

Attachment to Notice of Exemption

Anaheim River Park Project

City of Anaheim

SUPPLEMENTAL INFORMATION

The City of Anaheim proposes to develop a passive park project on an approximately three-acre site adjacent to Angel Stadium in Anaheim. This supplemental information provides justification for the project's exemption from further CEQA review, pursuant to the CEQA § 21166 and CEQA Guidelines § 15162.

1. EXISTING CONDITIONS

PROJECT LOCATION

The project site is an irregularly shaped undeveloped 3.4-acre property that is south of State Route 57 (SR-57), north of Orangewood Avenue, west of the Santa Ana River, and east of Angels Stadium of Anaheim. The project site is in the City of Orange, immediately adjacent to the Angel Stadium of Anaheim in the City of Anaheim. Regional access to the project site is provided by Interstate 5 (I-5) and State Route 57 (SR-57) and local access to the site is from Orangewood Avenue. Figure 1, *Local Vicinity*, show the project site in its local contexts.

EXISTING CONDITIONS AND SURROUNDING USES

The project site is currently in the City of Orange and is owned and maintained by the Orange County Flood Control District (OCFCD). The Santa Ana River trail (an asphalt-paved trail) traverses the project site from north to south, and also bounds the project site to the east. The project site is a part of the Santa Ana River trails system. The site consists mainly of disturbed soil and contains a number of trees. Approximately 4,800 square feet area at the southern end of the project site is paved with gravel for maintenance vehicle parking. The project site is enclosed with chain-link fencing along the western and southern site boundaries. No vehicular access is allowed except for the maintenance, and public access to the project site is only via the Santa Ana River trail. See Figure 2, *Existing Project Site*.

The land uses surrounding the project site include the Angel Stadium of Anaheim and the associated surface parking lot to the west, the Santa Ana River Trail, and Santa Ana River to the east, and the Fire Training Center and a brewery to the south. Other uses also include various office, industrial, and commercial uses south of Orangewood Avenue. The project site is located outside the City of Anaheim's Platinum Triangle Overlay Zone. The Platinum Triangle's Stadium District bounds the project site to the west, and the uses south of Orangewood Avenue are in the Orangewood District.

2. PROJECT DESCRIPTION

The proposed project involves development of a passive nature park on the three-acre project site. It would require minimal grading and ground disturbing activities as efforts would be made to keep all onsite trees unless a tree needs to be removed for health and safety reasons. The City's intention is to maintain and keep the trees and incorporate them into the park design. The proposed project would use permeable pavers, decomposed granite, and permeable asphalt and/or concrete to cover the surfaces. The project would use shade sails or trellises but no habitable structures or solid canopies would be constructed. Improvements would consist of various parkland amenities including:

» Bike/equestrian rest stops

- » Shaded plaza pavilion
- » Amphitheater
- » Children’s play area
- » Fitness zones
- » Walking path
- » Interactive interpretive area
- » Extensive native landscaping improvements within the park

The amphitheater would host small speaking events and gatherings that do not require speakers or include loud music. The conceptual site plan is shown on Figure 3, *Conceptual Site Plan*. Minimal development is proposed and only fine grading not exceeding one-foot below grade on approximately one-acre of the project site would occur. The tentative schedule is to begin construction in 2024 for about 9 to 12 months.

3. REASONS WHY THE PROJECT IS EXEMPT

The proposed project is exempt from further environmental review under the requirements of the California Environmental Quality Act (Public Resources Code § 21000 et seq.) categorical exemption Class 4:

Class 4, Minor Alterations to Land (CEQA Guidelines § 15304) Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

The project involves the development of a passive nature park on the project site. The project would save most of the trees on-site except where tree removal is necessary for health and safety reasons. Therefore, no removal of healthy, mature, scenic trees would be removed. The majority of the project site would remain in its natural state except where minimal grading is necessary to provide parking improvements and walkways on less than one-third of the project site. Therefore, the proposed project would result in minimal alterations in the condition of land, water, and/or vegetation. The proposed project meets the criteria for an exemption under CEQA Guidelines § 15304.

4. REVIEW OF EXCEPTIONS TO THE CATEGORICAL EXEMPTION

The project has been reviewed under CEQA Guidelines § 15300.2 - Exceptions, for any characteristics or circumstances that might invalidate findings that the project is exempt from CEQA. Each exception is listed below followed by an assessment of whether that exception applies to the project.

- (a) **Location.** Classes 3,4,5,6 and 11 are qualified by consideration of where the project would be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies.

The project site is vacant and is in a developed area immediately surrounded by industrial, commercial, and residential land uses. Due to the project site’s proximity to commercial uses and frequent human disturbances and the lack of riparian or wetland habitats onsite, impacts to sensitive habitat and species would be less than significant (FWS 2021). Additionally, there is no evidence of hazardous materials or substances (see section (e) below). There are no unusual

circumstances or particularly sensitive environmental resources present. Therefore, this exception does not apply to the project.

- (b) **Cumulative Impacts.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed improvements are the only known and planned improvements at the project site during the planned construction. There are no other known successive projects—planned, approved, or under construction—of the same type at and/or near the project site that when combined with the proposed project would result in a cumulative environmental impact. This exception does not apply to the proposed project.

- (c) **Significant Effects.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There is no reasonable possibility that the proposed project would have a significant effect on the environment as planned or under “unusual circumstances”. The project site is in an urban area that is immediately adjacent to the Angel Stadium of Anaheim and the Santa Ana River. Additionally, the project site is already developed a portion of the Santa Ana River Trail, which is an asphalt-paved trail that traverses the project site from north to south. The site consists mainly of disturbed soil and contains a number of trees. Approximately 4,800 square feet area at the southern end of the project site is paved with gravel for maintenance vehicle parking. The project site is enclosed with chain-link fencing along the western and southern site boundaries. Therefore, impacts to sensitive biological receptors, cultural resources, or scenic views would not occur. A biological constraints letter (Appendix A) and a Cultural and Paleontological Resources Assessment Report (Appendix B) were prepared to support that the project site does not contain sensitive biological or cultural resources that could be significantly impacted by the proposed project. Due to the project scale, air, noise, and transportation impacts during the construction would be temporary and less than significant and would be governed by standard best management practices for construction projects. There is no reasonable possibility that the activity will have a significant effect the environment due to unusual circumstances. Therefore, this exception does not apply to the proposed project.

- (d) **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a state scenic highway.

There are no designated State scenic highways near the project site. According to the Caltrans State Scenic Highway Map, there are no officially designated or eligible scenic highways in Anaheim or near the project site (Caltrans, 2022). The nearest officially designated scenic highway is a portion of State Route 91, approximately 4.25-miles northeast of the project site. Considering the distance, intervening development, and topography between the project site and this roadway, the project site would not be recognizable, and no impact is anticipated. This exception does not apply to the proposed project.

- (e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Government Code § 65962.5.

California Government Code Section 65962.5 requires the compiling of lists of the following types of hazardous materials sites: hazardous waste facilities subject to corrective action; hazardous waste discharges

for which the State Water Quality Control Board has issued certain types of orders; public drinking water wells containing detectable levels of organic contaminants; underground storage tanks with reported unauthorized releases; and solid waste disposal facilities from which hazardous waste has migrated.

Five environmental databases were searched for hazardous materials sites on or within 0.25 mile of the project site:

- (a) GeoTracker, State Water Resources Control Board (SWRCB 2021)
- (b) EnviroStor, Department of Toxic Substances Control (DTSC 2021)
- (c) EJScreen, US Environmental Protection Agency (USEPA 2021)
- (d) EnviroMapper, US Environmental Protection Agency (USEPA n.d.)
- (e) Solid Waste Information System., California Department of Resources Recycling and Recovery (CalRecycle 2021)

Based on a review of the of the EnviroStor, GeoTracker and EnviroMapper databases, the project site was not listed on any database designating the site as a hazardous waste site requiring corrective action. The review of the databases did not identify any hazardous materials sites within 0.25-feet of the project site. Therefore, the proposed project would not create hazards related to the disturbance of, or exposure to, a hazardous waste site.

- (f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of historical resources. Under Public Resource Code § 21084.1, a historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources. Additionally, historical resources included in a local register of historical resources are presumed to be historically or culturally significant, and a lead agency can determine whether the resource may be an historical resource.

There are no historic resources on the project site. A cultural and paleontological resource assessment was prepared for the project site by Cogstone. No cultural or paleontological resources were identified during the survey conducted as part of the report. The report concluded that due to previous development within the project site there is potential for various amounts of artificial fill and due to the shallow nature of proposed ground disturbance, the potential for the project to disturb scientifically significant paleontological resources is low (Cogstone 2022). Additionally, the report finds that project site has a low sensitivity for buried prehistoric cultural resources and has a low sensitivity for buried historic-aged resources. Therefore, project implementation would not cause significant impacts to historical resources, and the historical resources exception does not apply to this project site.

5. CONCLUSION

The proposed project is exempt from CEQA review pursuant to CEQA Guidelines Section 15304. As substantiated in this document, the proposed project does not meet the conditions specified in § 15300.2, Exceptions, of the CEQA Guidelines, and the project is exempt.

6. REFERENCES

- CalRecycle 2022. Solid Waste Information System. California Department of Resources Recycling and Recovery
<https://calrecycle.ca.gov/>
- Caltrans, 2022. State Scenic Highway Map. Accessed 24 January 2022.
<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>
- Cogstone 2022. Cultural and Paleontological Resources Assessment Report for the Anaheim River Park Project, City of Anaheim, Orange County, California. January 2022.
- DTSC 2022. EnviroStor. Department of Toxic Substances Control. <https://www.envirostor.dtsc.ca.gov/public/>
- Harris & Associates. 2022, January 10. Project: Anaheim River Walk, Biological Resources Constraints Letter
- National Park Service. 2022. National Register of Historic Places. Updated 24 January 2022.
<https://www.nps.gov/subjects/nationalregister/index.htm>
- Office of Historic Preservation (OHP). 2022. California Historical Resources, Orange County. Accessed 24 January 2022. <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=30>.
- U.S. Fish & Wildlife Service (FWS). 2021. National Wetlands Inventory – Wetlands Mapper. Updated 30 November 2021 <https://www.fws.gov/wetlands/data/mapper.HTML>.
- USEPA 2022. EJScreen, U.S. Environmental Protection Agency. <https://ejscreen.epa.gov/mapper/>
- USEPA n.d. EnviroMapper for EnviroFacts. U.S. Environmental Protection Agency.
<https://enviro.epa.gov/enviro/em4ef.home>