be determined on a project-by-project basis. Furthermore, compliance with Policies 4.1.2 and 4.1.3 of the Safety Element Update would regulate development and reduce potential impacts related to expansive soils. Consequently, there would be minimal change in the exposure of people or structures to risks associated with expansive soils and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The Housing Element Update would emphasize reasonably foreseeable development in urban infill sites that are served by existing infrastructure and that are not anticipated to include the use of septic systems. Therefore, there would be no impact related to the use of septic tanks or alternative wastewater disposal systems.

NO IMPACT

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

The Housing Element Update would prioritize reasonably foreseeable development on infill sites in the city that have previously been developed and disturbed; however, the proposed project does not include specific development projects. Nonetheless, there is the potential for as yet undiscovered paleontological resources to be present below the ground surface throughout the city. Such resources could be disturbed by grading and excavation activities associated with future development. Nevertheless, reasonably foreseeable development under the Housing Element Update has the potential to adversely affect paleontological resources. However, each new development or renovation project would be subject to its own CEQA process where the project-specific impacts associated with paleontological resources would be analyzed; and potentially significant impacts avoided or mitigated if required. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

8 Greenhouse Gas Emissions

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to greenhouse gases and it is not discussed further in this section.

Overview of Climate Change and Greenhouse Gases

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

GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, and CH_4 results from off-gassing associated with agricultural practices and landfills. Different types of GHGs have varying global warming potentials (GWPs), which are the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the GHG emissions, referred to as carbon dioxide equivalent (CO_2e), and is the amount of a GHG emitted multiplied by its GWP. CO_2 has a 100-year GWP of one. By contrast, CH_4 has a GWP of 28, meaning its global warming effect is 28 times greater than that of CO_2 on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2014).[4]

[4] The IPCC's (2014) *Fifth Assessment Report* determined that methane has a GWP of 28. However, modeling of GHG emissions was completed using the California Emissions Estimator Model version 2016.3.2, which uses a GWP of 25 for methane, consistent with the IPCC's (2007) *Fourth Assessment Report*.

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 33 degrees Celsius (°C) cooler (World Meteorological Organization 2021). However, since 1750, estimated concentrations of CO_2, CH_4, and N_2O in the atmosphere have increased by 36 percent, 148 percent, and 18 percent, respectively, primarily due to human activity (Forster et al. 2007). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*

b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. Reasonably foreseeable development under the Housing Element Update would generate GHG emissions during construction through the use of petroleum-fueled construction equipment and worker vehicle trips to and from construction sites. In addition, operation of development under the Housing Element Update would generate GHG emissions through the use of electricity and natural gas, vehicle trips of occupants, waste generation, water use, and wastewater generation.

However, development under the Housing Element Update would not be expected to generate substantial GHG emissions as the proposed housing sites are located in urban areas within the southern portion of the city that are within walking and biking distance of existing residential, commercial, and recreational uses and within close proximity to transit which would reduce the amount of GHG emissions and vehicle miles traveled (VMT) in the city. In addition, reasonably foreseeably development would be required to conduct project-specific CEQA review to address site-specific environmental concerns, which would mitigate potential GHG emission impacts to a less-than-significant level. Furthermore, as discussed in Section 6, *Energy*, development under the Housing Element Update would be required to be consistent with the goals and policies outlined in the City's EAP.

The EAP is a long-range plan that is designed to be integrated into a comprehensive climate action plan when the City's resources support the preparation of a plan to address the reduction of GHG emissions from electricity, natural gas, solid waste, transportation, and other sectors within the City (City of Duarte 2012). The EAP would also help achieve multiple community goals such as lowering energy costs, reducing air pollution, supporting local economic development, and improving public health and quality of life. The City's EAP establishes a reduction target of 15 percent below 2005 levels by 2020 in conformance with the recommended reduction target in AB 32. As part of the EAP, the City has committed to ensuring that new development complies with the energy efficiency and green building standards identified in CCR Title 24. The City adopted by reference the California Green Building Standards Code (CALGreen) in 2020 (City of Duarte 2021c). Furthermore, Chapter 19.52 of the City's Development Code includes several sustainable development practices, including energy efficient appliances, alternative fuel vehicles, and water efficient landscaping, to increase energy efficiency and the use of sustainable practices which would reduce the amount of GHG emissions generated in the city.

Therefore, conflicts with applicable plans or policies to reduce GHG emissions and impacts related to GHG emissions generated by the construction and operation of future residential development under the Housing Element Update would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	■	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	■	☐
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	■	☐
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	■
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs.

The Safety Element Update includes the following objectives and goals to minimize the risks to lives and property due to the use and storage of hazardous materials:

Objective 1.1: Prepare the community for any expected or unexpected disasters resulting from natural or man-made causes.

Safe 1.1.1 Implement the Multi-Hazard actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan which would enable the city to operate in a self-sufficient manner following a natural or man-made disaster.

Safe 1.1.2 Promote the development of community programs or neighborhood disaster relief groups that train volunteers to assist police, fire, and civil defense personnel to perform effectively after the occurrence of a natural or man-made disaster.

Safe 1.1.3 Expand and intensify precautionary measures in high-risk areas, including in disadvantaged communities, to reduce loss from natural or man-made disasters and investigate ways of reducing the likelihood of their occurrence.

Safe 1.1.4 Consider climate change vulnerability and safety implications during the review process for all development proposals, including those involving City-owned facilities and infrastructure.

Safe 1.1.5 Coordinate with the Los Angeles County Sheriff's Department, Los Angeles County Fire Department, and neighboring cities to ensure that adequate services are ready and available to serve the community in the event of natural or man-made disasters.

Safe 1.1.6 Cooperate with federal, state, and county agencies responsible for the enforcement of all health, safety, and environmental laws.

Safe 1.1.7 Maintain hazard mitigation plans, disaster preparedness and emergency response plans, and update plans at regular intervals and when new information is available.

Safe 1.1.8 Establish designated emergency response and evacuation routes throughout the City, for each climate hazard (e.g., wildfire, storm flooding, etc.), prioritizing the most high-risk and disadvantaged populations.

Safe 1.1.9 Update emergency and disaster response measures to account for increased heat days with a focus on reducing health risks for the highest-risk individuals and disadvantaged communities.

Safe 1.1.10 Ensure that adequate provisions are made to supply drinking water for an extended period in the event of a major disaster.

Objective 2.1: Prepare the citizens of Duarte to be prepared for danger or disaster and, if need be, to be self-reliant for a length of time in the event of a catastrophic natural or man-made event.

Safe 2.1.1 Establish and support all appropriate media for reaching all segments of the community (English-speaking and non-English speaking) to educate residents concerning emergency preparedness and safety.

Safe 2.1.2 Present or support an on-going series of community meetings or seminars, and a community handbook on disaster preparedness and procedures. The program should be about minimizing hazards in the home, wildfire mitigation and disaster planning, and developing disaster preparedness and evacuation plans.

Safe 2.1.3 Encourage private businesses to develop disaster preparedness plans for their employees.

Safe 2.1.4 Coordinate emergency planning efforts with building managers of high-occupancy facilities, dependent care centers (nursing homes, day care centers, etc.) and critical facilities located in the City to facilitate effective emergency response.

Safe 2.1.5 Increase public awareness of City emergency response plans, evacuation routes and emergency shelters, with a focus on and disadvantaged communities.

Safe 2.1.6 Maintain a citizens notification system regarding natural, man-made, or climate change hazards that reaches all populations in the community with a focus on reaching disadvantaged communities.

Safe 2.1.7 Incorporate information for potential health threats due to climate change hazards, such as heat-illness, illnesses complicated by low air quality, and risks during heavy precipitation events, into early warning systems.

Objective 5.1: Minimize risk of injury, loss of life, and property damage due to fire hazards through mitigation and planning efforts.

Safe 5.1.1 Implement the Wildfire actions and the Multi-Hazard actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan.

Safe 5.1.2 Continue to support "mutual assistance" agreements between the fire departments of the local cities, Los Angeles County, and the U.S. Government.

Safe 5.1.3 Continue to support programs to reduce fire hazards of vegetation in areas of extreme to high fire risk. Such programs may take a variety of forms, but may include weed and brush removal and control and use of fire-resistant plantings.

Safe 5.1.4 Provide an adequate level of fire equipment, peakload water supply and personnel to protect the community.

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

- Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structured Regulations) for SRAs and VHFSZ, and with the California Government Codes 51175-57789 (Very High Fire Severity Zones),
- The latest fire-safe standards,
- The Board of Forestry and Fire Protection Fire Safe Regulations; and,
- The most current version of the California Building Codes and California Fire Code.

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

Safe 5.1.7 Identify areas with inadequate access/evacuation routes and develop mitigation measures or improvement plans for these areas.

Objective 6.1: Reduce risks to public health and safety due to the transportation, use, or storage of hazardous materials within the community.

Safe 6.1.1 Implement the Hazardous Materials actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan.

Safe 6.1.2 Monitor to the greatest extent possible the location of hazardous materials that could adversely impact Duarte residents, and businesses, and include information on soil contamination and storage of hazardous materials in the City's Geographic Information System.

Safe 6.1.3 Regulate the delivery, use, and storage of hazardous materials within the city limits according to regulations and guidelines set forth by the Los Angeles County Fire Department.

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction activity associated with reasonably foreseeable development under the proposed project would involve the use of potentially hazardous materials, such as vehicle fuels and fluids, that could be released should a leak or spill occur. However, contractors would be required to implement standard construction BMPs for the use and handling of such materials to avoid or reduce the potential for such conditions to occur. Any use of potentially hazardous materials during construction of future development would be required to comply with all local, State, and federal regulations regarding the handling of potentially hazardous materials. Likewise, the transport, use, and storage of hazardous materials during future construction would be required to comply with applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and CCR Title 22, and Policies 6.1.1 through 6.1.3 of the City's Safety Element Update.

The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. Reasonably foreseeable development under the Housing Element Update would primarily include mixed-use commercial and housing, which are not land uses typically associated with the use, transportation, storage, or generation of significant quantities of hazardous materials. Operation of future developments under the proposed project would likely involve an incremental increase in the use of common household hazardous materials, such as cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in regular property and landscaping maintenance. Use of these materials would be subject to compliance with existing regulations, standards, and guidelines established by local, State, and federal agencies related to storage, use, and disposal of hazardous materials, including Safety Element Policies 6.1.1 through 6.1.3. Therefore, upon compliance with all applicable laws and regulations relating to environmental

protection and the management of hazardous materials, potential impacts associated with the routine transport, use, or disposal of hazardous materials during construction and operation of development projects under the Housing Element Update would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As described under impact *a.* of this section, the transport, use, and storage of hazardous materials during the construction of future development under the proposed project would be conducted in accordance with applicable local, State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, CCR Title 22, and Policies 6.1.1 through 6.1.3 of the City's Safety Element Update. However, there is the potential for future construction to involve the demolition or alteration of structures that may contain asbestos and/or lead-based paint (LBP), which could pose hazards to receptors at adjacent land uses. Lead-based materials and asbestos exposure are regulated by the California Occupational Safety and Health Administration (Cal OSHA). CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards. Under this rule, construction workers (and by extension, neighboring properties) may not be exposed to lead at concentrations greater than 50 micrograms per cubic meter of air averaged over an eight-hour period and exposure must be reduced to lower concentrations if the workday exceeds eight hours. Similarly, CCR Section 1529 sets requirements for asbestos exposure assessments and monitoring, methods of complying with exposure requirements, safety wear, communication of hazards, and medical examination of workers.

The control of asbestos during demolition or renovation of buildings is regulated under the Federal Clean Air Act. The Federal Clean Air Act requires a thorough inspection for asbestos where demolition will occur and specifies work practices to control emissions, such as removing all asbestos-containing materials, adequately wetting all regulated asbestos-containing materials, sealing the material in leak tight containers and disposing of the asbestos-containing waste material as expediently as practicable (USEPA 2021a). Compliance with the CCR and Federal Clean Air Act would reduce the potential hazards and risks associated with release of lead and asbestos to a less than significant level. Furthermore, the residential and mixed-uses under the Housing Element Update are not typically associated with upset and accident conditions involving the release of hazardous materials. Although accidents may occur during the transport, storage, use, or disposal of hazardous materials, including spills or leaks, adherence to City of Duarte and Los Angeles County Fire Department (LACoFD) Health Hazardous Materials Division (HHMD) plans and regulations would reduce the potential for contamination from hazardous materials through proper cleanup, disposal, and remediation. Therefore, impacts to the public or the environment through accidental release or exposure to hazardous materials as a result of project implementation would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The Duarte Unified School District (DUSD) oversees nine schools in the city, including five elementary schools, one middle school, one high school, and two alternative schools (DUSD 2021). There are also numerous day cares located throughout the city. As discussed in this section, future development under the Housing Element Update would not involve the use or transport of large quantities of hazardous materials. Although there is potential for schools to be located within 0.25 mile of future construction sites and the potential for release of contamination during the construction period, adherence to City and LACoFD HHMD plans and regulations would reduce the potential for contamination from hazardous materials through proper cleanup, disposal, and remediation. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop an updated Cortese List, which includes information on hazardous material sites collected from the California Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and the USEPA. The analysis for this section included a review of the following resources on June 11, 2021 to provide hazardous material release information:

- SWRCB GeoTracker database (SWRCB 2021)
- DTSC EnviroStor database (DTSC 2021)
- USEPA Superfund Enterprise Management System (SEMS) (USEPA 2021b)

Based on review of these databases, it was determined that the city is included on existing lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The GeoTracker and EnviroStor databases identified the following four open Cleanup Program Sites, Federal Superfund Site, Evaluation Site, and Tiered Permit Site within the city:

- **Conrac Corporation (SL603798694):** Located at 1724 South Mountain Avenue, the site is classified as a Cleanup Program Site, listed for potential VOC contamination of the drinking water. The site's cleanup status is listed as "open – inactive" as of October 29, 2014.
- **Dowty Hydraulic Units, Inc. (T10000015935):** Located at 1700 Business Center Drive, the site is classified as a Cleanup Program Site and Federal Superfund Site, listed for potential TPH-motor oil, TPH-diesel, and tributyl phosphate contamination of the soil. The site's cleanup status is listed as "open – inactive" as of January 1, 1985. The site was formerly GE Aviation Systems and has been used for the manufacture of hydraulic actuation systems since 1964. Current operations include design, development, and manufacture of hydraulic and electrical equipment and components used in aircraft flight controls, thrust reversers, landing gear, and utility systems.
- **Pacific Scientific, HTL Div. (T10000015935):** Located at 1800 Highland Avenue, the site is classified as a Cleanup Program Site. The site's cleanup status is listed as "completed – inactive" as of January 1, 1985. Current operations on the site include commercial/office uses.

- **Hoffman Educational System (T10000015963):** Located at 1863 Business Center Drive, the site is classified as a Cleanup Program Site. The site's cleanup status is listed as "open – inactive" as of January 1, 1985. Current operations on the site include commercial uses.
- **Former Lerner's Gas Station (70000050):** Located at 2107 Huntington Drive, the site is classified as an Evaluation Site. The site is listed for potential benzene, PCB, TPH-gas, toluene, and xylene contamination of the soil. The site was previously used for engine testing/repair, fuel - vehicle storage/refueling, and vehicle maintenance. In July 2012, DTSC concurred with the "No Further Action" letter issued by the County of Los Angeles Department of Public Works and that no further action on the site was required.
- **TDH Gold Cleaning (71003333):** Located at 2300 East Central Avenue #1, the site is classified as a Tiered Permit. Current operations on the site include commercial uses.

New development facilitated by the Housing Element Update located on or near these identified hazardous material sites could expose construction workforce, as well as future occupants, to hazardous materials. However, before grading permits are issued for development on these sites, a Phase I Environmental Site Assessment (ESA) and, as determined necessary, a Phase II ESA and Phase III remediation would be conducted under the direction of an appropriate regulatory agency to ensure that potential exposure to hazardous materials is minimized.

It is also possible that underground storage tanks (USTs) in use prior to permitting and record keeping requirements may be present in the city. If an unidentified UST were uncovered or disturbed during construction activities, it would be removed under permit by the HHMD; if such removal would potentially undermine the structural stability of existing structures, foundations, or impact existing utilities, the tank might be closed in place without removal. Tank removal activities could pose both health and safety risks, such as the exposure of workers, tank handling personnel, and the public to tank contents or vapors. Potential risks, if any, posed by USTs would be minimized by managing the tank according to existing standards contained in Division 20, Chapters 6.7 and 6.75 (Underground Storage Tank Program) of the California Health and Safety Code as enforced and monitored by the HHMD. In addition, compliance with Policies 1.1.1, 1.1.3, and 6.1.1 through 6.1.3 of the Safety Element Update would reduce potential hazard impacts to the public and environment. Therefore, compliance with existing State and local regulations, including Duarte's Safety Element policies, would reduce impacts to a less than significant level.

LESS THAN SIGNIFICANT IMPACT

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The city does not contain any airports and is not located within an Airport Influence Area (Los Angeles County 2020). The closest airport is the San Gabriel Valley Airport, located approximately 3.6 miles southwest of the city. Therefore, no impacts would occur.

NO IMPACT

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

Development facilitated by the Housing Element Update would accommodate future population growth and would increase VMT in the city, which could lead to increased congestion during emergency evacuations. However, the proposed updated language to the City's General Plan Safety Element policies are intended to ensure effective and coordinated response to disasters and further the City's preventative measures.

The City has also prepared a Local Hazard Mitigation Plan (LHMP, adopted in 2004) which was recently updated and adopted in 2020 (City of Duarte 2019b). The LHMP assesses risk from natural disasters, including earthquakes, wildfire, and landslides, and includes strategies to mitigate these potential disasters (City of Duarte 2019b). The primary objectives of the LHMP is to provide a mitigation plan that reduces or eliminates long-term risk to people and property from natural hazards and their effects on the city, and to meet Federal Emergency Management Agency (FEMA) requirements by addressing hazards, vulnerability, and risk. The City's General Plan Safety Element, and the LHMP therein, provide emergency response guidelines and planning for the city including fire inspections and brush clearance programs, staff training regarding emergency response procedures associated with transportation-based hazardous materials releases, and emergency response training regarding evacuation and traffic control. Therefore, development accommodated under the Housing Element Update would not result in interference with the adoption of these types of plans.

The LACoFD provides fire and emergency response services and assists in on-site emergency and command center management. The LACoFD's established web platform offers additional opportunity to circulate adopted emergency response and evacuation plans (LACoFD 2021a). In addition, the City provides a public alert system to help circulate information to Duarte residents in case of emergency (City of Duarte 2021d). Implementation of the City's General Plan policies, including Policies 1.1.1 through 1.1.10 and 2.1.1 through 2.1.7 of the Safety Element Update, the LHMP, and other programs associated with emergency planning and response would ensure that development under the Housing Element Update would result in less than significant impacts related to implementation of adopted emergency response and evacuation plans. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The northeastern and eastern boundaries of the city, as well as the portion from the boundary of the Angeles National Forest to Conata Street are located in a Very High Fire Hazard Severity Zone (VHFHSZ) as mapped by CAL FIRE (CAL FIRE 2021). However, the Housing Element Update would prioritize future development in urban areas within the southern portion of the city that are not located in a VHFHSZ. In addition, reasonably foreseeable development under the Housing and Safety Element Update would be required to be constructed according to the UBC requirements for fire-protection and would be subject to review and approval by the LACoFD. Therefore, development under the Housing Element Update would not pose a substantial risk to people or structures due to wildland fires or exacerbate existing wildland fire hazards. In addition, compliance with Policies 5.1.1

through 5.1.7 of the Safety Element Update would regulate development and reduce impacts relating to wildland fire risks. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	■	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	■	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	■	☐
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	■	☐
(iv) Impede or redirect flood flows?	☐	☐	■	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to hydrology and water quality and it is not discussed further in this section.

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Duarte is within the jurisdiction of the Los Angeles RWQCB, which is responsible for the preparation and implementation of the water quality control plan for the Los Angeles Region. Chapter 6.15, *Stormwater and Urban Runoff Pollution Control*, of the DMC requires owners or developers to implement stormwater pollution control requirements for construction activities. In addition, Regulations under the Federal Clean Water Act require compliance with the NPDES storm water permit for projects disturbing more than one acre during construction. Operators of a construction site would be responsible for preparing and implementing a SWPPP that outlines project specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants in stormwater. Typical BMPs include covering stockpiled soils, installation of silt fences and erosion control blankets, and proper handling and disposal of wastes. Compliance with these regulatory requirements would minimize impacts to water quality during the construction of future projects under the Housing Element Update.

The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. Construction of reasonably foreseeable development under the Housing Element Update could potentially impact surface or ground water quality due to erosion resulting from exposed soils and the generation of water pollutants, including trash, construction materials, and equipment fluids. However, compliance with the regulations described above would reduce impacts resulting from reasonably foreseeable development to a less than significant level. Furthermore, the Housing Element Update would not introduce any features that would preclude implementation of or alter these policies and procedures. Therefore, implementation of the proposed project would not violate any water quality standards or waste discharge requirements. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Reasonably foreseeable development under the Housing Element Update would utilize water for construction, operations, and landscape maintenance. Water supply requirements for development under the Housing Element Update would be met by the California American Water Company (CAWC). The Los Angeles County District of the CACW provides potable water to the Duarte service area, which includes the cities of Azusa, Bradbury, Duarte, Irwindale, and Monrovia. Because CAWC's water supply in this district is from groundwater resources, groundwater could potentially be a source in supplying water to future project sites. Water demand could be met in a number of

ways other than increasing groundwater withdrawal, such as implementing water conservation measures, increasing use of recycled water, and/or implementing groundwater recharge projects.

Reasonably foreseeable development would not substantially increase the amount of impervious surface in the city because the Housing Element Update would prioritize development on infill areas that are already urbanized and largely covered with impervious surfaces; therefore, the proposed project would not interfere substantially with groundwater recharge. Implementation of the Housing and Safety Element Update may provide some benefits to groundwater recharge by replacing older development with new development subject to open space, landscaping, and stormwater BMP requirements that would increase pervious surfaces associated with new development.

Potential construction activities associated with future development, such as excavation for subterranean parking lots and foundation-laying for tall buildings, could potentially extend into the underlying groundwater table. Construction activities overlying areas with shallower groundwater depth could expose groundwater resources to contamination. However, the risk of groundwater contamination during construction is minimal and would most likely occur due to spills or leaks from equipment or materials used in construction (see Section 9, *Hazards and Hazardous Resources*). Developers of individual project sites with a size of one acre or more are also required to prepare a SWPPP, which includes BMPs to prevent contamination of stormwater and runoff during construction. Typical construction BMPs to prevent stormwater contamination would also prevent contamination of groundwater resources, as exemplified by the following BMPs:

- Construction equipment and vehicles shall be properly maintained.
- All materials shall be properly stored and transported.
- Fuels will be stored in secure areas.

With implementation of appropriate construction BMPs, the impact of reasonably foreseeable development under the Housing Element Update on groundwater resources would be minimized and impacts related to infiltration/contamination would be less than significant. However, each new residential development or renovation project is subject to its own CEQA process, and project-specific impacts associated with groundwater supplies and sustainable groundwater management would be analyzed; with potentially significant impacts avoided or mitigated if required. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would

exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Under existing conditions, infill sites that would be the focus of reasonably foreseeable development under the Housing Element Update are primarily paved and/or developed with structures. Therefore, development under the Housing Element Updates would not be anticipated to substantially alter drainage patterns or alter drainage patterns to an extent that would result in substantial erosion, siltation, or flooding on- or off-site. Residential uses that would be accommodated by the Housing Element Update are not sources of high levels of stormwater pollution.

As discussed under impact *a.* of this section, future construction activities would be required to include BMPs to prevent stormwater contamination and reduce runoff pursuant to DMC Chapter 6.15, and, depending on the size of future development, a NPDES General Construction Permit and subsequent SWPPP would be required to outline project-specific BMPs. BMPs and implementation of a Standard Urban Storm Water Mitigation Plan (SUSMP) would be required for future projects to reduce polluted runoff by retaining, treating, or infiltrating polluted runoff onsite, and integrate post-construction BMPs into a site's overall drainage system. These construction and erosion control practices would reduce the potential for adverse effects caused by excavation and general construction. Therefore, reasonably foreseeable development would not introduce substantial additional sources of polluted runoff.

Because development under the Housing Element Update would not substantially alter the existing drainage pattern and development and construction of future projects would be required to implement stormwater BMPs, development under the proposed project would not generate a substantial increase in runoff that would result in substantial erosion, siltation, flooding on- or off-site, or increased polluted runoff. Therefore, impacts related to drainage and runoff would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRMs), the City does not contain any flood hazard areas (FEMA 2020).

New developments are required to comply with Section 1612 (Flood Loads) and Appendix G (Flood-Resistant Construction) of the CBC. Chapter 16.40, *Floodplain Management Regulations*, of the DMC also includes standards to meet the standards of the National Flood Insurance Program Regulations (44 CFR 59, etc.) and to minimize public and private losses due to flood conditions. In addition, as discussed under impacts *c(i), c (ii),* and *c(iii)* of this section, the Housing Element Update would emphasize new development of on infill sites in urbanized areas that are already primarily paved and/or developed with structures. Therefore, reasonably foreseeable development would not substantially alter drainage patterns. Consequently, growth under the proposed project would not substantially alter drainage patterns to an extent that would redirect or impede flood flows. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Seiches are large waves generated by ground shaking effects within enclosed bodies of water. The reservoirs or dams surrounding the city include: Sawpit Dam, Sawpit Debris Basin, Morris Dam and Reservoir, and San Gabriel Dam and Reservoir. The southwest portion of the city is subject to dam inundation by the Sawpit Dam and Debris Basin, and the southern half of the city by the Morris and San Gabriel Dams and Reservoirs (DSOD 2021). However, these dams continue to be operated and maintained by Los Angeles County Public Works to control flood waters during storm periods. "Public Works makes post storm releases, when feasible, in amounts that can be conserved in downstream spreading grounds and by channel percolation" (Los Angeles County of Public Works [LACPW] 2021). Therefore, potential impacts associated with flooding from a seismically induced seiche would not be significant.

Tsunamis are tidal waves generated by fault displacement or major ground movement. Since Duarte is landlocked and located over 29 miles from the Pacific Ocean, tsunamis are not considered a hazard for this project.

As discussed under impact *c.(iv)*, above, no portion of the city lies in a flood hazard zone subject to 100-year and 500-year floods (FEMA 2020). Reasonably foreseeable development under the proposed project would be concentrated on infill sites and would not substantially alter the overall development patterns in the city. The Housing Element Update would increase development capacity, thereby potentially increasing the number of people and structures exposed to potential flooding. However, this condition already exists, and the proposed project would not exacerbate existing flood hazards. Furthermore, while there is the potential for flooding to impact portions of the city, as discussed under Section 9, *Hazards and Hazardous Materials*, future developments under the Housing Element Update would not involve the storage or use of significant quantities of hazardous materials, and construction of new structures would be required to comply with CBC regulations for flooding. Therefore, risks related to the release of hazardous materials due to inundation are minimal and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Potential water quality and groundwater impacts associated with the Housing and Safety Element Update are discussed under impacts *a.* and *b.* of this section. The Housing Element Update would not contain any policies that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Furthermore, development under the proposed project would be required to comply with the existing regulations discussed under impacts *a.* and *b.* of this section, including during construction and operation, and would not otherwise substantially degrade water quality. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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11 Land Use and Planning

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to land use and planning and it is not discussed further in this section.

a. Would the project physically divide an established community?

Implementation of the Housing Element Update would prioritize future development on urban infill sites within the southern portion of the city. Therefore, reasonably foreseeable development under the proposed project would not involve the construction of new roads, railroads, or other features that may physically divide established communities in the City. The Housing Element Update contains the following goal and policies which put a greater emphasis on preventing displacement and promoting housing stability to maintain and preserve the quality of the city's existing neighborhoods:

Housing Element Goal 1: Maintain and enhance the quality and affordability of existing housing in Duarte.

Policy 1.1.1 Enhance the quality of existing residential neighborhoods, including those identified as low resource areas, through responsible development and investment.

Policy 1.1.2 Support the long-term maintenance and improvement of existing housing through code enforcement, inspections and housing rehabilitation programs.

Policy 1.1.3 Strengthen Duarte neighborhoods through partnerships with housing providers in the acquisition and rehabilitation of deteriorated multi-family properties and provision as long-term affordable housing.

Policy 1.1.4 Work with property owners, tenants and non-profit purchasers to preserve assisted rental housing, and implement a strong affordable housing monitoring program.

Policy 1.1.5 Support the implementation of State laws to protect existing tenants from displacement through requirements for just cause evictions, limitations on rent increases, and replacement housing requirements if any existing residential units would be removed.

Policy 1.1.6 Encourage retention of Duarte's mobile home parks as a relatively affordable form of housing.

Policy 1.1.7 Maintain and enhance the quality of life within neighborhoods, including those identified as low resource, by providing adequate maintenance to streets, sidewalks, alleys, parks and other community facilities.

Consequently, there would be no impact associated with the physical division of an established community.

NO IMPACT

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project includes the 2021-2029 Duarte Housing Element Update, Safety Element Update, and environmental justice policy update, which examines the City's housing needs, as they exist today, and projects future housing needs. The Housing Element Update focuses on addressing the City's housing needs by providing goals, policies and programs associated with fair housing, the prevention of displacement, promoting housing stability, and the prevention of homelessness. The proposed project includes actions the City is undertaking to achieve its housing RHNA targets, including an update to the Westminster Garden Specific Plan and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density, and also would implement SCAG's land use goals and policies by primarily placing development in areas with access to transit and services, thereby minimizing vehicle trips and GHG emissions.

Upon its adoption by the City, the proposed project would serve as a comprehensive statement of the City's housing policies and as a specific guide for program actions to be taken in support of those policies. As a part of the General Plan, development with adherence to the Housing Element Update would comply with the City's General Plan. In addition, the Safety Element Update would be modified in a manner that achieves compliance with State, regional and local policies, and guidelines; and the associated environmental justice would reduce health risks to DACs, promote civic engagement, and prioritize the needs of these communities.

The Housing and Safety Element Update is a policy document that encourages development on infill sites but would not grant entitlements for any specific projects. Future development proposals that are intended to assist in meeting the City's projected housing need would be reviewed by the City for consistency with all adopted local and State laws, regulations, standards, and policies. Impacts related to conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant.

LESS THAN SIGNIFICANT IMPACT

12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to mineral resources and it is not discussed further in this section.

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The Housing Element Update plans for the development of up to 2,141 housing units to accommodate the City's 6th Cycle RHNA allocation and buffer, an update to the Westminster Garden Specific Plan, and the addition of the Affordable Housing Overlay to Opportunity Sites 7 through 12 to allow for higher residential density. Reasonably foreseeable development under the Housing Element Update would primarily occur in existing commercial and residential areas, which are not compatible with or used for mineral extraction. It is not anticipated that development under the Housing and Safety Element Update would occur on lands presently in use for mineral extraction. Furthermore, the proposed project updates do not include any policies that are related to mineral resources or conflict with existing General Plan policies and City ordinances regulating the conservation and use of mineral resources. Therefore, the proposed project would not result in a loss of availability of a known mineral resource. There would be no impact.

NO IMPACT

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

The California Surface Mining and Reclamation Act of 1975 (SMARA) was enacted to promote conservation and protection of significant mineral deposits. SMARA requires the State to identify and classify mineral deposits within the State as either: (1) containing little or no mineral deposits

(Mineral Resource Zone [MRZ]-1), (2) significant deposits (MRZ-2) or (3) deposits identified but further evaluation needed (MRZ-3 and MRZ-4).

As discussed under impact *a.* of this section, the Housing Element Update would prioritize reasonably foreseeable development on infill sites in urban areas that primarily consist of residential, commercial and mixed-use development, which are not considered compatible with mineral extraction. According to the Generalized Mineral Land Classification Map of Los Angeles County- South Half, portions of the City are categorized as MRZ-2 and MRZ-4 (Miller 1994). However, due to the extensive urban development of the City and historical land use changes, mining activities are no longer feasible. In addition, the Housing Element Update would not result in development that would create environmental impacts. Therefore, the proposed project would not further the loss of available mineral resources. No impact would occur.

NO IMPACT

13 Noise

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create noise impacts and it is not discussed further in this section.

Existing Noise Setting

Based on the City's General Plan Noise Element, the most common source of noise in the city is mobile noise from vehicle traffic along local roadways and I-210, which control ambient noise levels. Ambient noise levels are generally highest during the daytime and peak traffic hours unless congestion substantially slows speeds. Furthermore, commercial and industrial land uses (e.g., Irwindale Rock Quarry, Azusa Rock Company) located near residential areas currently generate occasional noise levels associated with delivery trucks, air compressors, generators, outdoor loudspeakers, and gas venting. Other significant stationary noise sources in the city include noise from construction activities and typical maintenance activities (e.g., street sweepers, gas-powered leaf blowers). According to the City's General Plan Noise Element, land uses identified as noise-sensitive include residential, institutional (e.g., churches, schools, libraries), and parks, which should be protected from excessive noise exposure (City of Duarte 2007e).

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction

The Housing Element Update would continue existing housing policies as well as provide a policy framework to address the City's future housing demand. As discussed in *Description of Project*, the City of Duarte would facilitate the development of up to 2,141 units under the proposed project. However, construction activities would occur at the 12 housing sites and five housing projects identified, as shown in Figure 3, which are located in urbanized portions of the city.

Reasonably foreseeable development would generate short-term noise levels through site-specific construction activities. However, DMC Section 9.68.120 prohibits the operation of construction equipment (e.g., pile-driver, pneumatic hammer, or any other construction-type device) between the hours of 10:00 p.m. and 7:00 a.m. of the following day within a radius of 500 feet from a residential zone in such a manner that causes discomfort or annoyance. Therefore, construction noise would be limited to daytime hours which do not typically disrupt sleep. All future development would be required to comply with this regulation.

Furthermore, Policies Noise 1.1.5 and 3.1.3 of the City's Noise Element aims to reduce noise impacts associated with construction activities:

Policy Noise 1.1.5. Limit construction, delivery, and through truck traffic to designated routes.

Policy Noise 3.1.3. Ensure that construction noise does not cause an adverse impact to the residents of the City.

Compliance with the DMC and applicable General Plan policies would reduce noise impacts associated with construction activities under the Housing Element Update. Furthermore, reasonably foreseeable development would be required to implement additional mitigation if project-specific analysis identifies the potential to generate significant construction noise levels adjacent to sensitive receivers. Therefore, impacts would be less than significant.

Operation

Operational noise associated with vehicular traffic, outdoor activities, and stationary mechanical equipment associated with reasonably foreseeable development under the Housing Element Update could result in a permanent ambient increase in noise levels. However, future residential development would be required to comply with the City's Noise Ordinance (DMC Chapter 9.68, Noise Regulations), such that increases associated with regular residential noise (e.g., sound amplifying equipment or heating, ventilation, and air conditioning [HVAC] equipment) would not exceed City standards. In addition, each new development or renovation project would be subject to its own CEQA process where the project-specific impacts associated with vehicular traffic and outdoor activities noise levels would be analyzed. Therefore, implementation of the Housing Element Update would result in less than significant increases in permanent ambient noise levels or exceedance of City standards.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

As discussed in *Description of Project*, the Housing Element Update would facilitate the development of up to 2,141 units in the city. Operation of the future reasonably foreseeable development would not include any substantial vibration sources, such as heavy equipment operations. Rather, construction activities would have the greatest potential to generate groundborne vibration affecting nearby receivers and structures. As discussed under impact *a.* of this section, DMC Section 9.68.120 prohibits the operation of construction equipment between the hours of 10:00 p.m. and 7:00 a.m. of the following day within a radius of 500 feet from a residential zone in such a manner that causes discomfort or annoyance. Therefore, vibration generated from construction activities would be limited to daytime hours which do not typically disrupt sleep. Furthermore, reasonably foreseeable development facilitated by the proposed Housing Element Update would be required to implement additional mitigation if project-specific analysis identifies the potential to generate significant construction vibration levels adjacent to sensitive receivers. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

As discussed in Section 9, *Hazards and Hazardous Materials*, the city does not contain any airports and is not located within an Airport Influence Area (Los Angeles County 2020). The closest airport is the San Gabriel Valley Airport, located approximately 3.6 miles southwest of the city. Therefore, no impacts related to excessive noise exposure from airport or airstrip operations would occur.

NO IMPACT

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14 Population and Housing

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to population and housing and it is not discussed further in this section.

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

The purpose of the proposed project is to comply with State housing element law requiring the City to show it has adequate land designated to accommodate the existing and projected housing needs reflected in the City's RHNA, which is based on measures of existing housing need and the regional population forecasts. The RHNA does not encourage or promote growth, but rather requires communities to address the existing population needs and projected growth while providing its fair share of the regional housing needs.

As discussed in *Description of Project,* the City's final RHNA for the 2021-2029 planning period (6th RHNA cycle) is 888 housing units, distributed among the four income categories (i.e., very low, low, moderate, above moderate) (California HCD 2020). The RHNA represents the minimum number of housing units that the City is required to plan for in its Housing Element by providing "adequate sites" through the City's General Plan and zoning. Furthermore, the State requires jurisdictions to create a sufficient buffer in the Housing Element sites inventory beyond that required by the RHNA to ensure that adequate site capacity exists throughout the eight-year planning period. Therefore, the City would facilitate the development of up to 2,141 housing units under the Housing Element Update, which would exceed the RHNA allocation by 1,253 units. Since Duarte is a built-out community with few remaining vacant residential sites, the City plans to accommodate the level of housing growth through residential projects in process, the Duarte Station Specific Plan, the Town

Center Specific Plan, the Westminster Gardens Specific Plan, Affordable Housing Overlay, and Accessory Dwelling Units (ADUs).

According to the DOF, the City of Duarte has a current population of 21,457 with an average household size of 2.98 persons per household (DOF 2021). Based on the average household size of 2.98, the increase of 2,141 housing units would generate a population increase of approximately 6,380 residents. This would increase the City's current population by 30 percent to 27,837 residents. Furthermore, the development of 2,141 housing units associated with the Housing Element Update would result in an approximately 30-percent increase to 9,254 units when compared to the 2018 housing supply of 7,113 units reported in SCAG's Local Profiles Report 2019 for the City (SCAG 2019).

Based on the 2045 forecasted population and household numbers from SCAG's 2020-2045 RTP/SCS and interpolation of these numbers for the year 2029, the forecasted population and households for the horizon year of the Housing Element Update is expected to be 23,390 residents and 7,548 units, respectively (SCAG 2020).[5] Therefore, compared to current demographics, implementation of 2,141 units under the Housing Element Update would surpass forecasted demographics for the year 2029 by 4,447 residents (based on a current population of 21,457) and 1,706 units (based on the current supply of 7,113 units).

Nonetheless, the housing units associated with the Housing Element Update would accommodate the RHNA, which is intended to meet existing housing needs (i.e., relieve overcrowding and cost burden for existing population, and provide housing to unhoused population), as well as meet the City's forecasted population growth from the latest RTP/SCS. The Housing Element Update does not directly entail construction of individual development projects, although it includes policies and policy changes to support their development. As discussed in Section 11, *Land Use and Planning*, the Housing Element Update includes policies to support the development of various types of housing projects through the year 2029. As analyzed, the Housing Element Update would expand the development capacity of the City in a manner that is consistent with SCAG projections for 2029. Furthermore, the Housing Element Update would first be submitted to the HCD for review and approval to ensure that the proposed project would adequately address the housing needs and demands of the City.

The Housing Element Update would not induce substantial unplanned population growth, either directly or indirectly, or accelerate development in undeveloped areas. Rather, the Housing Element Update would be growth accommodating, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Reasonably foreseeable development under the Housing and Safety Element Update would involve development projects on infill sites. However, goals, policies, and objectives included in the proposed project aim to prevent displacement and promote housing stability. In addition, the Housing Element Update would provide additional opportunities for housing by expanding areas where housing is allowed. The Housing Element Update would accommodate up to 2,141 residential units throughout the planning period, and it is anticipated that any replacement housing need

5 Implementation of 2,141 housing units under the Housing Element Update would generate a population increase of 6,380 residents. Compared to the City's current population of 21,457 and housing supply of 7,113 units, implementation of 2,141 housing units would exceed 2029 forecasts by 4,447 people and 1,706 units.

created by displacement of existing housing would be more than offset through implementation of the Housing Element Update. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	1 Fire protection?	☐	☐	■	☐
	2 Police protection?	☐	☐	■	☐
	3 Schools?	☐	☐	■	☐
	4 Parks?	☐	☐	■	☐
	5 Other public facilities?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to public services and it is not discussed further in this section.

The Safety Element Update includes the following objective and policies to minimize the risks to lives and property due to fire hazards:

Objective 5.1: Minimize risk of injury, loss of life, and property damage due to fire hazards through mitigation and planning efforts.

Safe 5.1.1 Implement the Wildfire actions and the Multi-Hazard actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan.

Safe 5.1.2 Continue to support "mutual assistance" agreements between the fire departments of the local cities, Los Angeles County, and the U.S. Government.

Safe 5.1.3 Continue to support programs to reduce fire hazards of vegetation in areas of extreme to high fire risk. Such programs may take a variety of forms, but may include weed and brush removal and control and use of fire-resistant plantings.

Safe 5.1.4 Provide an adequate level of fire equipment, peakload water supply and personnel to protect the community.

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Fire protection in the city is provided by the LACoFD. The LACoFD, in conjunction with the City's Community Development Department, reviews site plans, construction plans, and architectural plans prior to occupancy to ensure the required fire protection safety features, including building sprinklers and emergency access, are implemented. Development with modern materials and in accordance with current standards, inclusive of fire-resistant materials, fire alarms and detection systems, and automatic fire sprinklers, would enhance fire safety and would support fire protection services (CCR Title 24, Part 9). The LACoFD Station 44 is located at 1105 South Highland Avenue and includes three fire engines, a patrol truck, and water truck (City of Duarte 2007c).

As discussed in Section 14, *Population and Housing*, housing development accommodated by the Housing Element Update would add an estimated 6,380 residents to the city, increasing Duarte's population from 21,457 to 27,837 persons. This population growth would occur in urban areas of the city and would incrementally increase demand for fire protection services.

LACoFD is responsible for enforcing fire codes, providing fire inspections, and assisting in planning and enforcing development standards for VHFHSZs to ensure that a defensible space is incorporated into newly constructed homes within the VHFHSZ (City of Duarte 2019b). All development carried out under the proposed project would be required to comply with all applicable fire code and ordinance requirements for construction, emergency/fire, access, water mains, fire flows, and hydrants, and would be subject to review and approval by the LACoFD prior to building permit and certificate of occupancy issuance. Development with modern materials and in accordance with current standards, inclusive of fire-resistant materials, fire alarms and detection systems, and automatic fire sprinklers, would enhance fire safety and support fire protection services.

Future housing development under the Housing Element Update would be required to submit their applications to LACoFD for review to ensure fire protection services are available to serve the proposed housing development and would be required to adhere to the 2019 California Fire Code. The City would review future housing development applications to ensure compliance with the established regulatory framework.

The City's Safety Element Update includes Policies 5.1.1 through 5.1.4, which are intended to reduce fire risk by allocating resources to meet projected demands and response times, maintaining adequate fire resources in areas vulnerable to fires in VHFHSZ and dense urban areas, and coordinating firefighting efforts with other local, State, and federal agencies (City of Duarte 2021b). The LACoFD receives its funding through property taxes, fees for service, Proposition E taxes, and other funding sources, and can fund expanded services as new development occurs (LACoFD 2021b).

Construction of a future fire station or an expansion to an existing station could result in one or more potentially significant impacts. However, no sites have yet been selected by the City. It is anticipated that a future fire station or an expansion to an existing station will be subject to CEQA review at the time a site is identified, and a specific design proposed. In addition, implementation of

the Safety Element Update could provide additional improvements regarding emergency access and evacuation beyond the current Safety Element. Therefore, impacts related to the provision of fire services would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Los Angeles County Sheriff's Department provides police protection services in the city. Services include emergency and non-emergency police response, routine police patrols, investigative services, traffic enforcement, traffic investigation, and parking code enforcement. The Duarte Satellite Station is located at 1042 Huntington Drive and provides 24-hour services to Duarte, Bradbury, and the unincorporated area west of Duarte (City of Duarte 2007c).

As discussed in Section 14, *Population and Housing*, housing development accommodated by the Housing Element Update would add an estimated 6,380 residents to the city, increasing Duarte's population from 21,457 to 27,837 persons. Based on the Duarte Satellite Station's current staffing level of 30 sworn officers, the Duarte Satellite Station's officer/resident ratio would drop from 1.43 to approximately 1.07 sworn officers per 1,000 residents.

Policy Safe 3.1.1 in the City's current Safety Element requires that high levels of emergency services are maintained and that safety services are monitored and evaluated annually to ensure existing services demands are met. Additional demand for police service would be accommodated through the expansion of police personnel and facilities to continue to meet the Los Angeles County Sheriff's Department's service standards. New facilities would be required to comply with all applicable federal, State, and local regulations and policies. Police protection service levels would continue to be evaluated and maintained by the City and the Los Angeles County Sheriff's Department in accordance with existing policies, procedures and practices as development occurs over the lifetime of the Housing Element Update.

Planning for new or physically altered Los Angeles County Sheriff's Department stations is based on an assessment of the cumulative need for new facilities. The Housing Element Update would not result in the need for new or expanded facilities. The incremental contribution to demand for increased Los Angeles County Sheriff's Department protection services would be offset by payment of proportionate property taxes and sales taxes to the City of Duarte by developers and the addition of new residents. Therefore, impacts related to the provision of police services would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The DUSD provides public school services to Duarte residents for grades kindergarten through 12. DUSD oversees five elementary schools, one middle school, one high school, and two alternative schools that offer child development, special education, independent learning, and adult education

programs (DUSD 2021). As discussed in Section 14, *Population and Housing*, the net increase of 2,141 units would generate an increase of approximately 6,380 new residents, some of whom would be school-aged children. Based on the student generation rate of 0.55 students per dwelling unit (City of Duarte 2007d), the proposed project could generate an estimated 1,178 students which may result in or contribute to the need for new or physically altered schools.

In the event that DUSD constructs a new school or physically alters an existing facility, a project-specific environmental analysis would be required under CEQA to address site-specific environmental concerns. Possible impacts include, but are not necessarily limited to, those related to such issues as aesthetics, cultural resources, and noise.

To offset a project's potential impact to schools, Government Code 65995(b) establishes the base amount of allowable developer fees a school district can collect from development projects located within its boundaries. The fees obtained by DUSD are used to maintain the desired school capacity and the maintenance and/or development of new school facilities. Any development facilitated by the proposed Housing Element Update would be subject to these State-mandated school impact fees. Pursuant to Section 65995(3)(h) of the California Government Code (SB 50, chaptered August 27, 1998), the payment of statutory fees "is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." DUSD evaluates demand, capacity, and plans for facility needs. If project-level significant impacts are identified, applicable mitigation measures will be placed on the project as conditions of approval. Therefore, existing laws and regulations would require funding for the provision or expansion of new school facilities to offset impacts from new residential development under the Housing Element Update and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

As identified in the City's General Plan Open Space and Conservation Element, the city has approximately 84 acres of developed recreation and parkland and includes 11 city parks and six school parks. The City owns 39.2 active park acreages, leases 26.5 acreages from the DUSD for recreational purposes, and includes an 18.55-acre golf course which is designated as open space and is used for recreational purposes.

Goal 2 of the City's General Plan Open Space and Conservation Element establishes various objectives, including to provide open space ratios for current and future city residents at current acreage per capita, in order to develop enough park acreage to meet the needs of the population and upgrade existing facilities. The National Recreation and Parks Association (NRPA) recommend a minimum of 0.6 to one acre of developed open space per 1,000 population for minimum needs of the community and five acres of developed open space per 1,000 population to provide a middle level of service to the community. The Housing Element Update would add an estimated 6,380 residents to the city, increasing Duarte's population from 21,457 to 27,837 persons.

Policies in the City's General Plan Open Space and Conservation Element would ensure that adequate parks and recreational facilities are provided to accommodate the anticipated increase in new residents. Policies Open Space 2.1.3 and 2.1.6 aim to provide future expansion of existing parks

and establish neighborhood parks to serve the needs of the community. In addition, Policy Open Space 2.1.2 requires that new development mitigate the burden it creates on existing parks through parkland dedication, recreational space development and/or mitigation fees. Implementation of these policies would direct construction of new parks and provide ongoing park maintenance to prevent deterioration of existing facilities. Increased demand associated with an increase in population would not significantly accelerate the deterioration of existing park areas or recreational facilities. Therefore, impacts to parks and recreation facilities would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Housing Element Update would emphasize the creation of new housing units within urban infill areas of the city, which could increase demand for other public facilities, such as libraries. Impacts related to increased demand for other public facilities such as stormwater, wastewater, and utility facilities are discussed in Section 19, *Utilities and Service Systems*. Project development could affect the need for new or physically altered libraries when residential dwelling units are constructed, and demand increases beyond existing capacity. As the city does not have its own library system, it is anticipated that potential future residents would likely use the Los Angeles County Library system, including the Duarte Library, located at 1301 Buena Vista Street, which would potentially increase the number of library facility users.

As discussed in Section 14, *Population and Housing*, housing development accommodated by the Housing Element Update would increase the City's population from 21,457 to 27,837 residents, an approximately 29.7 percent of the city's estimated 2021 population. Given that not all new residents would visit the library every month, the increase in monthly visitation would be lower than 29.7 percent. Therefore, an increase in potential residents from reasonably foreseeable development is unlikely to result in a substantial increase in annual visits to library facilities. In addition, demand for library facilities may also be offset over time due to increased use of digital materials available as one of the main goals of the Los Angeles County Library Strategic Plan is to expand and support the digital library by adding more easily accessible digital content and expanding mobile access (Los Angeles County 2021).

The Housing Element Update is not expected to cause an exceedance of capacity at existing facilities or to generate a substantial demand for the community library serving the city, and it is unlikely that expansion or construction of new library facilities would be required. Since the Housing Element Update would not affect the need for new or physically altered public facilities, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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16 Recreation

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to recreation and it is not discussed further in this section.

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

As discussed in Section 15, *Public Services*, Duarte has approximately 84 acres of developed recreation and parkland, including 11 city parks and six school parks. The City owns 39.2 active park acreages, leases 26.5 acreages from the DUSD for recreational purposes, and includes an 18.55-acre golf course which is designated as open space and is used for recreational purposes. According to the DOF there are an estimated 21,457 residents in the City of Duarte (DOF 2021). With approximately 84 acres of public parkland in the City, there are approximately four acres of parkland per 1,000 residents. The Open Space and Conservation Element of the City's General Plan establishes a citywide parkland level of service goal of a minimum of 0.6 to one acre of developed open space per 1,000 residents for minimum needs of the community and five acres of developed open space per 1,000 population to provide a middle level of service to the community.

Reasonably foreseeable development under the Housing Element Update could increase the use of existing city and school parks. As discussed in *Description of Project*, the Housing Element Update would accommodate up to 2,141 new residential units in the city, which would generate a population increase of approximately 6,380 residents. The population increase would result in a total of approximately 27,837 residents, which would increase demand for parks and recreational facilities. With the 84 acres of public parkland in the city, there would be approximately three acres of parkland per 1,000 residents with all forecast growth under the proposed project. As such, the City would meet the standard of a minimum of 0.6 to one acre of developed open space per 1,000 residents. Furthermore, applicants for development projects under the Housing Element Update

would be required to either provide parkland, recreational space development and/or mitigation fees to meet the standard of a minimum of 0.6 to one acre of developed open space per 1,000 residents. Therefore, development under the Housing Element Update would not result in substantial deterioration of existing recreation facilities. Potential impacts to existing parks would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As discussed in Section 15, *Public Services*, the proposed project does not include goals or policies to develop additional park space. However, the Open Space and Conservation Element of the City's General Plan establishes a requirement for a minimum of 0.6 to one acre of developed open space per 1,000 residents. Development under the Housing Element Update would increase the population of the city by an estimated 6,380 residents by 2029, resulting in a total population of approximately 27,837 residents and a parkland ratio of three acres of parkland per 1,000 residents. This ratio would still meet the City's goal of a minimum of 0.6 to one acre of developed open space per 1,000 residents and, therefore, new or expanded park facilities would not be required.

In the event that a future development under the Housing Element Update causes the parkland ratio to fall below the minimum of 0.6 acre of developed open space, the applicant would be required to either provide parkland, recreational space development and/or mitigation fees to meet the City's parkland ratio standard. Therefore, the construction or expansion of park facilities would result in less than significant impacts with adherence to the City's policies.

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17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	■	☐
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	■	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs.

The Safety Element Update includes the following objectives and goals to improve emergency access and evacuation:

Objective 1.1: Prepare the community for any expected or unexpected disasters resulting from natural or man-made causes.

Safe 1.1.8 Establish designated emergency response and evacuation routes throughout the City, for each climate hazard (e.g., wildfire, storm flooding, etc.), prioritizing the most high-risk and disadvantaged populations.

Objective 2.1: Prepare the citizens of Duarte to be prepared for danger or disaster and, if need be, to be self-reliant for a length of time in the event of a catastrophic natural or man-made event.

Safe 2.1.5 Increase public awareness of City emergency response plans, evacuation routes and emergency shelters, with a focus on and disadvantaged communities.

Objective 5.1: Minimize risk of injury, loss of life, and property damage due to fire hazards through mitigation and planning efforts.

Safe 5.1.1 Implement the Wildfire actions and the Multi-Hazard actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan.

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

- Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structured Regulations) for SRAs and VHFSZ, and with the California Government Codes 51175-57789 (Very High Fire Severity Zones),
- The latest fire-safe standards,
- The Board of Forestry and Fire Protection Fire Safe Regulations; and,
- The most current version of the California Building Codes and California Fire Code.

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

Safe 5.1.7 Identify areas with inadequate access/evacuation routes and develop mitigation measures or improvement plans for these areas.

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

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

d. Would the project result in inadequate emergency access?

The Housing Element Update would provide a policy framework for the community's residential needs and continues the City's housing policies contained in the previous Housing Element and does not include specific development projects. Any new housing production would occur within the limits established by the current General Plan Land Use Element and DMC. Furthermore, all new residential development is subject to its own CEQA process where project-specific impacts associated with transportation and traffic during construction and operation would be analyzed. The City would continue to examine individual housing development proposals, as they are submitted, to determine whether any site-specific approaches are required to address particular traffic concerns. Therefore, the proposed project would have less than significant impacts on the performance of the City's circulation system and applicable congestion management programs.

There are no specific development projects proposed as part of the Housing Element Update; rather, the implementation of the Housing Element Update would provide a policy framework for the City's residential needs. All new development is subject to its own CEQA process where project-specific impacts associated with transportation and traffic during construction and operation would be analyzed. Therefore, implementation of the Housing Element Update would not have significant impacts associated with a potential for hazardous design features, changes in traffic patterns, or inadequate emergency access, and it would not conflict with adopted policies, plans, or programs supporting alternative transportation. In addition, implementation of Policies 1.1.8, 2.1.5, 5.1.1, and 5.1.5 through 5.1.7 of the Safety Element Update would provide additional improvements regarding emergency access and evacuation. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

The Housing Element Update would provide a policy framework for the community's residential needs and would continue the City's housing policies contained in the previous Housing Element. As discussed in *Description of Project*, the City would exceed the RHNA allocation for affordable housing by 1,253 units under the Housing Element Update. While the Housing Element Update does not include specific development projects, reasonably foreseeable development would have the potential to affect VMT. However, according to the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations (OPR 2018). Furthermore, all new residential development is subject to its own CEQA process where project-specific impacts associated with transportation and traffic during construction and operation would be analyzed. Therefore, impacts related to VMT would be less than significant.

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18 Tribal Cultural Resources

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The Safety Element Update, and associated environmental justice policy updates, would not result in development that would create impacts related to tribal cultural resources and it is not discussed further in this section.

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

On July 1, 2021, the following Native American Heritage Commission (NAHC)-identified local Native American tribal groups were formally notified that the City initiated environmental review of the Housing Element Update and were invited to provide AB 52 and SB 18 consultation:

- Andrew Salas, Chairperson for the Gabrieleño Band of Mission Indians – Kizh Nation
- Anthony Morales, Chairperson for the Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Sandonne Goad, Chairperson for the Gabrielino / Tongva Nation
- Robert Dorame, Chairperson for the Gabrielino Tongva Indians of California Tribal Council
- Christina Conley, Tribal Consultant and Administrator for the Gabrielino Tongva Indians of California Tribal Council
- Charles Alvarez, Tribal Chairman of the Gabrielino-Tongva Tribe
- Jessica Mauck, Director of Cultural Resources for the San Manuel Band of Mission Indians
- Lovina Redner, Tribal Chair for the Santa Rosa Band of Cahuilla Indians
- Isaiah Vivanco, Chairperson for the Soboba Band of Luiseño Indians

As of the date of this document, no responses and no formal consultation has been requested.

The proposed Housing Element does not include specific development projects; instead, it only provides a framework for the City's anticipated future housing demand. The provision of such a framework would not result in any direct physical changes to existing known or unknown tribal cultural resources. Nevertheless, future residential development implemented under the proposed Housing Element could potentially impact known and unknown tribal cultural resources. However, each new residential development or renovation project is subject to its own CEQA process, and project-specific impacts associated with cultural resources would be analyzed; with potentially significant impacts avoided or mitigated if required. Consequently, it is anticipated that adoption of the Housing Element would not cause a substantial adverse change in the significance of tribal cultural resources; therefore, potential impacts would be less than significant impacts.

LESS THAN SIGNIFICANT IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	■	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. The associated environmental justice policy updates would not result in development that would create impacts related to utilities and service systems and are not discussed further in this section.

The Safety Element Update includes the following objective and goal to minimize the risks to lives and property due to natural, man-made, and climate change related hazards:

Objective 1.1: Prepare the community for any expected or unexpected disasters resulting from natural or man-made causes.

Safe 1.1.10 Ensure that adequate provisions are made to supply drinking water for an extended period in the event of a major disaster.

a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

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

c. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

There are no specific development projects proposed as part of the Housing Element Update; rather, the implementation of the Housing Element Update would provide a policy framework for the City's residential needs. Reasonably foreseeable development would occur in urbanized areas that are served by existing utilities infrastructure, including potable water, wastewater, stormwater drainage, electrical power, natural gas, and telecommunications facilities.

Water Supply

The Housing Element Update would accommodate reasonably foreseeable development that would require water for a variety of activities such as landscaping, controlling fugitive dust, and providing potable water to workers during construction and residents and commercial occupants of future developments. Furthermore, as development occurs throughout the city, upgrades to water conveyance facilities may be required. The precise location and connection would need to be determined at the time development is proposed. Any future line size modifications or connections would be designed in accordance with applicable provisions of the DMC and to the satisfaction of the City Engineer. Increased development density has the potential to impact the capacities of local utilities infrastructure, which may require the expansion or construction of new facilities. In addition, under the Safety Element Update, expanded resiliency policy, including Policy 1.1.10, could potentially result in the relocation of critical infrastructure out of disaster-prone areas, and/or the expansion of utilities and infrastructure to improve resilience. However, all new development is subject to its own CEQA process where project-specific impacts associated with water supply would be analyzed. There are no specific development projects proposed as part of the Housing Element Update; rather, the implementation of the proposed project would provide a policy framework for the City's residential needs; therefore, impacts would be less than significant.

Wastewater Generation

Wastewater treatment would be provided by existing infrastructure in the city. However, the amount of wastewater generated by project development is not known at this time and may exceed existing capacity. Similar to water supply, development has the potential to impact the capacities of the City's wastewater treatment conveyance systems that may require the expansion or construction of new infrastructure or facilities. In addition, the updates under the Safety Element could result in relocation of critical infrastructure. However, all new development is subject to its

own CEQA process where project-specific impacts associated with wastewater would be analyzed. There are no specific development projects proposed as part of the Housing Element Update; rather, the implementation of the proposed project would provide a policy framework for the City's residential needs; therefore, impacts would be less than significant.

Stormwater

New infill development would be located in an urban area that is served by existing stormwater drainage systems. Increased development density has the potential to impact the capacities of local utilities infrastructure that may require the expansion or construction of new wastewater treatment and storm water drainage facilities. In addition, the updates under the Safety Element could result in relocation of critical infrastructure. However, all new development is subject to its own CEQA process where project-specific impacts associated with stormwater would be analyzed. There are no specific development projects proposed as part of the Housing Element Update; rather, the implementation of the proposed project would provide a policy framework for the City's residential needs; therefore, impacts would be less than significant.

Electricity, Natural Gas, and Telecommunications

Telecommunications services are provided by AT&T, Charter/Spectrum, DirectTV or other providers, at the discretion of residents (City of Duarte 2021e). Telecommunications are generally available in the City and facility upgrades would not likely be necessary.

Electricity is currently provided by SCE and natural gas service is provided by SoCal Gas. Operation and occupancy of reasonably foreseeable development under the proposed project would increase demand for electricity and natural gas compared to existing conditions. Increased development density has the potential to impact the capacities of local utilities infrastructure that may require the expansion or construction of new facilities, and updates under the Safety Element could result in relocation of critical infrastructure.

All new residential development is subject to its own CEQA process where project-specific impacts associated with utility use and availability would be analyzed. However, there are no specific development projects proposed as part of the Housing Element Update; rather, the implementation of the proposed project would provide a policy framework for the City's residential needs; therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The City has a contract with Burrtec Waste Industries to provide residential and commercial trash and recycling collection (City of Duarte 2021f). Los Angeles County solid waste disposal facilities that generally accept solid waste generated in Duarte include the following: Antelope Valley Recycling and Disposal, Azusa Land Reclamation, Chiquita Canyon Sanitary Landfill, Commerce Refuse-to-Energy Facility, Lancaster Landfill, Savage Canyon Landfill, and Southeast Resource Recovery Facility (CalRecycle 2019). Reasonably foreseeable development under the Housing Element Update would generate both construction and operational solid waste that would be disposed of at the aforementioned facilities and other collection centers.

There are no specific development projects proposed as part of the Housing Element Update. The proposed Housing Element policies would not conflict with any statutes or regulations pertaining to solid waste. All future development projects within the city are subject to their own CEQA process where project-specific impacts associated with utility use and availability would be analyzed, must comply with federal, State, and local regulations pertaining to solid waste. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

A significant impact could occur if the Housing Element Update would conflict with any statutes and regulations governing solid waste. In compliance with State legislation, any development project under the Housing and Safety Element Update would be required to implement a Solid Waste Diversion Program and divert at least 75 percent of the solid waste generated from the applicable landfill site. Reasonably foreseeable development under the Housing Element Update would comply with federal, State, and local statutes and regulations related to solid waste, such as the California Waste Integrated Waste Management Act (AB 939), mandatory commercial recycling (AB 341, AB 1826), and the City's recycling program. Since development projects under the Housing Element Update would comply with applicable federal, State, and local regulations involving solid waste, impacts related to conflict with statutes and regulations governing solid waste would be less than significant.

LESS THAN SIGNIFICANT IMPACT

20 Wildfire

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

The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs.

The Safety Element Update includes the following objective and policies to minimize the risks to lives and property due to fire hazards:

Objective 5.1: Minimize risk of injury, loss of life, and property damage due to fire hazards through mitigation and planning efforts.

Safe 5.1.1 Implement the Wildfire actions and the Multi-Hazard actions listed in the Mitigation Actions Matrix in Part III (Mitigation Strategies) of the City of Duarte Hazard Mitigation Plan.

Safe 5.1.2 Continue to support "mutual assistance" agreements between the fire departments of the local cities, Los Angeles County, and the U.S. Government.

Safe 5.1.3 Continue to support programs to reduce fire hazards of vegetation in areas of extreme to high fire risk. Such programs may take a variety of forms, but may include weed and brush removal and control and use of fire-resistant plantings.

Safe 5.1.4 Provide an adequate level of fire equipment, peakload water supply and personnel to protect the community.

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

- Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structured Regulations) for SRAs and VHFSZ, and with the California Government Codes 51175-57789 (Very High Fire Severity Zones),
- The latest fire-safe standards,
- The Board of Forestry and Fire Protection Fire Safe Regulations; and,
- The most current version of the California Building Codes and California Fire Code.

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

Safe 5.1.7 Identify areas with inadequate access/evacuation routes and develop mitigation measures or improvement plans for these areas.

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Based on the California Fire Hazard Severity Zone (FHSZ) map, there are three areas at risk for wildfire in the city. As discussed in Section 9, *Hazards and Hazardous Materials*, the northeastern and eastern boundaries of the City are within a VHFHSZ, as well as the portion from the boundary of the Angeles National Forest to Conata Street (CalFire 2021). The northeastern and eastern boundaries are primarily developed with residential development, while the portion from the boundary of the Angeles National Forest to Conata Street is primarily undeveloped land and also includes single-family residential uses. The Housing Element Update would emphasize development in urbanized areas of the city that are not subject to significant wildfire risks. Such development would not conflict with an adopted emergency response plan or emergency evacuation plan.

As discussed in Section 9, *Hazards and Hazardous Materials*, traffic created by development under the proposed project would not interfere with an evacuation plan as the General Plan Safety Element and LHMP policies and strategies, including Policies 5.1.1 and 5.1.2, would ensure effective and coordinated response to disasters in the city and further the City's preventative measures.

Increased density in urban areas of the city under the Housing Element Update could result in additional traffic within area roadways. However, in the event of a wildfire, implementation of the County's 2012 Emergency Response Plan (ERP) would coordinate all the facilities and personnel of County government, along with the jurisdictional resources of the cities and special districts within the county, into an efficient organization capable of managing emergency evacuation for affected areas.

The LACoFD would be responsible for ensuring that future development does not impair adopted emergency response or evacuation plans. As part of standard development procedures, future development plans would be submitted for review and approval to ensure that reasonably foreseeable development has adequate emergency access and escape routes in compliance with existing City regulations. Furthermore, the Housing Element Update would not introduce features or policies that would preclude implementation of or alter these policies or procedures or encourage development in a VHFHSZ and Policies 5.1.1 through 5.1.7 of the Safety Element Update would improve policies and regulations associated with emergency response or evacuation plans and wildland fires. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Portions of the city are subject to wildland fire risk, primarily areas along the northeastern and eastern boundaries, and the portion of the city from the boundary of the Angeles National Forest to Conata Street. Properties located within a VHFHSZ, as mapped by CAL FIRE are required to comply with requirements of Government Code Section 51175 et seq., including the minimization of fire risks during the high fire season through vegetation clearance and the maintenance of landscape vegetation to minimize fuel supply that would spread the intensity of a fire (City of Duarte 2021g). The undeveloped portions located in the Angeles National Forest are generally designated for open space with no opportunities for development.

The Housing Element Update would incentivize development on urban infill sites within the city, including near high quality public transit. All development would be subject to applicable response plans and would be required to comply with all existing City regulations. In the event of a wildfire, the County's ERP would coordinate all the facilities and personnel, along with the jurisdictional resources of the surrounding cities, into an efficient organization capable of managing emergency evacuation for affected areas. Furthermore, site-specific project development would be required to be constructed according to the UBC requirements for fire-protection and would be subject to review and approval by the LACoFD. The LACoFD provides several fire developments services to the City related to enforcing codes concerning new construction and remodeling, including individual project plan checks. In addition, Policies 5.1.1 through 5.1.7 of the Safety Element Update specifically aim at reducing wildfire risks.

Because the Housing Element Update would generally direct development away from the areas within the city designated as VHFHSZs and reasonably foreseeable development would be required to comply with fire safety provisions established by the DMC and DDC, development under the proposed project would not pose a substantial risk to people or structures due to wildland fires. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The Housing Element Update would prioritize reasonably foreseeable development in urban areas within the southern portion of the city. As such, the Housing Element Update would not encourage development in the residential areas subject to wildfire risk, and development would occur in areas that are well-served by existing roadways and utilities infrastructure. Therefore, development under the Housing Element Update would not require additional roads, fuel breaks, emergency water sources, power lines or other utilities that would exacerbate fire risk. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

21 Mandatory Findings of Significance

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

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

The proposed project is a policy document that provides a framework for addressing the City's future housing demand and it does not propose any specific residential projects. The proposed project includes updates to the Safety Element, which would provide additional consistency with the Housing Element Update, conform with recent State legislation and guidelines, and include environmental justice policies that prioritize the needs of DACs. As discussed in Section 4, *Biological Resources*, Section 5, *Cultural Resources*, and Section 18, *Tribal Cultural Resources*, the Safety Element Update, and associated environmental justice policy updates, would not result in

development that would create significant impacts related to biological, historical, or prehistorical resources. Furthermore, the Housing Element Update would not directly provide for housing development in any sensitive biological resource area or directly affect any historic resources. Reasonably foreseeable development under the Housing Element Update may involve alteration, intensification, and redistribution of land uses in the city. While proposed changes could have the potential to have a substantial adverse effect on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, the Housing Element Update focuses on infill development and not on the hillsides or slopes of the San Gabriel Mountains. As such, proposed changes are in fact unlikely to have any significant impact.

Each new residential development or renovation project would be subject to its own CEQA process, where the project-specific impacts associated with biological and cultural resources would be analyzed; therefore, no potentially significant impacts are anticipated.

LESS THAN SIGNIFICANT IMPACT

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

As discussed in Sections 1 through 20, the proposed project is a policy document that provides a framework for addressing the City's future housing demand and it does not propose any specific residential projects. As such, any new residential development or renovation projects would be subject to its own CEQA process, where the project-specific impacts would be analyzed. The proposed project would not directly result in significant impacts to the above-discussed areas; therefore, project impacts would not be cumulatively considerable and would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

In general, impacts to human beings are associated with air quality, hazards and hazardous materials, and noise. As discussed in Section 3, *Air Quality*, reasonably foreseeable development under the Housing Element update would generate short-term and long-term air pollutant emission associated with construction and operational activities, respectively. Furthermore, as discussed in Section 9, *Hazards and Hazardous Materials*, there is the potential for future construction to involve the demolition or alteration of structures that may contain asbestos and/or LBP, and residential construction under the Housing Element Update could lead to a significant hazard to the public or environment by exposing future residents to potential on-site contamination if not properly identified. Similar to air quality impacts, and as discussed in Section 13, *Noise*, reasonably foreseeable development under the Housing Element update would generate short-term and long-term noise at nearby sensitive receivers from construction and operational activities.

The Housing Element Update would prioritize reasonably foreseeable development on infill sites in the city that have previously been developed and disturbed, however it does not include specific development projects. Rather, each new development or renovation project would be subject to its own CEQA process where the project-specific impacts would be analyzed and potentially significant impacts avoided or mitigated if required. Furthermore, the Safety Element Update, and associated

environmental justice policy updates, would not result in development that would create impacts. Therefore, the proposed project would result in less than significant impacts related to adverse effects on human beings.

LESS THAN SIGNIFICANT IMPACT

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