Olson Townhomes on Talbert Ave
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION No. 2021-003

Planning Application No. 2021-0084

Prepared for

HUNTINGTON BEACH

City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

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March 2022

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ACRONYMNS

Acronym	Definition
AB 32	Assembly Bill 32
AB 52	Assembly Bill 52
ADA	Americans with Disabilities Act
AFY	Acre Feet Per Year
AQMP	Air Quality Management Plan
APE	Area of Potential Effect
APN	Assessor Parcel Number
APZ	Accident Potential Zone
BMPs	Best Management Practices
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Huntington Beach
CMP	Congestion Management Program
CNPS	California Native Plant Society
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CRHR	California Register of Historic Places
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
EPA	Environmental Protection Agency
ERRP	Enhanced Recharge and Recovery Program
ESA	Endangered Species Act
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping Management Program
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plan
gpd/acre	Gallons per Day per Acre
HAER	Historic American Engineering Record
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCP	Habitat Conservation Plan
ITE	Institute of Transportation Engineers
LID	Low Impact Design
LOS	Level of Service
LST	Localized Significance Threshold
mgd	Millions of Gallons per Day
MLD	Most Likely Descendent
MMRP	Mitigation Monitoring and Reporting Program

MRZ	Mineral Resources Zone
MS4	Municipal Separate Storm Water Sewer System
MTCO2e	Metric Tons Carbon Dioxide Equivalent
MWD	Metropolitan Water District
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO2	Nitrogen Dioxide
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
PCE	Passenger Car-Equivalent
PM-2.5	Particulate Matter Less Than 2.5 Microns in Diameter
PM-10	Particulate Matter Less Than 10 Microns in Diameter
PRIMMP	Paleontological Resource Impact Mitigation Monitoring Program
RWQCB	Regional Water Quality Control Board
SARWQCB	Santa Ana Regional Water Quality Control Board
SGMA	the Sustainability Groundwater Management Act
SF	Square Feet
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SLF	Sacred Lands File
SRA	State Responsibility Area
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis

1 INTRODUCTION

Olson Urban Housing LLC (Applicant) proposes to construct a 34-unit townhome complex (Proposed Project) located on Assessor's Parcel Numbers (APN) 167-531-23 and -24, located 8371 - 8461 Talbert Ave (Project Site). The units range from 1,258 square feet to 1,846 square feet and would be a mix of two-story and three-story structures. Each unit would feature attached, two car garages. Of the 34 units, 20 would be three-bedroom units and 14 would be four-bedroom units. All units would be sold and owned legally as condominiums, with three units reserved for sale to moderate-income qualifiers.

The Proposed Project is subject to the approval of the following entitlements:

- Planning Application No. 2021-0084 that includes the following components:
    - General Plan Amendment No. 21-002: To amend the General Plan designation from RL (Residential Low Density) to RM (Residential Medium Density)
    - Zoning Map Amendment No. 21-001: To amend the zoning designation from RL (Residential Low Density) to RM (Residential Medium Density).
    - Tentative Tract Map No. 19157: To subdivide approximately 2.1 acres for condominium purposes.
    - Conditional Use Permit No. 21-004: To develop 34 attached, two- and three-story townhomes up to 35 feet tall and to allow up to an 8-foot-tall retaining wall topped with a 6-foot-tall block wall along the west property line.

The Proposed Project is a project under the California Environmental Quality Act (Public Resource Code § 21000 et seq.: "CEQA"). The primary purpose of CEQA is to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision-making. CEQA requires all state and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid any significant environmental impacts resulting from the implementation of projects subject to CEQA.

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Huntington Beach (the City) is the lead agency for the Proposed Project. The lead agency is the public agency that has the principal responsibility for conducting or approving a project. The City, as the lead agency for the Proposed Project, is responsible for preparing environmental documentation in accordance with CEQA to determine if approval of the discretionary actions requested and subsequent development of the Proposed Project would have a significant impact on the environment.

1.1 California Environmental Quality Act Compliance

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the Proposed Project to determine any potential significant impacts upon the environment that would result from construction and implementation of the Project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead

Agency in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the Proposed Project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Proposed Project.

A Lead Agency may prepare Mitigated Negative Declaration for a project that is subject to CEQA when an Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the Applicant before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment (Public Resources Code Section 21064.5).

This IS/MND has been prepared for the Proposed Project, in conformance with Section 15070(b) of the State CEQA Guidelines. The purpose of the IS/MND is to identify any potentially significant impacts associated with the Proposed Project and incorporate mitigation measures into the Proposed Project as necessary to eliminate the potentially significant effects of the Proposed Project or to reduce the effects to a level of less than significant.

1.1.1 Content and Format of the Initial Study

This Initial Study is based on an Environmental Checklist Form (Form), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level.

The Initial Study is organized as follows:

- **Section 1 – Purpose and Scope.** This section introduces the scope of the Project and the City's role in the project, as well as a brief summary of findings.
- **Section 2 – Project Description.** This section details the Project components and general environmental setting.
- **Section 3 – Project Summary and Environmental Determination.** This section summarizes the Project and actions to be undertaken by the City. This section also provides the determination of the environmental document to be approved by the City.
- **Section 4 – Environmental Impacts**. This section contains the Environmental Checklist Form (Form), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level. The form requires an analysis in 20 subject categories as well as a Mandatory Findings of Significance.

- **Section 5 – Summary of Mitigation Measures.** This section summarizes the Mitigation Measures identified to reduce potential impacts to less than significant and identifies the responsible parties for implementation of those measures.
- **Section 6 – References.** This section identifies the references used in the preparation of this Initial Study.

1.1.2 Initial Study Summary of Findings

Based on the analysis in Section 4, there were no environmental factors that could potentially affect ("Potentially Significant") the environment. Mitigation measures were identified to reduce some impacts to Less Than Significant. Therefore, the determination, based on the Initial Study, is that a **Mitigated Negative Declaration** would be prepared.

1.2 Contact Person

Any questions about the preparation of the Initial Study, its assumptions, or its conclusions should be referred to the following:

Attn: Ricky Ramos, Principal Planner
Community Development Department
City of Huntington Beach
Phone: (714) 536-5624
Email: rramos@surfcity-hb.org

2 PROJECT DESCRIPTION

2.1 Introduction

The Applicant proposes to redevelop two parcels at the northwest corner of Talbert Ave and Newland Street with a 34-unit attached, two- and three-story townhome complex up to 35 feet tall, ranging from 1,258 square feet to 1,846 square feet in floor area. The existing structures on the two parcels would be demolished.

Implementation of the Proposed Project would require a zone change from Residential Low Density (RL) to Medium Density (RM) and a supporting General Plan Amendment land use change from Residential Low Density to Residential Medium Density. The Proposed Project includes Tentative Tract Map No. 19157 to subdivide parcels 167-531-23 and -24, which combined are approximately 2.1 acres, for condominium purposes.

The Applicant, Olson Urban Housing, LLC, has incorporated a 5% density bonus by proposing that three of the 34 units be designated for sale to moderate-income, with the Applicant paying a 2/10th in-lieu fee. The RM zone would allow up to 32 units, and the density bonus would allow for an additional 2 units, for a total of 34 units proposed.

2.2 Project Site Setting

The Project Site is generally located on the north side of Talbert Ave, adjacent to and west of Newland Street and approximately 0.4 mile east of Beach Blvd/SR-38 (**Figure 1** – *Regional Vicinity*). The City of Fountain Valley city limits lies on the east side of Newland Street directly across from the Project Site. In the vicinity of Talbert Ave and Newland Street, the City of Fountain Valley identifies the area as AH- Affordable Housing District.

The Project Site encompasses the addresses of 8371, 8461, and 8421 Talbert Ave (**Figure 2** – *Site Location Map – Aerial View*) and are identified as Orange County Assessor's Parcel No. 167-531-23 (8421 and 8461 Talbert Avenue) and 167-531-24 (8371 Talbert Avenue). Each parcel is approximately 1 acre. *Newport* U.S. Geological Survey (USGS) 7.5-minute topographical map in Section 25, Township 5 South, Range 11 West (**Figure 3** - *Site Location Map – USGS).*

The Project Site includes three existing one-story single-family homes, with four single-story outbuildings. The oldest dwelling, 8461 Talbert Avenue, was constructed in 1917 in a Craftsman style. The 8371 Talbert Avenue residence was constructed in 1935 in a Ranch style, and the third dwelling, 8421 Talbert Avenue, was constructed in 1948 in a Minimal Traditional style.

The Project Site is situated within an area of single-family residences, with the exception of a church which borders the Project Site's western boundary. The Good Shepherd Cemetery and Mausoleum are located to the west of the church. **Table 1** – *Surrounding Land Uses* identifies the surrounding land uses.

Table 1 - Surrounding Land Use

Direction	Land Use Description
North	Single family residential, Residential Low Density
East	Newland Street, City of Fountain Valley city limits and single family residential
South	Talbert Ave and single family residential, Residential Low Density south of Talbert
West	St. Vincent de Paul Catholic Church

Site Zoning and General Plan Designations

The Project Site and immediate surrounding area are zoned by the City as Residential Low Density (RL), which provides for a maximum density of seven residential units per acre (City of Huntington Beach, Title 21, Section 210.02).

The Project Site's General Plan designation is RL (Low Density Residential). Density in this designation ranges up to seven units/acre and provides for traditional detached single-family housing, zero-lot-line developments, mobile home parks, low-density senior housing, and accessory dwelling units or "granny" flats (City, 2017).

While the surrounding parcels conform to the density designated by the City's zoning and general plan, the parcels on the Project Site are each approximately 1-acre and have a density of one to three residential units per acre.

2.3 Project Characteristics

2.3.1 Regulatory Components and Entitlements

Zone Change. The Proposed Project includes a request to change the zone from Residential Low Density (RL) to Residential Medium Density (RM) Density. The City's zoning code, Title 21, Chapter 210, Section 210.02 sets out the base districts:

- The RL Low Density Residential District, which the Project Site is currently zoned, provides opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Cluster development is allowed. Maximum density is seven units per acre.
- The RM Medium Density Residential District provides opportunities for denser housing than single-family detached dwelling units, including duplexes, triplexes, town houses, apartments, multi-dwelling structures, or cluster housing with landscaped open space for residents' use. Single-family homes, such as patio homes, may also be suitable. Maximum density is 15 units per acre.

General Plan Amendment. The Proposed Project includes a request to amend the General Plan designation for parcels 167-531-23 and -24 from Residential Low Density (RL) to Residential Medium Density (RM). The City's General Plan, Land Use Element, defines RM has uses allowed with the Low Density Residential designation, as well as smaller lot detached single-family housing, zero-lot-line developments, attached single-family housing (e.g., duplexes, townhomes), and lower-density multiple-family housing, such as garden apartments, with a density range of greater than 7.0–15.0 units/acre.

Tentative Tract Map. The Proposed Project includes a tentative tract map (No. 19157) to subdivide parcels 167-531-23 and -24, which total approximately 2.1 acres, for condominium purposes.

Conditional Use Permit. The Proposed Project includes a request for a conditional use permit to develop 34 attached two- and three-story townhomes up to 35 ft. tall in the RM Zone. The CUP is required for a proposed use of 10+ units in the RM zone in accordance with the City's Code 210.04 for units up to 35 feet high. Additionally, the CUP is required to allow up to an 8-foot-high retaining wall topped with a 6-foot-tall block wall along the west property boundary.

Affordable Housing Designation. As afforded by SB1818 and in compliance with Section 230.26 of the Huntington Beach Zoning Code, the Property Owner/Developer would reserve three of the units (or 10 percent of the total unit count) for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code.

Covenants, Conditions and Restrictions (CC&Rs). A Homeowners' Association (HOA) would be established with Covenants, Conditions, and Restriction (CC&Rs) to provide for the ownership maintenance of various improvements within the Project Site. The CC&Rs would be submitted to the City for review and approval prior to their recordation. The CC&Rs would be binding upon and run with the land and be included or incorporated by reference in every deed conveying interests on the Project Site. Additionally, they would provide for maintenance, repair, and replacement of all HOA-owned improvements within the common areas including landscaping areas along all street frontages including enlarged landscape area at the Project Site entry, irrigation, common vehicular driveways and streets, emergency access drive and gate; parking, park/open space, sections of perimeter walls including the northern property line boundary from drainage facilities, sewer facilities, and water quality Best Management Practices (BMPs).

The residential private front and back yards would be maintained by the homeowners. The City of Huntington Beach would maintain the water facilities.

2.3.2 Physical Components

Site Plan: The Proposed Project would include the construction of 34 units ranging from 1,258 square feet to 1,846 square feet and would be a mix of two-story and three-story structures. Each unit would feature attached, two car garages. Of the 34 units, 20 would be three-bedroom units and 14 would be four-bedroom units. All units would be sold and owned legally as condominiums. Based on the City's residential population factor of 2.257 people per unit, it is estimated the development would support 76 residents.

Three courtyards (or paseos) are interspersed throughout the community with a larger central green open space serving as the focal point for community and recreation. The central paseo would include a shade structure with tables, seating, and a fireplace with sectional-style. Most units gain access from the paseos and may include enclosed patio spaces. Along the entire stretch of the Talbert frontage, a "dry creek" bio-swale would collect and treat storm water, which would double as a semi-natural feature and provide a buffer to Talbert Avenue. The side of the residential units face the bio-swale feature and Talbert Avenue with no wall in order to maintain openness to the neighborhood and avoid a walled-off appearance.

The proposed buildings are positioned perpendicular to Talbert Ave. Two-story units are featured for the northern-most unit of all buildings across the Project Site, which provides a two-story buffer for the existing single-family residences backing to the shared north property line. As the buildings approach the Talbert Avenue frontage, all plan types increase to three stories in height. The conceptual site plan is provided in **Figure 4** – *Conceptual Site Plan*. A representation of building elevations along Newland Street is provided in **Figure 5** – Elevations - *Newland Street*. Representations of building elevations along Talbert Ave are provided in **Figure 6 –** *Elevations - Talbert Ave (Page 1)* and **Figure 7** - *Elevations: Talbert Ave (Page 2).* Full plan details for the Project Site including unit layouts are provided in **Appendix A** – *Architectural Plans.*

The Proposed Project would include construction of a 6-foot-high concrete masonry unit (cmu) wall on the north and west boundaries of the Project Site, bordering the adjacent land uses. For the western boundary, the 6-foot-high block wall will be on top of a retaining wall that varies in height from 2 feet to 8 feet high, depending on topography. The southern and eastern edges of the Project Site, adjacent to Talbert Avenue and Newland Street respectively, would include a variety of wall conditions. The perimeter of private open space areas would be bound by 4-foot-high cmu walls, and the ends of the internal driveways would be bound by 5-foot 6-inch-high cmu walls. The proposed wall plan is shown in **Figure 8**- *Schematic Wall and Fence Plan.*

Operations. A Homeowners Association (HOA) would be formed upon Project completion. The HOA would be responsible for inspecting and maintaining all aspects of the complex. Until an HOA is formally established, the Applicant would assume all BMP maintenance and inspection responsibilities for the Proposed Project. No infrastructure would be transferred to any public agencies.

Site Access and Circulation. Vehicular access to the Project Site would be gained by two gated driveways. Primary access would be on Newland Street on the eastern side of the Project Site, and secondary access would be from Talbert Avenue on the southwestern side of the Project Site. The Project Site contains an interior single spine road that runs east/west along the length of the northern property line. This primary interior road provides vehicular access to the entire community and acts as a buffer to the abutting residences to the north. Perpendicular drive aisles extending from the spine road would provide vehicular access to the individual units. The Newland Street driveway is directly connected to the northern spine road while the Talbert Ave driveway is connected to one of the perpendicular drive aisles and would be restricted to a right-in/right-out. The spine road is 20 feet wide and would serve also as a fire lane.

Architectural Style. The Proposed Project is designed in a Santa Barbara style with strong eave cornice details (at enhanced locations), gable-end faces and simple shed roofs with low profile Spanish roof tiles. The style exhibits faux gable-end vent recesses, sculpted stucco sill trim, decorative trim with ceramic tile inserts, and smooth stucco surrounds at featured front doors or windows. Other details that the style brings are stucco battered wing-walls, arched openings at porches, deck openings with corbel details and corbel adorned details at cantilevers. Metal railing with accented scrolls, bay windows, Stucco Spanish hood entry awnings and exposed truss tails at low porches further expresses the style.

Landscape. The landscape concept provides a comprehensive, layered landscape palette with thematic street trees that blends with the proposed architecture. The Project proposes to remove the existing 25 trees and replace them with a total of 173 trees, of which 46 would be 36-inch box trees and 24 would be 24-inch box trees, and 103 15-gallon trees. Water efficient irrigation system, plants, vines, and groundcovers would be installed within the common Homeowners Association areas, incorporating water conservation measures and a low-water, drought tolerant landscape, as shown in **Figure 9** – *Landscape Plan*.

Parking. The Project Site contains a total of 68 garage parking spaces, 16 guest spaces, and one American with Disabilities Act (ADA)-compliant guest stalls. Pursuant to Section 5.106.5.2 of the 2019 California Green Building Standards Code (CCR, Title 24, Part 11 – CALGreen), breaker space for EV charging would be provided in each of the garages.

Stormwater Management. Post construction stormwater management for the townhome community preserves the existing overall drainage pattern. Drainage is directed as sheet flow to the south onto Talbert Ave and is then directed west into an existing catch basin on the north side of Talbert Ave, about 20 ft east of the western property line of the Project Site. The Project Site's runoff drains to and is collected in the north/south drive aisle gutters and conveyed in a southerly direction towards two proposed bioswales. High flows drain west and discharge to the existing catch basin in the north side of Talbert Ave through a proposed storm drain connection. Construction of the Proposed Project would also require the construction contractor to prepare a Stormwater Pollution Prevention Plan (SWPPP) as the Project Site is more than 1 acre.

Utilities and Services. Public water and sewer are served by the City of Huntington Beach. Electrical service is readily available through Southern California Edison (SCE), and natural gas is available through the Southern California Gas Company. The Applicant has received a "will serve letter" from the City (**Appendix J** – *Utility Will Serve Letters*). Solid waste services would be provided by Republic Services, a contract waste hauler for the City.

Affordable Housing Development Standards Waivers. Pursuant to SB1818 and in compliance with Section 230.26 of the Huntington Beach Zoning Code, the Applicant proposes to provide 10 percent of the total unit count as moderate-income affordable units in exchange for a 5% density bonus. Due to the provision of 10 percent moderate income units, SB 1818 allows one concession or incentive to reduce the cost of the housing project. Additionally, SB 1818 allows an unlimited number of waivers of any development standard that would have the effect of physically precluding the construction of the housing project at the density proposed. At this time, the Applicant is not requesting a concession but reserves the right to do so at any time.

The Applicant has incorporated these State-allowed variances from City development standards as follows:

- Front Yard Setback Relief for Talbert & Newland Corner Unit: The corner unit at Building 1 features a second-floor balcony and covered patio that extend into the front yard setback by roughly 11 feet. This encroachment is more than the amount of encroachment that the Huntington Beach Zoning Code allows. If this balcony and covered patio were to be pared back to meet the front yard setback, the building then becomes out of compliance with the upper-floor setback instead of the front yard setback. Aside from the aesthetic and private

open space benefit of a balcony, shifting the building to achieve both front-yard and upper-floor setbacks would result in the loss of the corner unit and preclude the proposed density. Therefore, the Proposed Project includes a second-floor balcony and covered patio extending into the front yard setback by roughly 11 feet for Building 1's corner unit.

- Common and Private Open Space Dimensions: Roughly half of the proposed common and private open space meets minimum dimensions per City standards although the total open space proposed is significantly greater (17,181 sf versus 14,423 sf) than the amount of open space that the Huntington Beach Zoning Code requires. However, because of the significant play and articulation of the elevations, particularly those fronting onto the paseos, meeting the Huntington Beach Zoning Code open space minimum dimensions would preclude the total unit count envisioned and in turn, the affordable component. However, in an effort to meet the spirit of the City's open space and private space goals, the Proposed Project includes private patios fronting onto the paseo to contribute to the "outdoor room" effect where the orientation encourages socializing in a visually stimulating and intimate environment. The design of the open space provides open space for the residents, thereby meeting the City's goals.
- Utilities in Setback: The City does not allow dry utility improvements like transformers to be placed in the setback. Due to City requirements to underground dry utilities (and not a function of the Applicant's proposed concept), it is likely that SCE would require a large vault and smaller transformer pad within the Talbert setback to accommodate the Rule 20 requirement. The utility improvements could only occur on-site, which would reduce the unit count. At the same time, Olson would work with the City and SCE to reduce the size and number of appurtenances to a degree that could then allow on-site installation. Should this circumstance prove out later in the SCE process, such that the size and amount of appurtenances are reduced, this waiver would no longer be necessary.

Off-Site Improvements. The off-site civil work would consist of a water main connection in Newland Street, a sewer main connection and new utility access hole in Newland Street, conversion of existing driveways to curb and gutter at Talbert Avenue, a new driveway at Newland Street, a new driveway at Talbert Avenue, and the relocation of a storm drain catch basin at Talbert Avenue.

2.3.3 Construction Phases and Schedule

Construction is anticipated to occur in one phase, beginning in winter 2022, and last approximately 13 months, with an opening date in 2024. Initial site improvements include demolition, grading and underground infrastructure followed by building construction, paving and landscape, and painting activities. The grading quantities are anticipated to balance on site and little to no import or export of fill material is anticipated. Project construction would require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks.

Construction activities include the following:

Demolition. The demolition phase would involve the removal of the existing three single-family homes with supporting structures and paved areas, which represent approximately 11,600 square feet of building space and approximately 12,000 square feet of paved area. This is anticipated to occur over one month.

Site preparation. The site preparation phase would consist of removing any vegetation, tree stumps, and stones onsite prior to grading. The site preparation would occur after completion of the demolition phase and was modeled as occurring over one week. Vegetation removal includes the removal of 25 trees, of which 22 have trunks that are greater than 10 inches in diameter. The onsite equipment would consist of one grader, one scraper, and one of either a tractor, loader, or backhoe.

Grading. The grading phase would occur after completion of the site preparation phase and is anticipated to occur over three weeks. The grading activities are anticipated to be balanced, which would not require any dirt to be imported or exported from the Project Site. The onsite equipment would consist of one grader, one rubber-tired dozer, and two of either tractors, loaders, or backhoes.

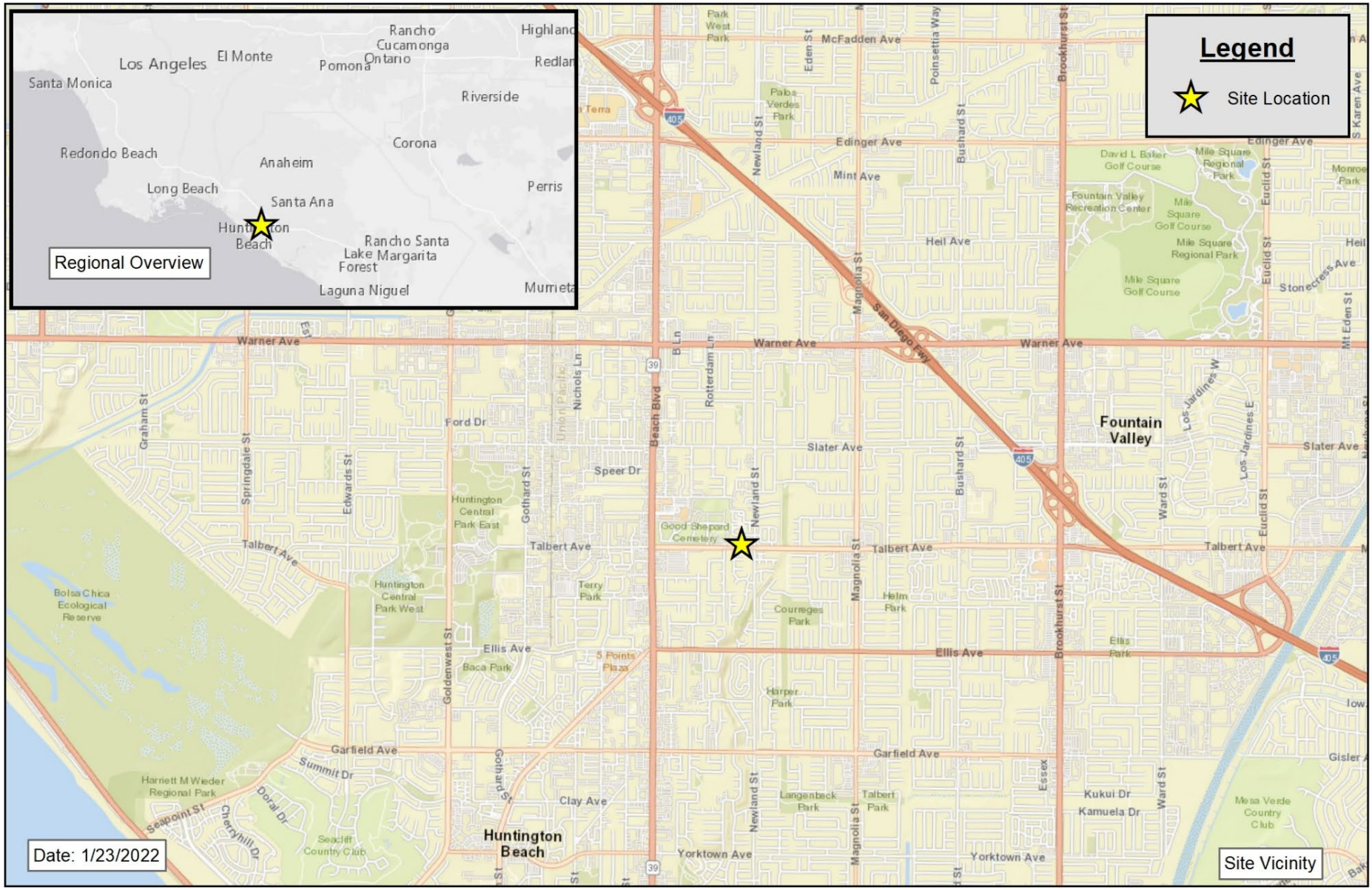
Building Construction – Construction of the 34 units would occur after the completion of the grading phase and is anticipated to occur over 11 months. The onsite equipment would consist of the simultaneous operation of one crane, two forklifts, one generator, three welders, and one of either a tractor, loader, or backhoe.

Final Site Paving and Landscaping – The paving phase would consist of paving the onsite roads and surface parking spaces and site landscaping. The paving phase would occur after completion of the building construction phase and was modeled as occurring over two weeks. The onsite equipment is anticipated to consist of the simultaneous operation of one cement and mortar mixer, one paver, one paving equipment, two rollers, and one of either a tractor, loader, or backhoe.

Architectural Coating. The application of architectural coatings would occur after completion of the paving phase. The architectural coating phase was modeled based on covering 137,356 square feet of residential interior area, 45,785 square feet of residential exterior area, and 1,725 square feet of parking and roadway area. The onsite equipment would consist of one air compressor.

2.3.4 Best Management Practices During Construction

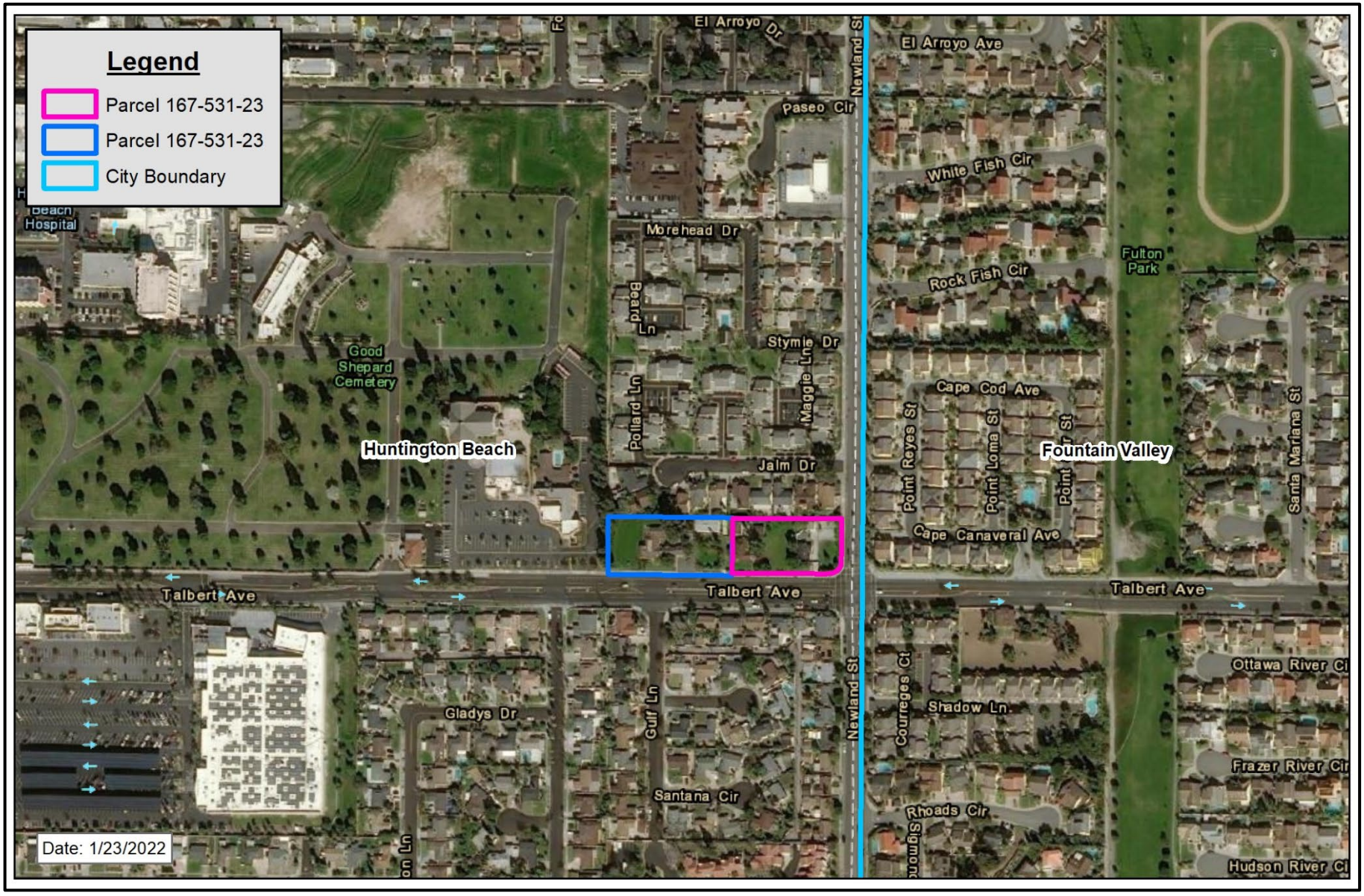
The Applicant and construction contractor would be required to conform to conform to Federal, State, and Local regulations which are identified throughout this document.



Not to Scale

Figure 1: Regional Vicinity Map

Source: *ESRI Mapping Service*



Not to Scale

Figure 2: Site Location Map – Aerial View

Source: *ESRI Mapping Service*

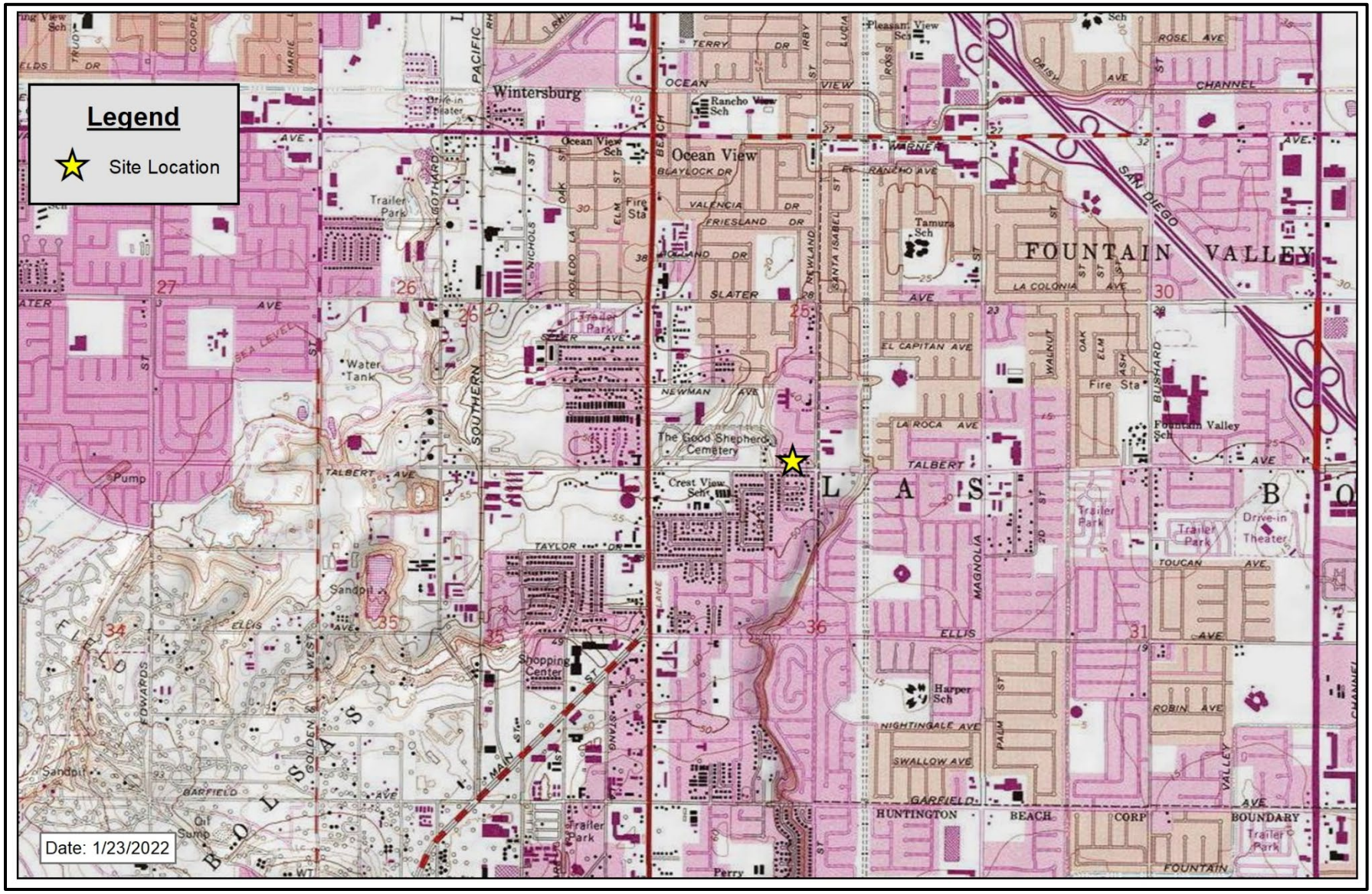


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Figure 3: Site Location Map – USGS

Source: *ESRI Mapping Service*

Building #	HTOC Near Newland St.	TOS (FF)	Height Difference
1	52.23	48.15	-4.08
2	52.23	47.95	-4.28
3	52.23	47.25	-4.98
4	52.23	47	-5.23
5	52.23	47.45	-4.78
6	52.23	47.35	-4.88
7	52.23	46.65	-5.58
8	52.23	46.5	-5.73
9	52.23	45.85	-6.38

Property Address		**Legal Description**	
8371-8375 Talbert Ave.		Pin No.	
Huntington Beach, CA 92647		Assessor: 167-531-23, 24	
		TTM No. 19157	
Building Code Summary			
Occupancy	R-3		
Construction Type	Type V-B		
Fire Sprinkler	NFPA 13D		
Building Type	On-Grade		
Number of Stories	2 and 3		
Zoning	**Current Zoning**	**Proposed Zoning**	
Current Zoning	RL- Low Density Residential	RM- Medium Density Residential	
Front Yard Setback	15'	15' (provided)	
Side Yard Setback	no less than 3'; no more than 5'	17' (provided) (above 2 stories + 3' for exceeding 25' height)	
Street Side Yard Setback	no less than 6'; no more than 10'	15' (provided)	
Rear Yard Setback	10'	13' (provided) (10' + 3' for exceeding 25' height)	
Site Summary		**Site Area**	
Gross Site Area		105,889 SF	2.43 AC
Net Site Area		89,949 SF	2.07 AC
Dwelling Units*		34 DU	*Density Bonus 10%
Gross Density		14.0 DU/AC	
Net Density		16.4 DU/AC	
Lot Coverage			
Maximum Lot Coverage		50 %	
Provided Lot Coverage		35 % Provided	
Density			
Permitted Density		15.0 du/ac	
Provided Density		16.4 du/ac	*Density Bonus 10%
Building Height			
Allowed		35'-0"	
Proposed		35'-0"	

Townhomes Plan Summary						
	#	GFA	Beds	%	Total GFA	GFA + Garage
P1/P1 alt	4	1,258	3	11.8%	5,032	6,984
P2	7	1,586	3	20.6%	11,102	14,581
P3	14	1,805	4	41.2%	25,270	29,988
P4	9	1,846	3	26.5%	16,614	16,614
Total	34			100.0%	58,018	68,167

Type	#	%
3 bedroom Units	20	58.8%
4 bedroom Units	14	41.2%
Total	**34**	**100%**

Bedroom Count		
Type	#	%
3 bedroom total	60	51.7%
4 bedroom total	56	48.3%
Total	**116**	**100%**

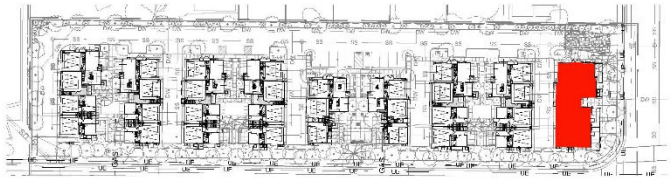
Parking Summary		
Required	Spaces/ Unit	Req.
Resident	2.0	68
Guest	0.50	17
Total Required Parking	**2.5**	**85**
Parking Provided	Spaces/ Unit	Spaces Provided
Garage Spaces	2.0	68
Guest Spaces	0.47	16
Accessible Space	0.03	1
Total Provided Parking	**2.50**	**85**

Open Space Summary		
Required		
Open Space (25% of total net unit SF)	14,506 SF	426.6 SF/UNIT
Open Space Meeting Minimum Code Dimensions		
Common Open Space (min. 10')	8,579 SF	78 %
Private Open Space (min. 6')	2,456 SF	22 %
Total Open Space Meeting Minimum Dimensions	**11,035 SF**	**324.6 SF/UNIT**
Open Space NOT Meeting Minimum Code Dimensions		
Private Open Space (less than min. 6' - Aprox. Only)	1,545 SF	8.15 %
Other Landscape Space (less than min. 10' - Aprox. Only	17,423 SF	91.85 %
Total Open Space NOT Meeting Minimum Dimensio	**18,968 SF**	**557.9 SF/UNIT**
Total of All Open Space Categories	**30,003 SF**	
Building Coverage	31,317 SF	34.82 %
Pavement Coverage	28,629 SF	31.83 %
Landscape/Hardscape Coverage	30,003 SF	33.36 %

Not to Scale

Figure 4: Conceptual Site Plan

Source: *ktgy Architecture + Planning*



KEY MAP, N.T.S.

LEGEND

1. Stucco, 16/20 Finish
2. Low Profile Concrete "S" Roof Tile
3. Gable End Faux Vent Recess
4. Cantilever Stucco Corbels
5. Decorative Shutters
6. Vinyl Windows with Muntins
7. Stucco Over Foam Corbels
8. Fiberglass Entry Doors
9. Not Used
10. Stucco Foam Faux Sculpted Sill Trim
11. Exposed Truss Tails
12. Patio Doors and Sliders
13. Stucco Arch Soffit
14. Stucco Battered Wing-Wall
15. Battered Stucco Recess
16. Fiber-Cement Wrapped Bay Window
17. Metal Guard Railing
18. Grille Metal Detail (Where Occurs)
19. Decorative Arbor
20. Trim Surround with Optional Ceramic Tile Inserts
21. Decorative Shaped Stucco Opening Surround with small Crown Trim
22. Decorative Sculptured Stucco Hood Awning (Where Occurs)
23. Decorative Wood Corbels
24. Metal Sectional Garage Door
25. Decorative Exterior Lights & Address
26. Metal Scupper with Decorative Trim
27. Metal Door

ENHANCED RIGHT

REAR

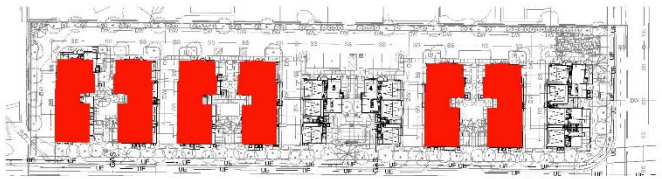
ENHANCED LEFT

ENHANCED FRONT

Not to Scale

Figure 5: Elevations - Newland Street

Source: *ktgy Architecture + Planning*



KEY MAP, N.T.S.

LEGEND

1. Stucco, 16/20 Finish
2. Low Profile Concrete "S" Roof Tile
3. Gable End Faux Vent Recess
4. Cantilever Stucco Corbels
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11. Exposed Truss Tails
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13. Stucco Arch Soffit
14. Stucco Battered Wing-Wall
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17. Metal Guard Railing
18. Grille Metal Detail (Where Occurs)
19. Decorative Arbor
20. Trim Surround with Optional Ceramic Tile Inserts
21. Decorative Shaped Stucco Opening Surround with small Crown Trim
22. Decorative Sculptured Stucco Hood Awning (Where Occurs)
23. Decorative Wood Corbels
24. Metal Sectional Garage Door
25. Decorative Exterior Lights & Address
26. Metal Scupper with Decorative Trim
27. Metal Door

STANDARD RIGHT

REAR

BAY WINDOW PROJECTION NOT TO EXCEED 2'-6" (CODE 230.68)

STANDARD LEFT
BUILDING 3,7, & 9

STANDARD LEFT
BUILDING 2,6, & 8

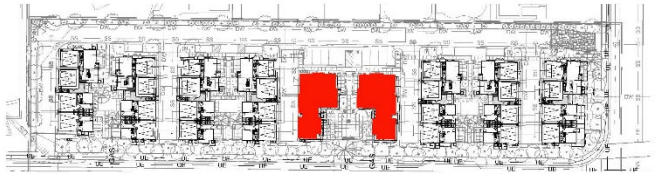
BAY WINDOW PROJECTION NOT TO EXCEED 2'-6" (CODE 230.68)

STANDARD FRONT

Not to Scale

Figure 6: Elevations -Talbert Ave (Page 1)

Source: *ktgy Architecture + Planning*



KEY MAP, N.T.S.

LEGEND

1 Stucco, 16/20 Finish
2 Low Profile Concrete "S" Roof Tile
3 Gable End Faux Vent Recess
4 Cantilever Stucco Corbels
5 Decorative Shutters
6 Vinyl Windows with Muntins
7 Stucco Over Foam Corbels
8 Fiberglass Entry Doors
9 Not Used
10 Stucco Foam Faux Sculpted Sill Trim
11 Exposed Truss Tails
12 Patio Doors and Sliders
13 Stucco Arch Soffit
14 Stucco Battered Wing-Wall
15 Battered Stucco Recess
16 Fiber-Cement Wrapped Bay Window
17 Metal Guard Railing
18 Grille Metal Detail (Where Occurs)
19 Decorative Arbor
20 Trim Surround with Optional Ceramic Tile Inserts
21 Decorative Shaped Stucco Opening Surround with small Crown Trim
22 Decorative Sculptured Stucco Hood Awning (Where Occurs)
23 Decorative Wood Corbels
24 Metal Sectional Garage Door
25 Decorative Exterior Lights & Address
26 Metal Scupper with Decorative Trim
27 Metal Door

RIGHT

REAR

LEFT

FRONT

Not to Scale

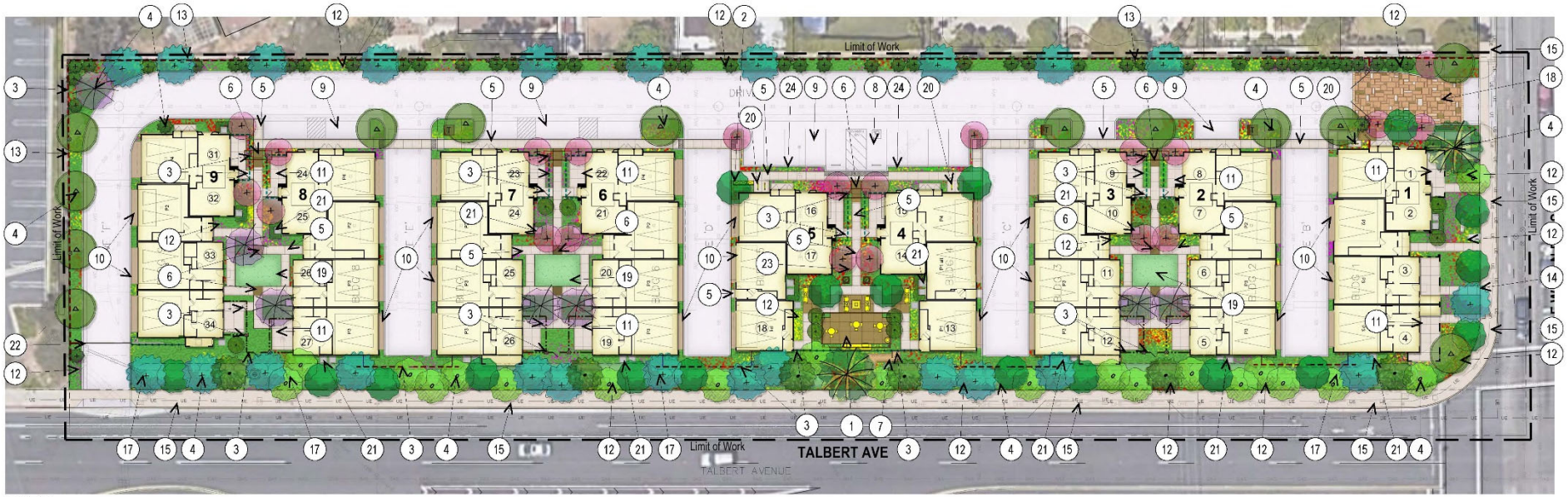
Figure 7: Elevations -Talbert Ave (Page 2)

Source: *ktgy Architecture + Planning*

Not to Scale

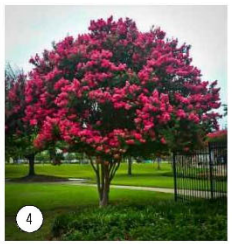
Figure 8: Schematic Wall and Fence Plan

Source: *studio PAD Landscape Architecture*



LEGEND

1. Central community open space area with colored concrete, shade structure, BBQ island, tables and chairs seating for small social events and group gatherings.
2. Three community cluster mailboxes, per USPS review and approval.
3. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
4. Proposed tree, per Planting Plan.
5. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
6. 4' wide pedestrian walk intersection node, in colored concrete (light topcast finish).
7. 4' wide DG path for fire access only.
8. Accessible parking stall and striping, per Civil plans.
9. Guest parking stall.
10. Natural colored concrete driveway, with light broom finish and tooled joints.
11. Private patio, HOA maintained.
12. Common area landscape, builder installed and HOA maintained.
13. Property line.
14. Public street R.O.W.
15. Proposed public street sidewalk, per Civil plans.
16. Transformer to be screened with landscape, quantity and final locations to be determined.
17. Proposed bioswale per Civil's plan.
18. Main entry vehicular & pedestrian gates with enhanced paving, vehicular gates to automatically open as vehicle approach gate.
19. Real turf areas with courtyards for passive use.
20. Short-term bike rack parking. (5 bike racks, accommodating 10 bike spaces).
21. A/C condensers to be screened with 15 gallon evergreen hedges.
22. Second vehicular entry slide gate.
23. Community dog bag station (black in color), for pet owners.
24. 2' overhang in the lieu of wheel stops for planter.



*Conceptual images (provided herein are conceptual and subject to change)

Schematic Landscape Plan

The Olson Company

Not to Scale

Figure 9: Landscape Plan

Source: *studio PAD Landscape Architecture*

3 PROJECT SUMMARY AND ENVIRONMENTAL DETERMINATION

ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
ENVIRONMENTAL ASSESSMENT NO. 2021-003

PROJECT TITLE:	Olson Townhomes on Talbert Ave Planning App No. 2021-0084
CONCURRENT ENTITLEMENTS:	GENERAL PLAN AMENDMENT NO. 21-002: To amend the General Plan designation from RL (Residential Low Density) to RM (Residential Medium Density) ZONING MAP AMENDMENT NO. 21-001: To amend the zoning designation from Low Density Residential to Medium High Density Residential. TENTATIVE TRACT MAP NO. 19157: To subdivide approximately 2.1 acres for condominium purposes. CONDITIONAL USE PERMIT NO. 21-004: To develop 34 attached two- and three-story townhomes up to 35 ft. tall in the RM Zone, and to allow for an up to 8-foot-high retaining wall topped with a 6-foot-high block wall along the west property line. The CUP is required for a proposed use of 10+ units in the RL or RM zone in accordance with the City's Code 210.04.
LEAD AGENCY:	City of Huntington Beach Community Development Department 2000 Main Street Huntington Beach, California 92648
CONTACT:	Ricky Ramos, Principal Planner rramos@surfcity-hb.org (714) 536-5624
PROJECT LOCATION:	Northwest Corner of Talbert Ave and Newland Street Net Acres: 2.1 Site Address: 8371-8461 Talbert Ave Topographic Quad (USGS): *Newport Beach* Topographic Quad Coordinates: T5 South, R11 West, Section 25 Latitude: 33.701530°, Longitude: -117.980875° APN: 167-531-23 and -24

PROJECT PROPONENT: Olson Urban Housing, LLC
3010 Old Ranch Parkway, Suite 100
Seal Beach, CA 90740

CONTACT: Ben R. Johnson, Director of Development
Community Development
The Olson Company
bjohnson@theolsonco.com
(562) 370-2203

GENERAL PLAN DESIGNATION: Low Density Residential

ZONING DESIGNATION: (RL) Low Density Residential

PROJECT DESCRIPTION: The Proposed Project would redevelop two parcels at the northwest corner of Talbert Ave and Newland Street with a 34-unit, attached townhome complex, ranging from two to three stories, up to 35 feet tall. All units would range from 1,258 square feet to 1,846 square feet and feature attached, two car garages. The existing four structures on two parcels would be demolished. Further, the Applicant is including a 5 percent density bonus by dedicating three of the 34 units for moderate-income sale, and Applicant payment of a 2/10th in-lieu fee. Other entitlements include a General Plan Amendment and Zone Map Amendment, Tentative Tract Map and a Conditional Use Permit. A detailed Project Description is provided in Section 2.

SURROUNDING LAND USES: Surrounding land uses are primarily single family residential to the north, south and east and a church to the west. The Project is bounded by Newland Street to the east and Talbert Ave to the south. The Project Site currently contains four single-family residences.

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (i.e., permits, financing approval, or participating agreement):

- South Coast Air Quality Management District (SCAQMD): Permits as needed for construction
- State Water Resources Control Board – approval of a General Industrial Activities Storm Water Permit and the General Construction Activity Storm Water Permit for construction activity over 1 acre.

HAVE CALIFORNIA NATIVE AMERICAN TRIBES TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE PROJECT AREA REQUESTED CONSULTATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.3.1? IF SO, IS THERE A PLAN FOR CONSULTATION THAT INCLUDES, FOR EXAMPLE, THE DETERMINATION OF SIGNIFICANCE OF IMPACTS TO TRIBAL CULTURAL RESOURCES, PROCEDURES REGARDING CONFIDENTIALITY, ETC.?

On July 2, 2021, the City of Huntington Beach sent letters pursuant to the requirements of both AB 52 and SB 18 to 17 tribes. Section 4.18 details the AB 52 and SB 18 process. Of the 17 tribes, two responded and requested tribal monitoring during grading.

Mitigation measures in response to the consultation requests have been incorporated, as appropriate, into the Tribal Cultural Resources section of the Initial Study.

3.1 Environmental Factors Potentially Affected

Based on the analysis in Section 4, the environmental factors checked below would be potentially affected by the Proposed Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. None of the environmental factors were checked because the Proposed Project would not result in any potential significant impacts after the implementation of the recommended mitigation measures.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology and Soils		Greenhouse Gas Emissions		Hazards and HazardousMaterials
	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

3.2 Determination

On the basis of this initial evaluation, the following finding is made:

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 in the Project have been made by or agreed to by the Project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.	X
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 "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.	____
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required**.	____

Saunders

Signature

3/25/2022

Date

Christine Saunders

Printed Name

Director, Environmental Services

Title

3.3 Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the Lead Agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant.
4. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." Mitigation measures are identified and explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the Program EIR or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (Section 15063[c] [3][D].
7. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section 6. Other sources used or individuals contacted have been cited in the respective discussions.
8. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

4 ENVIRONMENTAL IMPACTS

4.1 Aesthetics

Representative photos of the Project Site vicinity are provided at the end of this section. **Figure 10** - *Area Photo Map for Area Photo Gallery* provides the context in which the photos were collected.

Environmental Setting

The Project Site is situated at the northwest corner of Talbert Ave and Newland Street. The south side of Talbert Ave is lined with single-story, single family residential homes constructed in the 1950s and 1960s with wood-frame and brick materials in a traditional ranch style or minimal revival style. The single-family homes are on lots that are approximately 0.14 acre each. Hardscape along the south side of Talbert includes a sidewalk, curb and gutter, and varying fence material such as picket wood fence and brick walls.

The Project Site on the north side of Talbert Ave contains three existing homes and one large outbuilding and is heavily vegetated. Hardscape on the north side of Talbert Ave adjacent to the Project Site includes sidewalk, curb and gutter and primarily wood picket fencing. The St. Vincent de Paul Catholic Church parking lot and church facilities exist adjacent to the Project Site on the west side. The eastern side of the intersection of Talbert Ave and Newland Street is within the city limits of the City of Fountain Valley. Both the southeast and northeast corners of the intersection contain two and three story, modern, stucco multiple family and single-family residential units.

The Proposed Project would involve the removal of the existing homes on the approximately 2.1-acre Project Site and construct the 34 attached townhome units, ranging from two to three stories. All units would range from 1,258 square feet to 1,846 square feet and feature attached, two car garages. Buildings correspondingly run perpendicular to Talbert Ave. Two-story units are featured for the northern-most unit of all buildings across the site. This provides a two-story buffer for the existing single-family residences backing to the shared north property line. From there, all plan types increase to three stories, thereby placing the higher intensity use nearer to Talbert Ave.

Two ingress and egress points are proposed, and both would be gated. One entrance would be on the western end of the property off of Talbert Ave (south side of the property), but the primary ingress/egress is designated off of Newland Street (east side of property).

The Proposed Project is designed in a Santa Barbara style with strong eave cornice details (at enhanced locations), gable-end faces and simple shed roofs with low profile Spanish roof tiles, as shown in Figures 5 through 7. The style exhibits faux gable-end vent recesses, sculpted stucco sill trim, decorative trim with ceramic tile inserts, and smooth stucco surrounds at featured front doors or windows. Other details that the style brings are stucco battered wing-walls, arched openings at porches, deck openings with corbel details and corbel adorned details at cantilevers. Metal railing with accented scrolls, bay windows, Stucco Spanish hood entry awnings and exposed truss tails at low porches further expresses the style.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In nonurbanized 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?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

a) Have a substantial adverse effect on a scenic vista?

No Impact: The CEQA Guidelines do not provide a definition of what constitutes a "scenic vista" or "scenic resource" or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings.

A scenic vista is generally identified as a public vantage viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.

The Project area is a very urbanized residential area of the City. The Project Site is not a scenic vista nor are there designated scenic vistas in the vicinity where the Project would interrupt the views from any scenic vista. Therefore, no impacts associated with a scenic vista would occur, and no mitigation would be required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact: The Project Site is not located within a state scenic highway and is not visible from any Officially Designated State Scenic Highway. Caltrans identifies that the only officially designated State Scenic Highway is SR-91 from Route 55 to east of the City of Anaheim, which is nearly 13 miles to the north of the Project Site. Pacific Coast Highway (PCH, Route 1) between I-5, south of San Juan Capistrano, to Route 19 near Long Beach, is eligible for State listing, however, the Project Site is nearly 3 miles to the north of PCH in the section that traverses Huntington Beach.

The City's General Plan (City, 2017) identifies that Beach Blvd, which is approximately 0.45 mile to the west of the Project Site, is classified as a City Major Urban Scenic Corridor, which offers views of either natural or built environments. Major urban scenic corridors are prominent, signature boulevards conveying arrival and identity, and in many cases, connect with adjacent cities. Views of the Project Site from PCH and Beach Blvd are completely obstructed by distance and intervening topography and the urban built environment. Therefore, no impacts associated with scenic resources within a state scenic highway would occur, and no mitigation would be required.

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

Less than Significant Impact: The Project Site is located within an urbanized residential area that is zoned RL Residential Low Density with up to seven units per acre. While the surrounding residential areas generally conform to this zoning, currently, the Project Site does not. The approximately 2.1-acre Project Site contains three residential structures and several outbuildings. Therefore, the Project Site is less dense than the surrounding area.

The Proposed Project includes a request for a zone change from Residential Low Density (RL) to Medium Density (RM) Density to allow for the higher density of 34 units. The Proposed Project includes a request for a CUP to develop the 34 attached, two-story and three-story townhomes up to 35 feet tall and to allow for an up to 8-foot-high retaining wall topped with a 6-foot-high block wall along the west property line. Project approval would result in the Proposed Project's consistency with applicable zoning regulations.

There are no mitigation measures for aesthetics included in the City's General Plan relative to residential development. Therefore, potential impacts associated with scenic quality would be less than significant, and no mitigation would be required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. The Project Site is within an urbanized residential area where there is lighting from passing vehicles along Talbert Ave and Newland Street and lighting from residential uses. The Proposed Project would utilize standard building lighting which follows the City's Municipal Code to ensure that all lighting, including security lighting, is directed downwards to reduce spillage off site. Therefore, potential impacts associated with light and glare would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Aesthetics apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Aesthetics would be less than significant, and no mitigation would be required.

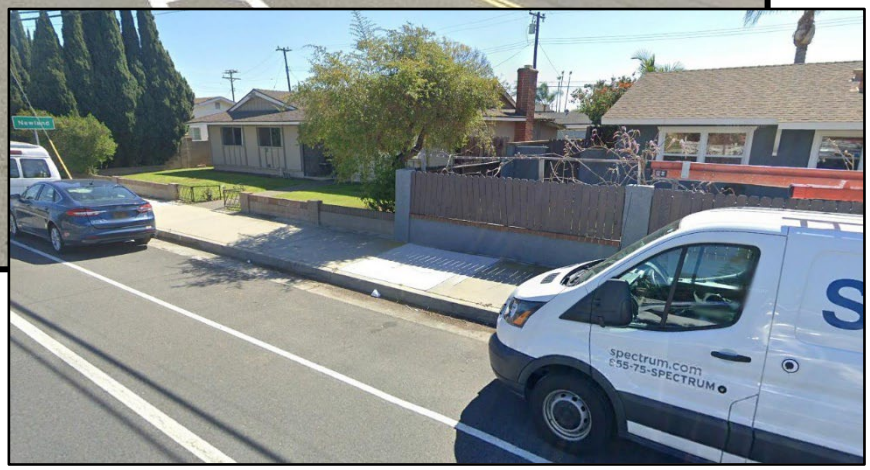
Not to Scale

Figure 10: Area Photo Map for Area Photo Gallery

Source: Google Maps

Photo 1 – On Talbert Ave looking east. Project Site is on left side of photo.

1a. Typical Project site density, north side of Talbert Ave



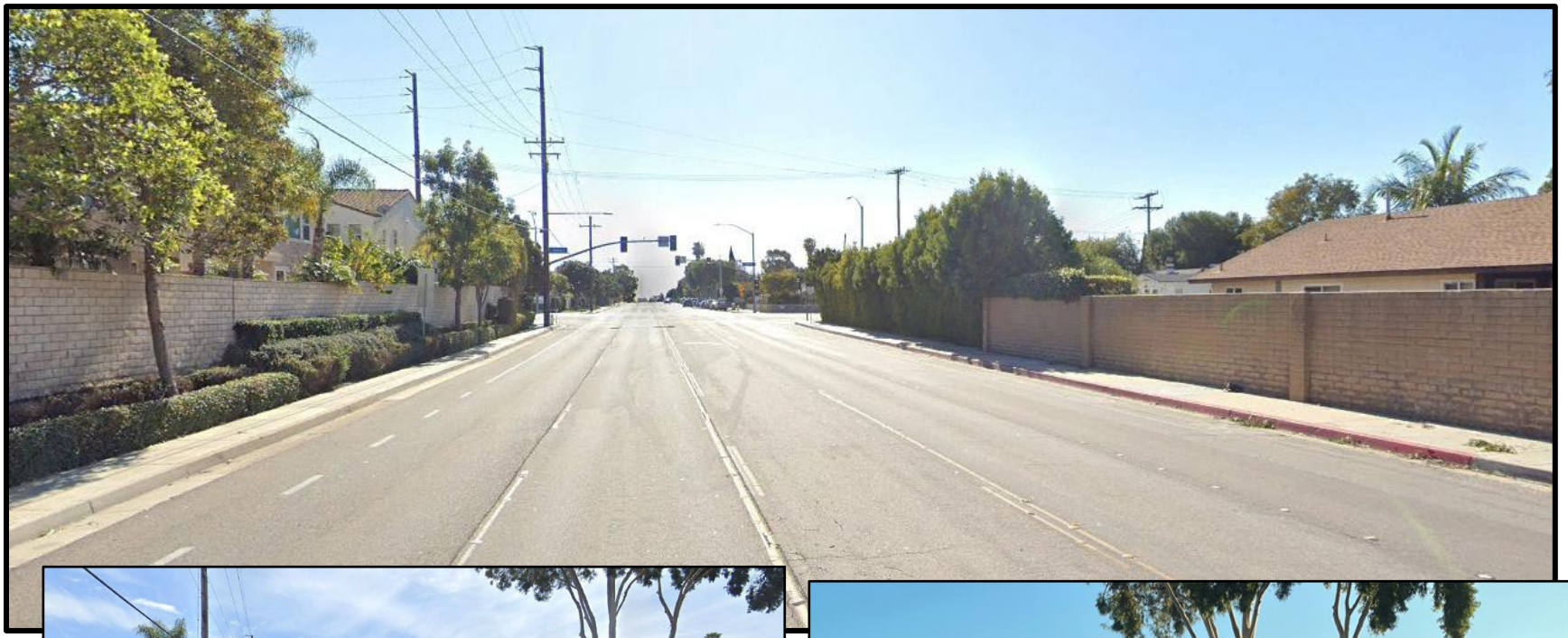
1b. Typical density of single-family residences south side of Talbert Ave.

Photo 2: On Talbert Ave (in Fountain Valley side) near Intersection with Newland Street looking west

2a. Typical multi-story residential on north and south side of Talbert Ave, on the east side of the intersection with Newland Street in Fountain Valley; single-story residential on Talbert Ave, west of Newland in Huntington Beach. Project Site is on north side of street, west of the intersection in Huntington Beach.

2b. Typical multi-story residential on Talbert Ave, just east of the intersection with Newland Street, Fountain Valley.

Photo 3: Newland Street looking south. Project Site is on right side of photo; Project's Newland Street entrance would be just past block wall on right side of photo.



3a. Typical single story residential north of Project site, west side of Newland Street at Jalm Drive (Huntington Beach side of Newland Street) and multi-story residential on east side of Newland Street (Fountain Valley).

Photo 4: Newland Street looking north, just south of intersection with Talbert Ave.

4.2 Agriculture and Forestry Resources

Environmental Setting

In 1918, the existing residence on the Project Site known as 8461 Talbert Avenue served as the farmhouse for a small working farm in the vicinity (**Appendix D-1** - *Historical Resource Analysis Report, 8371, 8421, 8461 Talbert Avenue, Huntington Beach, CA 92647*, November 2021). The surrounding Talbert townsite was a small farming community characterized primarily by cultivated farmland. Through the 1950s, the surrounding area remained largely agricultural in character. By the early 1960s, new residential development had begun to encroach on the fields surrounding 8461 Talbert Avenue.

The parcel occupied by 8461 Talbert Avenue was annexed to the City of Huntington Beach as part of Newland #5 on September 29, 1971. By that time, the surrounding area was primarily characterized by vast tracts of single-family residences, as arable land increasingly gave way to new residential development.

According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project Site is currently identified as Urban and Built-Up Land, which has no agricultural value. There is no active farming on the property.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?				X

Discussion

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

No Impact: According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project Site is identified as Urban and Built-Up Land with no agricultural value. No impacts would occur, and no mitigation would be required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact: The Project Site is not subject to of any Williamson Act contracts. No impacts would occur, and no mitigation would be required.

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))?

No Impact: No part of the Project Site or its surroundings are designated as timberland. No impacts would occur, and no mitigation would be required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact: There is no designated forest land on the Project Site, and the Proposed Project would not affect forests during construction or operations. Therefore, no impacts associated with forest land would occur, and no mitigation would be required.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?

No Impact. The FMMP map indicates the approximately the Project Site is identified as Urban and Built-Up Land with no agricultural value. No impacts would occur, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Agriculture and Forestry Services apply to the Proposed Project.

Conclusion

There would be no impacts of the Proposed Project associated with Agriculture and Forestry Services and no mitigation would be required.

4.3 Air Quality

An Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis was completed to determine potential impacts to air quality associated with the development of the Proposed Project (**Appendix B** – *Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, Newland and Talbert Residential Project*, January 24, 2022). The results of the analysis are based on CalEEMod version 2020.4.0.

Regulatory Setting

Air pollutants are regulated at the national, state, and air basin level; each agency has a different level of regulatory responsibility. The United States Environmental Protection Agency (EPA) regulates at the national level under the Clean Air Act of 1970. The California Air Resources Board (CARB) regulates at the state level. The South Coast Air Quality Management District (SCAQMD) regulates at the air basin level.

There are six common air pollutants, called criteria pollutants, which were identified from the provisions of the Clean Air Act of 1970.

- Ozone
- Nitrogen Dioxide (NO_2)
- Lead
- Particulate Matter (PM10 and PM2.5)
- Carbon Monoxide (CO)
- Sulfur Dioxide (SO_2)

Other pollutants of concern include asbestos which is listed as a toxic air contaminant (TAC) by CARB and as a Hazardous Air Pollutants (HAP) by the EPA. Asbestos occurs naturally in mineral formations and crushing or breaking these rocks, through construction or other means, can release asbestiform fibers into the air. Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining. The risk of disease is dependent upon the intensity and duration of exposure. When inhaled, asbestos fibers may remain in the lungs and with time may be linked to such diseases as asbestosis, lung cancer, and mesothelioma. The nearest likely locations of naturally occurring asbestos, as identified in the *General Location Guide for Ultramafic Rocks in California*, prepared by the California Division of Mines and Geology, is located in Santa Barbara County. The nearest historic asbestos mine to the Project Site, as identified in the *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California,* prepared by U.S. Geological Survey, is located at Asbestos Mountain, which is approximately 80 miles east of the Project Site in the San Jacinto Mountains. Due to the distance to the nearest natural occurrences of asbestos, the Project Site is not likely to contain asbestos.

The US environmental Protection Agency (EPA) and the California Air Resources Board (CARB) designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or

inconclusive data to make a definitive attainment designation, they are considered "unclassified." National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

The Project Site is located in the City of Huntington Beach, which is part of the South Coast Air Basin (SCAB) that includes all of Orange County as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The SCAQMD's 2016 Air Quality Management Plan (AQMP) assesses the attainment status of the SCAB including the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The SCAQMD updates the AQMP every three years. Each iteration of the 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.

The SCAQMD's 2016 Air Quality Management Plan (AQMP) assesses the attainment status of the SCAB. The SCAQMD updates the AQMP every three years. Each iteration of the 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.

The SCAB has been designated by EPA for the national standards as a non-attainment area for ozone and PM2.5 and partial non-attainment for lead. Currently, the Air Basin is in attainment with the national ambient air quality standards for CO, PM10, SO_2, and NO_2.

Environmental Setting

The SCAB is located on a coastal plain with connecting broad valleys and low hills to the east. Regionally, the South Coast Air Basin is bounded by the Pacific Ocean to the southwest and high mountains to the east forming the inland perimeter.

Dominant airflows provide the driving mechanism for transport and dispersion of air pollution. The mountains surrounding the region form natural horizontal barriers to the dispersion of air contaminants. Air pollution created in the coastal areas and around the Los Angeles area is transported inland until it reaches the mountains where the combination of mountains and inversion layers generally prevent further dispersion. This poor ventilation results in a gradual degradation of air quality from the coastal areas to inland areas.

August is typically the warmest month and December is typically the coolest month. Rainfall in the project area varies considerably in both time and space. Almost all the annual rainfall comes from the fringes of mid-latitude storms from late November to early April, with summers being almost completely dry (Table D in Appendix B).

Local Air Quality

The SCAQMD has divided the South Coast Air Basin into 38 air-monitoring areas with a designated ambient air monitoring station representative of each area. The Project Site is located in Air Monitoring Area 18, which covers north coastal Orange County. The nearest air monitoring station to the Project Site is the Anaheim-Pampas Lane Monitoring Station (Anaheim Station), which is located approximately 9 miles north of the Project Site at 1630 Pampas Lane, Anaheim.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X	

Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact: The Proposed Project would not conflict with or obstruct implementation of the SCAQMD Air Quality Management Plan (AQMP).

SCAQMD Air Quality Management Plan

The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a Proposed Project and applicable General Plans and regional plans (CEQA Guidelines Section 15125). The regional plan that applies to the Proposed Project includes the SCAQMD AQMP. This section discusses any potential inconsistencies of the Proposed Project with the AQMP. If the decision-makers determine that the Proposed Project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that "New or amended GP Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required.

A Proposed Project would be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

(1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

(2) Whether the project will exceed the forecasted growth assumptions incorporated within the AQMP or increments based on the year of project buildout and phase.

Criterion 1 - Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in Appendix B, neither short-term construction impacts, nor long-term operations will result in significant impacts based on the SCAQMD regional and local thresholds of significance.

Therefore, the Proposed Project is not projected to contribute to the exceedance of any air pollutant concentration standards and is found to be consistent with the AQMP for Criterion 1.

Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the Proposed Project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the Proposed Project are based on the same forecasts as the AQMP. The 2016- 2040 Regional Transportation/Sustainable Communities Strategy, prepared by SCAG, 2016, includes chapters on: the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For the Proposed Project, the City of Huntington Beach General Plan's Land Use Plan Land Use Plan defines the assumptions that are represented in AQMP.

The Project Site is currently designated as Residential Low Density (RL) in the General Plan Land Use Plan and is zoned Residential Low Density (RL), which allows for up to 7 dwelling units per acre. The Proposed Project consists of the development of 34 townhomes on approximately 2.1 net acres, which would result in a density of 16.4 dwelling units per acre. The Applicant is requesting a General Plan Amendment and Zoning Amendment to redesignate and rezone the Project Site to Residential Medium Density (RM), which allows for a maximum of 15 dwelling units per acre. In addition, the Applicant is including a density bonus for providing three units (10 percent of the total units) as moderate-income affordable units, as afforded by Senate Bill1818 (State Density Bonus Law) and in compliance with Section 230.26 of the Huntington Beach Zoning Code. Upon approval of the General Plan Amendment and Zoning Amendment, the Proposed Project would be consistent with the applicable Land Use Plan for the Project Site.

Although the Proposed Project is currently inconsistent with the General Plan land use designation and zoning for the Project Site, the Proposed Project is proximate to the existing OCTA Talbert-Newland Bus Stop located 150 feet east of the Project Site. In addition, the proximity to the nearby church and shopping center, which includes restaurants and a Walmart,

promotes a walkable community and would be in substantial compliance with the City's Land Use Element goals and policies. Therefore, the Proposed Project would not result in an inconsistency with the current land use designations with respect to the regional forecasts utilized by the AQMPs. The Proposed Project would not exceed the AQMP assumptions for the Project Site and is found to be consistent with the AQMP for the second criterion.

Therefore, potential impacts associated with an inconsistency with the SCAQMD AQMP would be less than significant, and no mitigation would be required.

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?

Less Than Significant Impact: The Project Site is in the SCAB, which is designated as a non-attainment area for PM10 under state standards, and for ozone and PM2.5 under both state and federal standards (Appendix B). The SCAQMD also has developed regulatory standards for criteria pollutants that are considered pre-cursers to Ozone, PM10 and PM2.5 production. These include carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2).

Project emissions were estimated in Appendix B using the latest California Emissions Estimator Model (CalEEMod) version 2020.4.0 computer program. CalEEMod is designed to model construction and operational emissions for land development projects and allows for the input of project- and County-specific information. The CalEEMod inputs for construction emissions were based on the Project's construction assumptions and default assumptions derived from CalEEMod.

Construction Emissions

The construction activities for the Proposed Project were modeled as starting in December 2022 and would be completed by December 2023, for a total duration of 12 months. Construction activities would include grading of the 2.1-acre Project Site, with little to no export of fill, building construction of the proposed 34-unit complex, which includes paving of the parking areas and driveways, and application of architectural coatings. The construction emissions are analyzed for both regional and local air quality impacts.

Short-Term Construction Related Regional Impacts

The CalEEMod model utilized to calculate the construction-related regional emissions from the Proposed Project and the input parameters utilized in this analysis are detailed in Appendix B. The worst-case summer or winter daily construction-related criteria pollutant emissions from the Proposed Project for each phase of construction activities are shown in **Table 2** - *Construction-Related Regional Pollutant Emissions* and the CalEEMod daily printouts are in Appendix B. Since it is possible that building construction, paving, and architectural coating activities may occur concurrently towards the end of the building construction phase, Table 2 also shows the combined regional criteria pollutant emissions from building construction, paving and architectural coating phases of construction.

Table 2 – Construction-Related Regional Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO_2	PM10	PM2.5
Demolition[1]						
Onsite[2]	1.69	16.62	13.96	0.02	1.18	0.83
Offsite[3]	0.07	0.96	0.70	<0.00	0.26	0.08
Subtotal	**1.76**	**17.59**	**14.66**	**0.03**	**1.44**	**0.91**
Site Preparation[1]						
Onsite[2]	1.30	14.28	9.78	0.02	1.16	0.57
Offsite[3]	0.03	0.24	0.33	<0.00	0.13	0.04
Subtotal	**1.33**	**14.52**	**10.11**	**0.03**	**1.29**	**0.60**
Grading[1]						
Onsite	1.33	14.47	8.70	0.02	3.37	1.89
Offsite	0.04	0.24	0.39	<0.00	0.15	0.04
Subtotal	**1.37**	**14.71**	**9.10**	**0.02**	**3.52**	**1.93**
Combined Building Construction, Paving, and Architectural Coatings						
Onsite	46.19	23.54	27.71	0.04	1.12	1.06
Offsite	0.19	0.41	1.92	0.01	0.71	0.19
Subtotal	**46.38**	**23.94**	**29.63**	**0.05**	**1.83**	**1.25**
Maximum Daily Construction Emissions	**46.38**	**29.94**	**29.63**	**0.05**	**3.52**	**1.93**
SCQAMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1 Demolition, Site Preparation and Grading based on adherence to fugitive dust suppression requirements from SCAQMD Rule 403.
2 Onsite emissions from equipment not operated on public roads.
3 Offsite emissions from vehicles operating on public roads.
Source: CalEEMod Version 2020.4.0.

Table 2 shows the combined building construction, paving and architectural coatings activities for the Proposed Project would not exceed the SCAQMD's regional significance threshold for emissions. The analyzed emissions of ROG, NO_x, CO, SO_x, PM10, and PM2.5 would be within the SCAQMD regional significance thresholds for all phases of construction. Therefore, potential impacts associated with regional air quality would be less than significant, and no mitigation would be required.

Operational Emissions

The on-going operation of the Proposed Project would result in a long-term increase in air quality emissions. This increase would be due to emissions from project-generated vehicle trips, and through operational emissions from the on-going use of the Proposed Project. The following section provides an analysis of potential long-term air quality impacts due to regional air quality and local air quality impacts with the on-going operations of the Proposed Project.

Operations Related Regional Criteria Pollutant Analysis

The operations-related regional criteria air quality impacts created by the Proposed Project were analyzed through use of the CalEEMod model and the input parameters utilized in Appendix B. The operations daily emissions are based on the year 2023, which is the anticipated opening year for the Proposed Project. The worst-case summer or winter VOC, NO_x, CO, SO¬2, PM10, and PM2.5 daily emissions created from the Proposed Project's long-term operations were calculated

and are summarized in **Table 3** - *Operational Regional Criteria Pollutant Emissions* and the CalEEMod daily emissions printouts are shown in Appendix B.

Table 3 - Operational Regional Criteria Pollutant Emissions

	Pollutant Emissions (pounds/day)					
Activity	**VOC**	**NOx**	**CO**	**SO_2**	**PM10**	**PM2.5**
Area Sources[1]	1.56	0.05	2.81	<0.00	0.02	0.02
Energy Usage[2]	0.02	0.14	0.06	<0.00	0.01	0.01
Mobile Sources[3]	0.65	0.65	6.01	0.01	1.50	0.41
Total Emissions	**2.23**	**0.84**	**8.88**	**0.01**	**1.53**	**0.43**
SCQAMD Operational Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1 Area sources consist of emissions from consumer products, architectural coatings, hearths, and landscaping equipment.
2 Energy usage consist of emissions from natural gas usage.
3 Mobile sources consist of emissions from vehicles and road dust.
Source: Calculated from CalEEMod Version 2020.4.0.

Table 3 shows that none of the analyzed criteria pollutants created from operation of the Proposed Project would exceed SCAQMD's regional emissions thresholds. Table 3 shows that the primary source of operational air emissions would be created from mobile source emissions that would be generated throughout the Air Basin. Any adverse health impacts created from the Proposed Project should be assessed on a basin-wide level. The SCAB has been designated by EPA for the national standards as a non-attainment area for ozone, PM2.5, and partial non-attainment for lead. In addition, PM10 is designated by the State as non-attainment. VOC and NO_x are ozone precursors and have been considered as non-attainment pollutants. Construction and operation of cumulative projects would further degrade the local air quality, as well as the air quality of the South Coast Air Basin. The greatest cumulative impact on the quality of regional air cell would be the incremental addition of pollutants mainly from increased traffic volumes from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these types of projects. Air quality would be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology, projects that do not exceed the SCAQMD criteria, or can be mitigated to less than criteria levels, are not significant and do not add to the overall cumulative impact. A significant impact may occur if a project would add a cumulatively considerable contribution of a federal or state non-attainment pollutant.

Project operations would generate emissions of NOx, ROG, CO, PM10, and PM2.5, which, would not exceed the SCAQMD regional or local thresholds (Table 3) and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Since the Proposed Project would not introduce any substantial stationary sources of emissions, CO is the benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. No violations of the state and federal CO standards are projected to occur, based on the magnitude of traffic the Proposed Project is anticipated to generate. Operation of the Proposed Project would not result in a cumulatively considerable net increase for nonattainment of criteria pollutants or ozone precursors. Therefore, potential impacts associated with regional air quality would be less than significant and no mitigation would be required.

The Proposed Project would not 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. Therefore, potential impacts associated with cumulatively considerable net increase of any criteria pollutant would be less than significant, and no mitigation would be required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact: A sensitive receptor is defined by SCAQMD as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers and health facilities such as hospitals or retirement and nursing homes. Also included are long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

The nearest sensitive receptors to the Project Site are the single-family homes that are located as near as 12 feet north of the Project Site; in addition, the nearest church structure is located as near as 60 feet west of the Project Site.

Project-related construction and operational air emissions may have the potential to exceed the State and Federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the SCAB. In order to assess local air quality impacts the SCAQMD has developed Localized Significant Thresholds (LSTs) to assess the Project-related air emissions in the Project vicinity. The SCAQMD has also provided Final Localized Significant Threshold Methodology (LST Methodology), June 2003, which details the methodology to analyze local air emission impacts. The Localized Significant Threshold Methodology found that the primary emissions of concern are NO_2, CO, PM10, and PM2.5.

The analysis in Appendix B evaluated the Proposed Project's localized impact to air quality for emissions of CO, NOX, PM10, and PM2.5 by comparing the Proposed Project's onsite emissions to the SCAQMD's applicable LST thresholds. As evaluated in this analysis, the Proposed Project would not result in emissions that exceeded the SCAQMD's LSTs.

Construction Emissions

Table 4 - *Construction-Related Local Criteria Pollutant Emissions* shows the onsite emissions from the CalEEMod model for the different construction phases and the calculated localized emissions thresholds. Since it is possible that building construction, paving, and architectural coating activities may occur concurrently towards the end of the building construction phase, Table 4 also shows the combined local criteria pollutant emissions from year building construction, paving and architectural coating phases of construction.

Table 4 - Construction-Related Local Criteria Pollutant Emissions

Construction Phase	Pollutant Emissions (pounds/day)[1]			
	NOx	**CO**	**PM10**	**PM2.5**
Demolition[2]	16.74	14.05	1.21	0.84
Site Preparation[2]	14.31	9.82	1.18	0.57
Grading[2]	14.50	8.75	3.38	1.90
Combined Building Construction, Paving and Architectural Coatings	23.59	27.95	1.21	1.08
Maximum Daily Construction Emissions	**23.59**	**27.95**	**3.38**	**1.90**
SCAQMD Local Construction Thresholds[3]	**131**	**962**	**7**	**5**
Exceeds Threshold?	No	No	No	No

Notes:
[1] The Pollutant Emissions include 100% of the On-Site emissions (off-road equipment and fugitive dust) and 1/8 of the Off-Site emissions (on road trucks and worker vehicles), in order to account for the on-road emissions that occur within a ¼ mile of the Project Site.
[2] Demolition, Site Preparation and Grading phases based on adherence to fugitive dust suppression requirements from SCAQMD Rule 403.
[3] The nearest offsite sensitive are single-family homes as near as 12 feet to the north of the Project Site. According to SCAQMD methodology, all receptors closer than 25 meters are based on the 25-meter threshold.
Source: Calculated from SCAQMD's Mass Rate Look-up Tables for two acres in Air Monitoring Area 18, North Coastal Orange County.

The data provided in Table 4 and in Appendix B shows that none of the analyzed criteria pollutants would exceed the local emissions thresholds at the nearest sensitive receptors. Therefore, potential local air quality impacts from construction would be less than significant, and no mitigation would be required.

Operational Emissions

The on-going operation of the Proposed Project would result in a long-term increase in air quality emissions. This increase would be due to emissions from the project-generated vehicle trips, emissions from energy usage, onsite area source emissions, and off-road equipment created from the on-going use of the Proposed Project.

The operations-related regional criteria air quality impacts created by the Proposed Project have been analyzed through use of the CalEEMod model and the input parameters utilized in this analysis have been detailed in Appendix B. The worst-case summer or winter VOC, NOx, CO, SO_2, PM10, and PM2.5 daily emissions created from the Proposed Project's long-term operations as detailed in Appendix B are summarized in **Table 5** - *Operations-Related Local Criteria Pollutant Emissions*.

Table 5 - Operations-Related Local Criteria Pollutant Emissions

Onsite Emission Source	Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Area Sources	0.05	2.81	0.02	0.02
Energy Usage	0.14	0.06	0.01	0.01
Mobile Sources[1]	0.02	0.15	0.04	0.01
Total Emissions	**0.21**	**3.02**	**0.06**	**0.04**
SCAQMD Local Operational Thresholds[2]	**131**	**962**	**2**	**2**
Exceeds Threshold?	No	No	No	No

Notes:
[1] Mobile sources based on 1/8 of the gross vehicular emissions, which is the estimated portion of vehicle emissions occurring within a quarter mile of the Project Site.
[2] The nearest offsite sensitive are single-family homes as near as 12 feet to the north of the Project Site. According to SCAQMD methodology, all receptors closer than 25 meters are based on the 25-meter threshold.
Source: Calculated from SCAQMD's Mass Rate Look-up Tables for two acres in Air Monitoring Area 18, North Coastal Orange County.

Table 5 indicates that the local operational emission would not exceed the LST thresholds at the nearest sensitive receptors, located adjacent to the Project. Therefore, potential impacts associated with localized operational emissions would be less than significant, and no mitigation would be required.

Toxic Air Contaminants (TAC) Impacts from Construction

Construction activities associated with the Proposed Project are anticipated to generate TAC emissions from diesel particulate matter (DPM) associated with the operation of trucks and off-road equipment and from possible asbestos in the structures to be demolished.

Diesel Particulate Matter Emissions

The greatest potential for toxic air contaminant emissions would be related to DPM emissions associated with heavy equipment operations during construction of the Proposed Project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime would contract cancer, based on the use of standard risk-assessment methodology. It should be noted that the most current cancer risk assessment methodology recommends analyzing a 30-year exposure period for the nearby sensitive receptors (OEHHA, 2015).

Given the relatively limited number of heavy-duty construction equipment, the varying distances that construction equipment would operate to the nearby sensitive receptors, and the short-term construction schedule, the Proposed Project would not result in a long-term (i.e., 30 or 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. In addition, California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 regulates emissions from off-road diesel equipment in California. This regulation limits idling of equipment to no more than five minutes, requires equipment operators to label each piece of equipment and provide annual reports to CARB of their fleet's usage and emissions. This regulation also requires systematic upgrading of the emission Tier level of each fleet, and currently no commercial operator is allowed to purchase Tier 0 or Tier 1 equipment and by

January 2023 no commercial operator is allowed to purchase Tier 2 equipment. In addition to the purchase restrictions, equipment operators need to meet fleet average emissions targets that become more stringent each year between years 2014 and 2023.

As of January 2019, 25 percent or more of all contractors' equipment fleets must be Tier 2 or higher. Therefore, potential impacts associated with short-term toxic air contaminants from DPM emissions during construction would be less than significant, and no mitigation would be required.

Asbestos Emissions

It is possible that the existing onsite structures to be demolished contains asbestos. According to SCAQMD Rule 1403 requirements, prior to the start of demolition activities, the existing structures located onsite shall be thoroughly surveyed for the presence of asbestos by a person that is certified by Cal/OSHA for asbestos surveys. Rule 1403 requires that the SCAQMD be notified a minimum of 10 days before any demolition activities begin with specific details of all asbestos to be removed, start and completion dates of demolition, work practices and engineering controls to be used to contain the asbestos emissions, estimates on the amount of asbestos to be removed, the name of the waste disposal site where the asbestos would be taken, and names and addresses of all contractors and transporters that would be involved in the asbestos removal process. Therefore, potential impacts associated with significant exposure of sensitive receptors to substantial pollutant concentrations during construction would be less than significant, and no mitigation would be required.

<u>Operations-Related Sensitive Receptor Impacts</u>

The on-going operations of the Proposed Project may expose sensitive receptors to substantial pollutant concentrations of local CO emission impacts from the Project-generated vehicular trips and from the potential local air quality impacts from onsite operations. The following analyzes the vehicular CO emissions. Local criteria pollutant impacts from onsite operations, and toxic air contaminant impacts.

Local CO Hotspot Impacts from Project-Generated Vehicle Trips

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential impacts to sensitive receptors. The analysis provided in Appendix B shows that no local CO Hotspots are anticipated to be created at any nearby intersections from the vehicle traffic generated by the Proposed Project. Therefore, potential impacts associated with exposure of offsite sensitive receptors to substantial pollutant concentrations would be less than significant, and no mitigation would be required.

Local Criteria Pollutant Impacts from Onsite Operations

The local air quality impacts from the operation of the Proposed Project would occur from onsite sources such as architectural coatings, landscaping equipment, and onsite usage of natural gas appliances. The analysis provided in Appendix B and Table 5 found that the operation of the

Proposed Project would not exceed the local NOx, CO, PM10 and PM2.5 thresholds of significance. Therefore, potential impacts associated with local air quality due to on-site emissions from operation would be less than significant, and no mitigation would be required.

Operations-Related Toxic Air Contaminant Impacts

Particulate matter from diesel exhaust is the predominant TAC in most areas and according to *The California Almanac of Emissions and Air Quality 2013 Edition*, prepared by CARB, about 80 percent of the outdoor TAC cancer risk is from diesel exhaust. Some chemicals in diesel exhaust, such as benzene and formaldehyde have been listed as carcinogens by State Proposition 65 and the Federal Hazardous Air Pollutants program. Due to the nominal number of diesel truck trips that are anticipated to be generated by the on-going operation of the proposed residential Project, a less than significant TAC impact would occur during the on-going operations of the Proposed Project and no mitigation would be required.

Therefore, potential impacts associated with exposing sensitive receptors to substantial pollutant concentrations from operation would be less than significant, and no mitigation would be required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact: The SCAQMD recommends that odor impacts be addressed in a qualitative manner. Such an analysis shall determine whether the Project would result in excessive nuisance odors, as defined under the California Code of Regulations and Section 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality.

Potential sources that may emit odors during construction activities include the application of coatings such as asphalt pavement, paints and solvents and from emissions from diesel equipment. Standard construction requirements that limit the time of day when construction may occur as well as SCAQMD Rule 1108 that limits VOC content in asphalt and Rule 1113 that limits the VOC content in paints and solvents would minimize odor impacts from construction. Objectionable odors that may be produced during the construction process would be temporary and would not likely be noticeable for extended periods of time beyond the Project Site's boundaries. Through compliance with the applicable regulations that reduce odors and due to the transitory nature of construction odors, a less than significant odor impact would occur, and no mitigation would be required.

Potential sources that may emit odors during the on-going operations of the proposed residential development Project would primarily occur from the trash storage areas. Pursuant to City regulations, permanent trash enclosures that protect trash bins from rain as well as limit air circulation would be required for the trash storage areas. Due to the distance of the nearest receptors from the Project Site and through compliance with SCAQMD's Rule 402 and City trash storage regulations, no impacts related to odors would occur during the on-going operations of the Proposed Project. Therefore, potential impacts associated with other emissions, such as

those leading to odors adversely affecting a substantial number of people, would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Air Quality apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Air Quality would be less than significant, and no mitigation would be required.

4.4 Biological Resources

A General Biological Survey was completed to determine potential impacts to biological services associated with the development of the Proposed Project (**Appendix C** – *General Biological Survey for the Olson Townhome Project [APNs 167-531-24 and 167-531-23],* November 18, 2021). In addition, a tree inventory and assessment were completed to determine the potential impacts to the trees on site with the development of the Proposed Project (**Appendix C-1** – *Tree Inventory and Tree Assessment For Huntington Beach - Talbert & Newland*, November 8, 2021).

Regulatory Setting

Given the urban environment, regulations governing biological resources for the Proposed Project include the following:

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711) provides protection for nesting birds that are both residents and migrants whether they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take under federal law. The USFWS, in coordination with the California Department of Fish and Wildlife (CDFW) administers the MBTA. CDFW's authoritative nexus to MBTA is provided in California Fish and Game Code (FGC) Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

City of Huntington Beach Tree Replacement Compliance Memorandum

The City's CEQA Compliance memorandum for tree replacement requires the replacement of mature trees on lots that were developed prior to 1973 at a 2:1 ratio (City of Huntington Beach, 2005). Large stature trees would be considered mature/significant if the diameter of the trunk is at least 10 inches, and the height is at least 4 feet from the adjoining ground.

Environmental Setting

The Project Site consists of 2 acres encompassing Parcel No. 167-531-23 (8421 and 8461 Talbert Avenue) and 167-531-24 (8371 Talbert Avenue), and include three one-story single-family homes, with four single-story outbuildings, within the *Newport* U.S. Geological Survey (USGS) 7.5-minute topographical map in Section 25, Township 5 South, Range 11 West (Figure 3).

The approximately 2.1-acre Project Site currently includes three single-family detached residences in an estate lot fashion with supporting structures included detached garages and a large metal shed. Large side yards are present on the Project Site which have been actively landscaped and maintained. The Project Site is highly disturbed with non-native and ornamental vegetation. It is surrounded by residential development to the east, south, and north, and is bordered by a church and cemetery to the west.

The Project Site elevations range from approximately 40 to 50 feet (12 to 15 meters) above mean sea level (MSL). Mapped soils on the Project Site consist of sandy and silt loams including the following:

- Myford sandy loam, 2 to 9 percent slopes
- Myford sandy loam, 9 to 30 percent slopes, eroded
- Myford sandy loam, thick surface, 0 to 2 percent slopes
- Omni silt loam, drained

A total of 25 mature trees are present within the Project Site with at least 10 inches DBH and 4 feet height. However, only 23 trees are suitable for preservation due to their health and size per the arborist report (Appendix C-1).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IV. BIOLOGICAL RESOURCES: 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?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
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				X
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?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?				X

Discussion

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

Less Than Significant With Mitigation Incorporated: Based on the literature review and field survey located in Appendix C, the Project Site occurs in an urbanized area, and there are no sensitive species known to exist in the Project vicinity, nor is the Project Site mapped as within any sensitive or critical habitat for any sensitive species, as identified in Appendix C. **Table 6** - *Vegetation Communities/Land Cover* identifies vegetation/land cover mapping and acreages for each vegetation community and land cover type within the Project Site, as identified in Appendix C, to demonstrate that there is no habitat on site for any sensitive species.

Table 6 - Vegetation Communities/Land Cover Observed

Vegetation Community/Land Cover Type	Project Site (acres)
Ornamental Landscaping	0.67
Disturbed / Developed	0.77
Grass / Lawn	0.66
Total	**2.1**

However, the field survey in Appendix B identified that the existing Eucalyptus trees on site may represent suitable nesting habitat for Cooper's Hawk, which is on the CDFW Watch List. The Cooper's Hawk is known to use urban/residential and commercial areas, occupying mature trees.

The Project proposes to remove the existing 25 trees and replace them with a total of 173 trees, of which 46 would be 36-inch box trees and 24 would be 24-inch box trees, and 103 15-gallon trees (**Figure 11** – *Existing Trees to Be Removed*). A planting plan to replace the trees, including species information, is provided in **Figure 12** – *Landscape Planting Plan* at the end of this section. The tree species proposed are consistent with the existing urban environment, and the Cooper's Hawk, as well as other birds, would be able to utilize the new trees on-site.

However, the Property Owner/Developer would be required to comply with the Migratory Bird Treaty Act which prohibits take of nests during construction. **MM BIO-1** would ensure that Project-specific impacts to Cooper's Hawk would be less than significant. No other biological issues were identified with construction or operation of the Proposed Project.

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

No Impact: Based on the records search and field review in Appendix C, there are no drainages on site. There was no evidence of wetland or non-wetland jurisdictional Waters of the U.S. or Waters of the State present within the Project Site; therefore, a jurisdictional waters delineation would not be required. A terrace drain for slope stability is present on the western portion of the Project Site. The terrace drains, curbs and gutters would not be considered jurisdictional waters.

There are no other sensitive natural communities on the Project Site. Therefore, no impacts associated with riparian habitat would occur, and no mitigation would be required.

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?

No Impact: The Project Site is a 2.1-acre parcel in an urbanized area of Huntington Beach that is surrounded by residential and commercial development. The Project Site is currently occupied by residential structures. There is no existing body of water on the Project Site that would support federally protected wetlands. There are no impacts, and no mitigation would be required. Therefore, no impacts associated with federally protected wetlands would occur, and no mitigation would be required.

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?

Less Than Significant With Mitigation Incorporated. A wildlife corridor is defined as a linear landscape element which serves as a linkage between historically connected habitats/natural areas and is meant to facilitate movement between these natural areas. The City's General Plan Conservation Element also identifies those opportunities for wildlife movement are limited in areas of the City where urban development has occurred. The Project Site is located in an area that is fully urbanized and does not contain any wildlife corridors or nursery sites.

However, The Project is required to comply with the Migratory Bird Treaty Act which prohibits take of nests of all bird species, irrespective of sensitivity status, during construction. The Project includes removal of 25 existing trees on site (Figure 11). These trees could provide nesting habitat for birds that have adapted to an urban environment. **MM BIO-1** would ensure that Project-specific impacts to urbanized nesting birds would be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant: The City's CEQA Compliance memorandum for tree replacement requires the replacement of mature trees on lots that were developed prior to 1973 at a 2:1 ratio (City of Huntington Beach, 2005). For the Proposed Project, adherence to the City's standard would require the Project to plant 64, 36-inch box replacement trees in addition to code required landscaping. There is insufficient room to adhere to the City's standard and maintain the 34 units, with three units set aside for affordable housing. For projects that include low-income or moderate- income considerations, Senate Bill 1818 provides for waivers from local development standards to allow the physical accommodation of the project as envisioned.

The Proposed Project provides for the removal of the existing 23 trees and to replace them with a total of 173 trees, of which 46 would be 36-inch box trees and 24 would be 24-inch box trees, and 103 15-gallon trees, per the planting plan in Figure 12. Approval of the Project would align with the City's ordinance relative to tree preservation. Therefore, potential impacts associated with biological resources resulting from conflicts with any local policies or ordinances protecting biological resources or the City's tree preservation policy would be less than significant, and no mitigation would be required.

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?

No Impact: The Project Site is in a highly urbanized region and has no native vegetation or habitat. Further, the Project Site is not located in a designated conservation area, as depicted in the Huntington Beach General Plan, Figure ERC-1, Open Space Diagram. The Project Site is not within any established Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved type of habitat conservation plan. Therefore, no impacts associated with an adopted Habitat Conservation Plan nor a Natural Community Conservation Plan, or any other approved conservation plan, would occur, and no mitigation would be required.

Mitigation Measures:

MM BIO-1:

Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. Should construction occur during bird nesting season and to avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

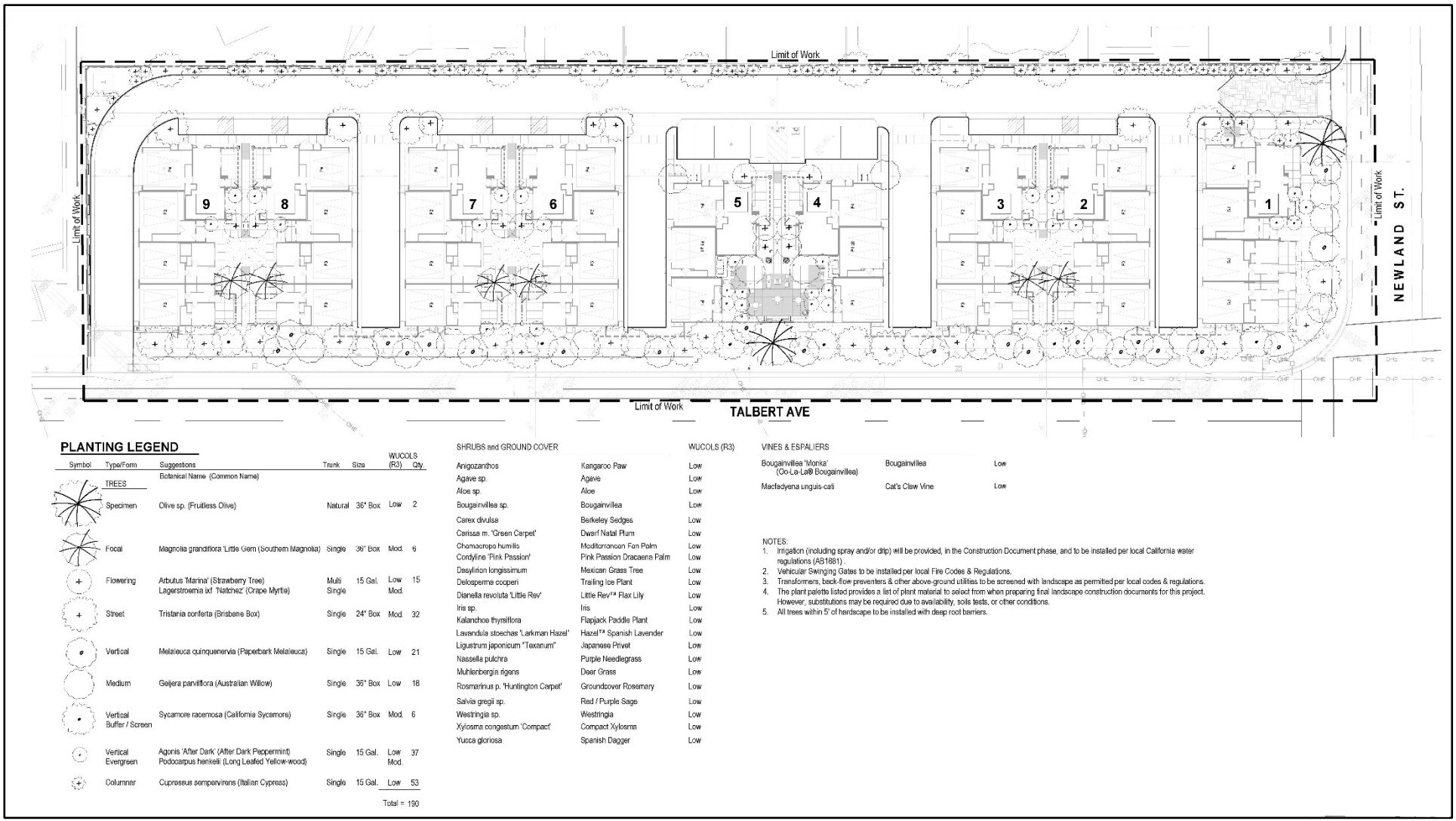
Conclusion

Implementation of **MM BIO-1** would reduce potential impacts of the Proposed Project associated with Biological Resources to less than significant.

Tree #	Common Name	Botanical Name	Height ' X Width ' X Diameter " at 4.5 feet (dbh)
1	Eucalyptus	*Eucalyptus sp.*	25x15x8,12,10
2	Eucalyptus	*Eucalyptus sp.*	30x20x22
3	Eucalyptus	*Eucalyptus sp.*	40x25z31
4	Eucalyptus	*Eucalyptus sp.*	40x20x18
5	Eucalyptus	*Eucalyptus sp.*	30x15x18
6	Eucalyptus	*Eucalyptus sp.*	25x15x15
7	Eucalyptus	*Eucalyptus sp.*	30x20x20
8	Eucalyptus	*Eucalyptus sp.*	20x15x19
9	Eucalyptus	*Eucalyptus sp.*	25x15x13
10	Eucalyptus	*Eucalyptus sp.*	20x10x11
11	Eucalyptus	*Eucalyptus sp.*	12x0x18
12	Eucalyptus	*Eucalyptus sp.*	25x15x15
13	Olive	*Olea europea*	25x30x12,14,13,13
14	Eucalyptus	*Eucalyptus sp.*	60x45x24
15	Eucalyptus	*Eucalyptus sp.*	55x40x20
16	Eucalyptus	*Eucalyptus sp.*	60x50x25
17	Eucalyptus	*Eucalyptus sp.*	15x25x16
18	Norfolk Island Pine	*Araucaria heterophylla*	65x15x14
19	Norfolk Island Pine	*Araucaria heterophylla*	55x15x14
20	Stone Pine	*Pinus pinea*	17x25x12,9,8
21	Pine	*Pinus sp.*	20x30x18
22	California Black Walnut	*Juglans hindsii*	25x30x16
23	Eucalyptus	*Eucalyptus sp.*	55x40x24
24	Pine	*Pinus sp.*	30x25x16
25	Weeping Bottlebrush	*Callistemon viminalis*	30x30x15

Figure 11: Existing Trees to Be Removed

Source: *Arborist Report, Appendix C-1*



PLANTING LEGEND

Symbol	Type/Form	Suggestions	Trunk	Size	WUCOLS (R3)	Qty
		Botanical Name (Common Name)				
	TREES					
	Specimen	Olive sp. (Fruitless Olive)	Natural	36" Box	Low	2
	Focal	Magnolia grandiflora 'Little Gem (Southern Magnolia)	Single	36" Box	Mod.	6
	Flowering	Arbutus 'Marina' (Strawberry Tree)	Multi	15 Gal.	Low	15
		Lagerstroemia ind 'Natchez' (Crape Myrtle)	Single		Mod.	
	Street	Tristania conferta (Brisbane Box)	Single	24" Box	Mod.	32
	Vertical	Melaleuca quinquenervia (Paperbark Melaleuca)	Single	15 Gal.	Low	21
	Medium	Geijera parviflora (Australian Willow)	Single	36" Box	Low	18
	Vertical Buffer / Screen	Sycamore racemosa (California Sycamore)	Single	36" Box	Mod.	6
	Vertical Evergreen	Agonis 'After Dark' (After Dark Peppermint)	Single	15 Gal.	Low	37
		Podocarpus henkelii (Long Leafed Yellow-wood)			Mod.	
	Columnar	Cupressus sempervirens (Italian Cypress)	Single	15 Gal.	Low	53
					Total =	190

SHRUBS and GROUND COVER		WUCOLS (R3)
Anigozanthos	Kangaroo Paw	Low
Agave sp.	Agave	Low
Aloe sp.	Aloe	Low
Bougainvillea sp.	Bougainvillea	Low
Carex divulsa	Berkeley Sedges	Low
Carissa m. 'Green Carpet'	Dwarf Natal Plum	Low
Chamaerops humilis	Mediterranean Fan Palm	Low
Cordyline 'Pink Passion'	Pink Passion Dracaena Palm	Low
Dasylirion longissimum	Mexican Grass Tree	Low
Delosperma cooperi	Trailing Ice Plant	Low
Dianella revoluta 'Little Rev'	Little Rev™ Flax Lily	Low
Iris sp.	Iris	Low
Kalanchoe thyrsiflora	Flapjack Paddle Plant	Low
Lavandula stoechas 'Larkman Hazel'	Hazel™ Spanish Lavender	Low
Ligustrum japonicum "Texanum"	Japanese Privet	Low
Nassella pulchra	Purple Needlegrass	Low
Muhlenbergia rigens	Deer Grass	Low
Rosmarinus p. 'Huntington Carpet'	Groundcover Rosemary	Low
Salvia gregii sp.	Red / Purple Sage	Low
Westringia sp.	Westringia	Low
Xylosma congestum 'Compact'	Compact Xylosma	Low
Yucca gloriosa	Spanish Dagger	Low

VINES & ESPALIERS		
Bougainvillea 'Monka' (Oo-La-La® Bougainvillea)	Bougainvillea	Low
Macfadyena unguis-cati	Cat's Claw Vine	Low

NOTES:
1. Irrigation (including spray and/or drip) will be provided, in the Construction Document phase, and to be installed per local California water regulations (AB1881) .
2. Vehicular Swinging Gates to be installed per local Fire Codes & Regulations.
3. Transformers, back-flow preventers & other above-ground utilities to be screened with landscape as permitted per local codes & regulations.
4. The plant palette listed provides a list of plant material to select from when preparing final landscape construction documents for this project. However, substitutions may be required due to availability, soils tests, or other conditions.
5. All trees within 5' of hardscape to be installed with deep root barriers.

Not to Scale

Figure 12: Landscaping Planting Plan

Source: *studio PAD Landscape Architecture*

4.5 Cultural Resources

A Phase 1 Cultural Resources Evaluation was completed to determine potential impacts to cultural resources associated with the development of the Proposed Project (**Appendix D** – *Phase I Cultural Resources Assessment, Olson Townhomes Development, Project, Huntington Beach, California*, November 2021). Additionally, the existing residences on site were evaluated for historic significance to determine the potential impacts to historical resources associated with the development of the Proposed Project (**Appendix D-1** - *Historical Resource Analysis Report 8371, 8421, 8461 Talbert Avenue, Huntington Beach, CA 92647, November 2021***).**

Cultural resources include archaeological sites, buildings and other kinds of structures, historic districts, cultural landscapes, and resources important to specific ethnic groups.

Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites).

The historic "built environment" includes structures used for work, recreation, education and religious worship, and may be represented by houses, factories, office buildings, schools, churches, museums, hospitals, bridges and other kinds of structures.

An historic district is any “geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history” (36 CFR 60.3).

The National Park Service defines a cultural landscape as “a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values”.

Regulatory Setting

The National Historic Preservation Act (NHPA) of 1966, as amended and the California Public Resources Code (PRC), Section 5024.1, are the primary federal and state laws and regulations governing the evaluation and significance of historical resources of national, state, regional, and local importance.

National Historic Preservation Act

Section 106 (Protection of Historic Properties) of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. The Advisory Council on Historic Preservation, an independent federal agency, administers the Section 106 review process with assistance from State Historic Preservation Offices to ensure that historic properties are considered during federal project planning and implementation.

National Register of Historic Resources (National Register)

The National Register of Historic Places is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture. The National Register recognizes resources of

local, state and national significance which have been documented and evaluated according to uniform standards and criteria.

Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. The National Register is administered by the National Park Service, which is part of the U. S. Department of the Interior. The National Register recognizes seven aspects or qualities of integrity: location, design, setting, materials, workmanship, feeling, and association. To retain its historical integrity, a property must possess several, and usually most, of these aspects.

California Register of Historical Resources (CRHR)

The California Register (CRHR) program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA.

The California Register was established to serve as an authoritative guide to the state's significant historical and archaeological resources (Public Resources Code § 5024.1). The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation (DPR), implements the policies of the NHPA on a statewide level.

State law provides that in order for a property to be considered eligible for listing in the California Register, it must be found by the Office of Historic Preservation (OHP) to be significant under any of the following four criteria:

1) It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2) It is associated with the lives of persons important to local, California, or national history;
3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or
4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). Fifty years is normally considered sufficient time to be considered a potential historical resource. All resources older than 45 years would be evaluated.

The California Register also requires that a resource possess integrity, which is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

All resources listed on or formally determined eligible for the National Register are automatically listed in the California Register, in accordance with the California Office of Historic Preservation policies (https://ohp.parks.ca.gov/?page_id=21237). In addition, properties designated under municipal or county ordinances or through local historic resources surveys, are eligible for listing in the California Register.

City of Huntington Beach Historic Resources Survey

The City's first historic resource survey occurred in 1986 and focused on the historic core. In 2014, the City commissioned a citywide historic resources survey to update and expand upon the 1986 effort (Galvin Preservation Associates Inc, 2014) which . The 2014 survey report serves as a tool for the City to preliminarily identify properties that may be eligible or of concern in the discretionary permit process and protect and preserve these historic resources.

Environmental Setting

Pre-History and History

The area now known as Huntington Beach has been inhabited since 8,000 before present (BP). Huntington Beach was originally occupied by the Tongva people. This group of people was also known as the Gabrielino Indians, a name derived from their association with the San Gabriel Arcangel Mission during the Spanish period. Their land included much of Los Angeles and Orange Counties, including several offshore islands. The Tongva people were one of the most important groups in Southern California, as their influence extended north into the Central Valley and to the southern deserts and reported to be one of the wealthiest, most populous, and most powerful ethnic groups in the area.

At the time of European contact in 1769, when Gaspar de Portolá's expedition crossed the Los Angeles Basin, what were to be named the Gabrielino Native Americans by the Spanish, occupied the area around the Project Site (Appendix D-1). While the term Gabrielino identifies those Native Americans who were under the control of the Spanish Mission San Gabriel Archángel, the overwhelming number of people in these areas were of the same ethnic nationality and language (Takic) group. Their territory extended from northern Orange County north to the San Fernando Valley in Los Angeles County and eastward to the San Bernardino area.

The area that would become Huntington Beach began shifting toward agriculture in the late 1840s. The Stearns Rancho Company began selling swampland in the area to settlers, retaining the more valuable mesa land. Settlers were drawn to the area because of the potential for agricultural development. In 1896, the Stearns Company sold the last of their holdings, 17,000 acres of mesa land, to Colonel Bob Northam who grew grain and sold the seed to neighboring farmers and ranchers. Mary and William T. Newland came to the area in 1896 and began farming over 500 acres at the southeast edge of the mesa. The Newlands, with the help of neighbors Samuel and Thomas B. Talbert, began transforming the area into rich agricultural land by cutting canals and ditches into the peat land. Farms began to appear and expand in the 1880s and 1890s, as settlers arrived and established themselves. By the late 1890s, several small farming communities had developed. These included Stanton, Westminster, Talbert, Gothard, Oceanview, and Wintersburg. These communities were established near transportation hubs and away from the flood plains along the river channels and swamps.

In 1920, oil was discovered on the bluff north of the Huntington Beach city limits, transforming the region into an urban oil boom town. Following this discovery, other major oil companies, including Union and General Petroleum, entered the field at Huntington Beach. The oil boom of the 1920s and 1930s resulted in a decline in farmland, as oil wells subsumed previously cultivated lands. In communities such as Wintersburg, the size and number of farming families declined, and they were replaced by a population of oil workers. Multifamily residences were built during this boom period in Wintersburg, Oceanview, and other nearby communities. Many of these structures initially provided housing for farm workers but were later occupied by oil workers and their families.

Following the Japanese bombing of Pearl Harbor in December 1941, many of the Japanese living and working in the Huntington Beach area were forcibly removed and incarcerated by the federal government, and, over time, oil workers purchased their homes.

Post World War II, much of the land base within the City of Huntington Beach was in active oil production, most of it owned by Standard Oil Corporation. Oil derricks still dotted the landscape, intermixed in the downtown with cottages and businesses. Agricultural production still assumed an important role in the local economy, with much of the lands originally in agriculture remaining until the 1960s and 1970s.

City annexations that had started in the mid-1940s continued throughout the 1950s, with several large annexations occurring between 1957 and 1960. By 1960, Huntington Beach had grown from 3.57 square miles to over 25 square miles, and many farmers requested annexation to the city, primarily because of its sound tax base. By the 1970s Huntington Beach had reportedly become the fastest growing city in the continental United States, as housing tract after housing tract blanketed great swaths of former farmland.

Project Site Existing Structure History - 8371, 8375, 8421, 8461 Talbert Ave

These properties were first identified in the public record in 1916, when Thomas and Penninah Crew sold them to Emil Julien Lecrivain. Thomas Crew was a teamster living in Pasadena and appears not to have lived on this land, holding it as an investment. Lecrivain and his family did live and work on the property for decades after they purchased it.

Emil Lecrivain was a French immigrant, born in Sels in 1886 and arriving in the United States on board the ship Ryndan in 1903. He first went to Oxnard where he worked as a farmhand and dairy worker. He and his wife Marie had their first child, Julien, there in 1911. By 1914, the family had moved to Huntington Beach where their second child, Corine was born in that year.

Following the purchase of the Talbert Ave property (originally listed as on Huntington Ave. prior to the Talbert renaming) they almost immediately built the house now identified as 8375 Talbert. After their son Julien married, the young couple continued to reside on the property and help work the family farm, although they appear to have built an additional home. The records for the actual date of building construction on these lots other than that for the original home and another constructed in or before 1964 (8421 Talbert) are sparse. The family continued to live at and work the farm following Ms. Marie Lecrivain's death in 1952 at least until the passing of Emil in 1964. After that, a string of ownership follows the closing of the estate, continuing to the home being owned the Mary Langston Trust.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Less Than Significant Impact: Public Resources Code Section 15064.5(a) defines historical resources, which includes: *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.).*

As part of the 2014 survey, the 8371, 8421, and 8461 Talbert Avenue properties were surveyed as individually eligible and were assigned a CRHR Status Code of 3CS, which is defined as "appears eligible for California Register as an individual property through survey evaluation." Each of these structures on the Project property were identified as significant for their association with the "Wintersburg and Oceanview" theme of the City's Historic Context Statement. This theme relates to the prevalence of Japanese farm laborers in the early 20th century in the Huntington Beach area. The Historical Resources Inventory Form (DPR forms) prepared for each of the subject properties in the 2014 survey did not include a statement of significance to substantiate a connection to the Wintersburg and Oceanview theme; further research did not identify a connection.

Construction of the Proposed Project would result in the removal of each of the properties identified in the 2014 survey. A historical resource assessment was performed for each of the properties against the criteria established to qualify for CRHR status (Appendix D-1).

The analysis in Appendix D-1 identified that the subject properties at 8371, 8421, and 8461 Talbert Avenue are individually ineligible under all CRHR criteria. No information was identified

to substantiate their association with the "Wintersburg and Oceanview" historic context asserted in 2014 reconnaissance survey documentation. The buildings were owned by the Lecrivain Family, one of the original farm families of the area. The Lecrivain family were farmers at a time when the main economic force of Huntington Beach was agriculture. However, soon after the construction of the first residence, 8461 Talbert Ave in 1917, the area began to shift towards industrial production and the oil industry. The subsequent dwellings, 8371 and 8421 Talbert Avenue, were constructed during periods of rapid growth and change within Huntington Beach. These small single-family homes built outside of Huntington Beach's core do not exemplify or represent the growth and development that was happening elsewhere in the area. The dwellings are minimal representations of their respective architectural styles. While minimal alterations have occurred, the dwellings are not exceptional examples of design or workmanship.

Therefore, potential impacts associated with historical resources would be less than significant, and no mitigation would be required.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact With Mitigation Incorporated: Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites).

The cultural resources study in Appendix D identified two potential archaeological resources within one-half mile of the Project Site consisting of historic refuse; Prehistoric lithic scatter, habitation debris, shell, and burials.

And while no archaeological resources were determined present on the Project Site, there is a possibility that intact archaeological deposits could be present at subsurface levels. For this reason, the Project Site should be treated as potentially sensitive for archaeological resources. **MM CULT-1** would require the Property Owner/Developer to manage unanticipated discoveries of archaeological and Native American resources in order to reduce impacts to less than significant.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact With Mitigation Incorporated: The Project Site does not include a formal cemetery or any archaeological resources that might contain interred human remains. The nearest cemetery is located approximately 0.25 mile to the west of the Project Site. Due to the proximity of the cemetery to the Project Site, **MM CULT-2** would require the Property Owner/Developer to manage unanticipated discoveries of human remains.

Mitigation Measures:

MM CULT-1:

Prior to the issuance of grading permits, the Property Owner/Developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial

ground-disturbing activities at both the subject site and any off-site Project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Huntington Beach Community Development Department and no ground-disturbing activities shall occur at the Project Site or within the off-site Project improvement areas until the archaeologist has been approved by the City. If archaeological or historical resources are encountered during implementation of any phase of the Project, the Project Archaeologist will be allowed to temporarily divert or redirect grading or excavation activities in the vicinity of the find in order to make an evaluation of the find.

MM CULT-2:

If human remains are encountered during any Project-related ground-disturbing activities, Section 7050.5 of the *California Health and Safety Code* states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Section 5097.98 of the *California Public Resources* Code. The provisions of Section 15064.5 of the California Environmental Quality Act Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community Development Department, prior to issuance of grading permits. This measure shall be implemented to the satisfaction of the City in consultation with the County Coroner.

Conclusion

Implementation of **MM CULT-1** and **MM CULT-2** would reduce potential impacts of the Proposed Project associated with Cultural Resources to less than significant.

4.6 Energy

An Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis was completed to determine potential impacts to energy associated with the development of the Proposed Project (Appendix B). The results of the analysis are based on CalEEMod version 2020.4.0.

Regulatory Setting

A full list of energy regulations is provided in the Energy Analysis in Appendix B. The following discussion provides a summary of key standards relative to the Proposed Project.

Building Energy Efficiency Standards

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were adopted to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current California Building Energy Efficiency Standards (Title 24 standards) are the 2019 Title 24 standards, which became effective on January 1, 2020. The 2019 Title 24 standards include efficiency improvements to the lighting and efficiency improvements to the non-residential standards include alignment with the American Society of Heating and Air-Conditioning Engineers.

The 2019 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, went into effect on January 1, 2020. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. Specifically, the code requires the following measures that are applicable to energy use:

- New buildings with tenant spaces that have 10 or more tenant-occupants to provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility.
- New buildings that require 10 or more parking spaces to provide a specific number of spaces to facilitate the future installation of electric vehicle supply equipment. The raceways are required to be installed at the time of construction.

Senate Bill 350

Senate Bill (SB) 350 (de Leon) was signed into law in October 2015 and established new clean energy, clean air, and greenhouse gas reduction goals for 2030. SB 350 establishes periodic increases to the California Renewables Portfolio Standard (RPS) Program with the target to increase the amount of electricity generated per year from eligible renewable energy resources to an amount that equals at least 33% of the total electricity sold annually to retail customers, by December 31, 2020. The SB 350 specifically calls for the quantities of eligible renewable energy resources to be procured for all other compliance periods reflecting reasonable progress in each of the intervening years to ensure that the procurement of electricity products from eligible renewable energy resources achieves 40 percent by December 31, 2024, 45 percent by December 31, 2027, and 50 percent by December 31, 2030.

Senate Bill 100

Senate Bill 100 (SB 100) was signed into law September 2018 and increased the goal of the California RPS Program to achieve at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Environmental Setting

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration [EIA] 2018). California consumed 292,039 gigawatt-hours (GWh) of electricity and 2,110,829 million cubic feet of natural gas in 2017 (California Energy Commission [CEC] 2019; EIA 2018). In addition, Californians consume approximately 18.9 billion gallons of motor vehicle fuels per year (Federal Highway Administration 2019). The single largest end-use sector for energy consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2018).

Most of California's electricity is generated in-state with approximately 30 percent imported from the Northwest (Alberta, British Columbia, Idaho, Montana, Oregon, South Dakota, Washington, and Wyoming) and Southwest (Arizona, Baja California, Colorado, Mexico, Nevada, New Mexico, Texas, and Utah) in 2017. In addition, approximately 30 percent of California's electricity supply comes from renewable energy sources such as wind, solar photovoltaic, geothermal, and biomass (CEC 2018). 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 that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from refineries located in California. Gasoline is the most used transportation fuel in California with 15.5 billion gallons sold in 2017 and is used by light-duty cars, pickup trucks, and sport utility vehicles (California Department of Tax and Fee Administration 2018). 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). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including CO_2 and NO_X. The transportation sector is the single largest source of GHG emissions in California, accounting for 41 percent of all inventoried emissions in 2016 (California Air Resources Board [CARB] 2018).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VI. ENERGY: 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?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Discussion

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact: The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Information from the CalEEMod 2020.4.0. Daily and Annual Outputs contained in the Air Quality and Greenhouse Gas Impact Study (Appendix B) were utilized to generate estimates of the Project's electricity, natural gas, and fuel consumption for construction and operational aspects of the Project. Electricity used for the Project during construction and operations would be provided by Southern California Edison, which serves more than 15 million customers. SCE derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. Natural gas would be provided to the Project by Southern California Gas (SoCalGas). Project-related vehicle trip energy consumption would be predominantly gasoline and diesel fuel. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

Construction Energy Usage

The Project's estimated energy consumption during construction is 36,396 gallons of petroleum fuel, as analyzed in Appendix B (Table G and Table H in Appendix B). In summary, the usage identified in Appendix B is as follows:

- Table G - Off-Road Equipment and Fuel Consumption from Construction of the Proposed Project: 29,983 gallons of fuel.

- Table H - On-Road Vehicle Trips and Fuel Consumption from Construction of the Proposed Project: 29,801 gallons of fuel.

Project construction is required to comply with applicable California Air Resources Board (CARB) regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with these measures would result in a more efficient use of construction- related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additionally, as required by California Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Operations Energy Usage

The operation of the Proposed Project is anticipated to use energy in the forms of petroleum fuel, electricity, and natural gas, and the calculations for each source are described below.

Operational Petroleum Fuel

The on-road operations-related vehicle trips fuel usage was calculated through use of the total annual vehicle miles traveled assumptions from the CalEEMod model run, which found that operation of the Proposed Project would generate 634,156 vehicle miles traveled per year. The calculated total operational miles were then divided by the South Coast Air Basin average rates of 27.5 miles per gallon, which was calculated through use of the EMFAC2017 model and based on year 2024. The EMFAC2017 model printouts are shown in Appendix B. Based on this calculation methodology, the operation of the Proposed Project would consume 23,081 gallons per year.

Operational Electricity Use

Energy usage includes emissions from electricity and natural gas used onsite. The energy usage was based on the ongoing use of the proposed 34 townhomes in the CalEEMod Model. No changes were made to the default energy usage parameters in the CalEEMod model.

The 2019 Title 24, Part 6 building energy efficiency standards went into effect January 1, 2020. They were developed so that the average new home built in California will have zero-net-energy use. The 2019 Title 24 Part 6 standards also now require all new homes to install rooftop photovoltaic systems based on Section 150.1-C from: https://www.energy.ca.gov/2018publications/CEC-400-2018-020/CEC-400-2018- 020-CMF.pdf.

The Title 24 Report for the Proposed Project has not yet been prepared, so the exact number of solar panels to be installed on the Project Site has not yet been calculated. However, Exception 4 to Section 150.1-c states that all three-story homes shall provide a minimum of 0.8 Watt DC of solar panels per square foot of conditioned floor area. According to the Architectural Plans, the Proposed Project would have 57,690 square feet of conditioned floor area, which would result in the installation of 46.2 kilowatts of photovoltaic solar panels. Since the CalEEMod model requires that the total kilowatt-hours per year generated by the solar panels be entered into the model, the 46.2 kilowatts of solar panels was multiplied by 8 hours, to provide a conservative average hours per day of sunlight that the solar panels will generate electricity and then divided by 1.2 to account for the loss associated with converting the direct current (DC) power from the solar panels to the alternating current (AC) power on the electrical grid and then multiplying by 365 days, which resulted in the proposed solar panels generating 112,303 kilowatt-hours per year that was entered into the CalEEMod model.

The CalEEMod model run (Appendix B) found the Proposed Project would use 51,996 kilowatt hours (kWh) per year. Title 24 Part 6 requires the implementation of building energy efficiency standards that include the installation of photovoltaic systems on the rooftops of the proposed homes.

Operational Natural Gas Use

According to CalEEMod, the Proposed Project would use 561,185 kilo British Thermal Units (kBTU) per year, which is equivalent to 561 mega-British Thermal units (MBTU) per year of natural gas.

The Proposed Project would comply with regulatory compliance measures outlined by the State and City related to Air Quality, Greenhouse Gas Emissions (GHG), Transportation/Circulation, and Water Supply. The Property Owner/Developer would construct the Proposed Project in accordance with all applicable City Building and Fire Codes. The Proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Therefore, potential impacts associated with wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation would be less than significant, and no mitigation would be required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact: In compliance with the State's Energy Plan and Title 24 CCR energy efficiency standards, the Property Owner/Developer would be required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances, as well as utility energy efficiency programs implemented by the SCE and Southern California Gas Company.

An individual project does not have the ability to comply or conflict with Pavley (AB 1493) regulations because they are intended for agencies to adopt procedures and protocols for reporting and certifying GHG emission reductions from mobile sources.

The Property Owner/Developer would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen) to comply with the State's Renewable Energy Portfolio Standards.

As shown in the analysis in Appendix B, the Proposed Project would be consistent with the City of Huntington Beach's General Plan (Table O, Appendix B).

The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, potential impacts associated with conflicts of a plan for renewable or energy efficient would be less than significant, and no mitigation would be required

Mitigation Measures

No mitigation measures associated with impacts to Energy apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Energy would be less than significant, and no mitigation would be required.

4.7 Geology and Soils

A Geotechnical Due-Diligence Investigation and Percolation Study was completed to determine potential impacts to geology and soils associated with the development of the Proposed Project (**Appendix E** – *Geotechnical Due-Diligence Investigation and Percolation Study, Proposed Multi-Family Residential Development, 8371-8375 Talbert Avenue, Huntington Beach, California*, February 3, 2021). Potential impacts to paleontological resources from the Proposed Project was also addressed in the Phase 1 Cultural Resources Evaluation (Appendix D).

Environmental Setting

Regional Geologic Setting

The Project Site is generally located within the Peninsular Ranges Geomorphic Province of California, at the southern boundary of the Los Angeles Sedimentary Basin. The Los Angeles Basin is a sedimentary deposit that is bounded near the Project Site by the coastal mesa of Newport Beach. The generally rectangular-shaped parcel is elongated in an east-west direction with topography of the relatively level, with elevations ranging from 44 to 51 feet above mean seal level (AMSL). The Project Site drains generally west away from Newland Street towards an existing storm drain at the western property line. Three single family residences and detached garages or storage spaces occupy the Project Site. Four asphalt driveways and hardscaped features are near the residences. Grass and vegetation consisting of small shrubs to moderate sized trees cover the remainder of the Project Site. The Project Site is open along the west, south and east property lines, however, the masonry block wall is shared with properties north of the Project Site along the northern property line.

Soils

The geotechnical analysis in Appendix D identified the soil materials on site generally consist of very old marine deposits (Qvom), present to the maximum depth explored of 51.5 feet, locally mantled by artificial fill, encountered up to about 8 feet below the existing ground surface only within the southwestern edge of the Project Site.

Liquefaction

Liquefaction is a process whereby intense and prolonged ground shaking or a sudden shock or strain temporarily transforms soil to fluid form. Figure HAZ-3 in the City's General Plan Natural and Environmental Hazards element identifies that the Project Site is not located within an area that has low potential for liquefaction.

Faulting

The City of Huntington Beach is located in the southern California basin, a complex geological region that has a history of seismic activity due to the number of faults in the region. The City of Huntington Beach's General Plan General Plan Natural and Environmental Hazards element identifies that the active faults of most concern for the City lie traverse the coastline. The Newport-Inglewood-Rose Canyon Fault Zone, which is an Alquist-Priolo fault zone, lies approximately 3 miles southwest of the Project Site.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VII. GEOLOGY AND SOILS: Would the project:				
a) 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? Refer to Division of Mines and Geology Special Publication 42.			X	
• Strong seismic ground shaking?			X	
• Seismic-related ground failure, including liquefaction?				X
• Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

Discussion

a) Expose people or structures to 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? Refer to Division of Mines and Geology Special Publication 42.*

Less than Significant Impact: The Project Site is located in Southern California, a seismically active area and susceptible to the effects of seismic activity include rupture of earthquake faults. The proposed development site lies outside of any Alquist Priolo Special Studies Zone (Appendix E). Therefore, potential impacts associated with adverse effects to people or structures from a surface rupture would be less than significant, and no mitigation would be required.

- *Strong seismic ground shaking?*

Less than Significant Impact: No known active faults are known to project through the Project Site nor does the Project Site lie within the boundaries of an "Earthquake Fault Zone" as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act. The Project Site is situated in an area of high regional seismicity and the Newport-Inglewood-Rose Canyon Fault Zone is located about 3 miles southwest of the Project Site. The potential for ground rupture due to an earthquake beneath the Project Site is low. Although the Project Site is not within an Earthquake Fault Zone, it is in a seismically active area of Southern California. The type and magnitude of seismic hazards that may affect the Project Site are dependent on both the distance to causative faults and the intensity and duration of the seismic event. Although the probability of primary surface rupture is low, ground shaking hazards caused by earthquakes along regional active faults do exist and are accounted for in the design and construction of the proposed structures. The Property Owner/Developer would construct the residential structures to the standards prescribed by the California Building Code (CBC), as amended by the City, which would reduce risks associated with seismic activity. Therefore, potential impacts associated with adverse effects to people or structures from a surface rupture would be less than significant, and no mitigation would be required.

- *Seismic related ground failure, including liquefaction?*

Less than Significant Impact: The Project Site is in an area of low potential for liquefaction and the depth to groundwater at the Project Site is greater than 30 feet. The Property Owner/Developer would grade the subject site according to the recommendations specified by the project's Licensed Geotechnical Engineer and construct the residential development to the standards prescribed by the California Building Code (CBC), as amended by the City, which would reduce risks associated with liquefaction. Therefore, potential impacts associated with adverse effects to people or structures from liquefaction shaking would be less than significant, and no mitigation would be required.

- *Landslides?*

No Impact: The Project Site and the surrounding area is flat. There are no significant slopes located on or near the Project Site, and no significant slopes are proposed as part of the project design. Therefore, no impacts to people or structures from landslides would occur, and no mitigation would be required.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact: Temporary soil erosion may occur during Project construction, which rainfall could exacerbate. To control the potential for soil erosion, wind, dust, and water quality impacts, the Property Owner/Developer would be required to comply with SCAQMD rules relating to dust control (such as SCAQMD Rule 403) and rules to protect water quality. The Property Owner/Developer would prepare a SWPPP which would be reviewed and approved by the RWQCB. Compliance with Federal, State, and Local regulations would ensure potential impacts are less than significant. Therefore, potential impacts associated with soil erosion would be less than significant, and no mitigation would be required.

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?

Less Than Significant Impact. There is no potential for landslide and low potential for liquefaction. Therefore, potential impacts associated with landslides, lateral spreading, subsidence, liquefaction would be less than significant, and no mitigation would be required.

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?

Less Than Significant Impact: The subsurface soils primarily consist of fill and native soil of primarily very old marine deposits, with primarily silty sand (Appendix E), which the Uniform Building Code considers a "medium" potential (Table 18-1-B) . The Proposed Project would be designed and constructed in accordance with the recommendations made by the geotechnical analysis to account for the potential for expansive soil. Therefore, potential impacts associated with a substantial direct or indirect risk to life or property related to expansive soil would be less than significant, and no mitigation would be required.

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?

No Impact: The Proposed Project does not involve any septic tanks or alternative wastewater disposal systems. Therefore, no impacts associated with septic tanks or alternative wastewater disposal systems would occur, and no mitigation would be required.

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

Less Than Significant Impact With Mitigation Incorporated: A paleontological resources study was completed for the Project through a study of local and regional literature and a field survey (Appendix D). The surface geology within the Project area was identified in Appendix D as Younger Quaternary clayey and silty alluvium (Qyaca), or alluvium of Holocene age.

The Natural History Museum of Los Angeles County (NHMLA) conducted the paleontological records search as part of the cultural analysis (Appendix D). The records search revealed that no fossil localities lie directly within the Project Site, but fossil localities do exist nearby in the same sedimentary deposits that occur on the Project Site. NHMLA recommended that the Property Owner/Developer complete a full paleontological assessment of the Project area because fossil-bearing units are potentially present in the Project Site.

Project excavation may exceed 5 feet in some areas of the building footings to achieve adequate engineered compaction. Implementation of **MM GEO-1** would reduce potential impacts to unanticipated discoveries of paleontological resources to less than significant.

Mitigation Measures:

MM GEO-1:

> Prior to the issuance of grading permits, the Property Owner/Developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any Project-related excavations that exceed three (3) feet below the pre-grade surface. Selection of the paleontologist shall be subject to approval of the City of Huntington Beach Community Development Department and no grading activities shall occur at the Project Site or within the off-site Project improvement areas until the paleontologist has been approved by the City.
>
> Monitoring shall be restricted to undisturbed subsurface areas of younger Quaternary alluvium. The approved paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.
>
> Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.

A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Huntington Beach Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

Conclusion

Implementation of **MM GEO-1** would reduce potential impacts of the Proposed Project associated with geological resources to less than significant.

4.8 Greenhouse Gas Emissions

An Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis was completed to determine potential impacts to energy associated with the development of the Proposed Project (Appendix B). The results of the analysis are based on CalEEMod version 2020.4.0.

Regulatory Setting

Since 1988, many countries around the world have tried to reduce GHG emissions since climate change is a global issue. Over the past 30 years, the United States, and the State of California, have enacted a myriad of regulations that have evolved over time aimed at reducing GHG emissions in transportation, building and manufacturing.

South Coast Air Quality Management District

The Project is within the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD Regulation XXVII currently includes three rules:

- The purpose of Rule 2700 is to define terms and post global warming potentials.
- The purpose of Rule 2701, SoCal Climate Solutions Exchange, is to establish a voluntary program to encourage, quantify, and certify voluntary, high quality certified greenhouse gas emission reductions in the SCAQMD.
- Rule 2702, Greenhouse Gas Reduction Program, was adopted on February 6, 2009. The purpose of this rule is to create a Greenhouse Gas Reduction Program for greenhouse gas emission reductions in the SCAQMD. The SCAQMD will fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

SCAQMD has established recommended significance thresholds for greenhouse gases for local lead agency consideration. SCAQMD has published a five-tiered draft GHG threshold which includes 10,000 metric tons of CO_2e per year for industrial projects and two options for non-industrial projects. Tier 3 is anticipated to be the primary tier by which the SCAQMD will determine significance for projects. The Tier 3 screening level for stationary sources is based on an emission capture rate of 90 percent for all new or modified projects. A 90-precent emission capture rate means that 90 percent of total emissions from all new or modified stationary source projects would be subject to CEQA analysis. The 90-percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the SCAQMD's annual Emissions Reporting Program.

The current draft thresholds consist of the following tiered approach:

Tier 1	consists of evaluating whether the project qualifies for any applicable exemption under CEQA.
Tier 2	consists of determining whether the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions.
Tier 3	consists of screening values, which the lead agency can choose but must be consistent. A project's construction emissions are averaged over 30 years and are added to a project's operational emissions. If a project's emissions are under one of the following screening thresholds, then the project is less than significant: – Industrial projects: 10,000 $MTCO_2e$ per year – Based on land use types: residential is 3,500 $MTCO_2e$ per year; commercial is 1,400 $MTCO_2e$ per year; and mixed use is 3,000 $MTCO_2e$ per year or – All non-industrial land use types: 3,000 MTCO2e per year
Tier 4	has the following options: – Option 1: Reduce emissions from business as usual by a certain percentage; this percentage is currently undefined – Option 2: Early implementation of applicable AB 32 Scoping Plan measures – Option 3: Year 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO2e/SP/year for projects and 6.6 MTCO2e/SP/year for plans; – Option 3, 2035 target: 3.0 MTCO2e/SP/year for projects and 4.1 MTCO2e/SP/year for plans
Tier 5	involves mitigation offsets to achieve target significance threshold.

Local jurisdictions, such as the City of Huntington Beach, have the authority and responsibility to reduce GHG emissions through their police power and decision-making authority. Specifically, the City is responsible for the assessment and mitigation of GHG emissions resulting from its land use decisions. In accordance with CEQA requirements and the CEQA review process, the City assesses the global climate change potential of new development projects, requires mitigation of potentially significant global climate change impacts by conditioning discretionary permits, and monitors and enforces implementation of such mitigation.

Environmental Setting

Global Climate Change (GCC) refers to the change in average meteorological conditions on the earth with respect to temperature, wind patterns, precipitation and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO2 (carbon dioxide), N2O (nitrous oxide), CH4 (methane), hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth's atmosphere, but prevent radioactive heat from escaping, thus warming the earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages.

Gases that trap heat in the atmosphere are often referred to as greenhouse gases (GHG). These gases are released into the atmosphere by both natural and anthropogenic (human) activity. Without the natural greenhouse gas effect, the earth's average temperature would be approximately 61° Fahrenheit (F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature.

For the purposes of Greenhouse Gas Analysis (Appendix B), the focus was on emissions of CO_2, CH_4, and N_2O because these gasses are the primary contributors to Global Climate Change (GCC) from development projects. Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VIII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact: The Proposed Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The Proposed Project would consist of the development of a residential development with 34 townhomes. The Proposed Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste disposal, water usage, and construction equipment. The Proposed Project's GHG emissions have been calculated with the CalEEMod model based on the construction and operational parameters detailed in Appendix B (Section 7.1, Appendix B). A summary of the results is shown below in **Table 7** – *Project Related Greenhouse Gas Emissions*.

Table 7 - Project Related Greenhouse Gas Annual Emissions

	Greenhouse Gas Emissions (Metric Tons per Year)			
Category	**CO_2**	**CH_4**	**N_2O**	**CO_2e**
Area Sources[1]	0.81	<0.00	<0.00	0.83
Energy Usage[2]	39.17	<0.00	<0.00	39.39
Mobile Sources[3]	204.25	0.01	0.01	207.24
Solid Waste[4]	1.59	0.09	<0.00	3.93
Water and Wastewater[5]	7.24	0.06	<0.00	9.12
Construction[6]	11.18	<0.00	<0.00	11.26
Total Emissions	264.23	0.17	0.01	**271.78**
SCAQMD Draft Threshold				**3,000**
Exceed Threshold?				**No**

Notes:
[1] Area sources consist of GHG emissions from consumer products, architectural coatings, hearths, and landscaping equipment.
[2] Energy usage consists of GHG emissions from electricity and natural gas usage.
[3] Mobile sources consist of GHG emissions from vehicles.
2 [4] Waste includes the CO_2 and CH_4 emissions created from the solid waste placed in landfills.
2 [5] Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
2 [6] Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009.
Source: CalEEMod Version 2020.4.0.

Table 7 shows that the Proposed Project would create 271.78 $MTCO_2e$ per year. According to the SCAQMD draft threshold of significance, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations would exceed 3,000 $MTCO_2e$ per year. Therefore, potential impacts associated the generation of greenhouse gas emissions would be less than significant, and no mitigation would be required.

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

Less Than Significant Impact: The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. The Proposed Project would consist of development of a residential apartment complex. Table 7 shows that the Proposed Project is anticipated to create 271.78 $MTCO_2e$ per year, which is well below the SCAQMD threshold of significance of 3,000 $MTCO_2e$ per year. The SCAQMD developed this threshold in order to meet the State GHG emissions reduction regulations that was based on substantial evidence supporting the use of the recommended thresholds. It should also be noted, that the proposed homes will be required to meet the 2019 Title 24 Part 6 building standards that require all new homes to be designed to use net zero energy, through a combination of energy efficiency measures as well as requiring all new homes to install rooftop photovoltaic systems that are of adequate size to generate enough electricity to meet the net-zero energy requirements. For these reasons, the Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, potential impacts associated with conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Greenhouse Gas Emissions apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Greenhouse Gas Emissions would be less than significant, and no mitigation would be required.

4.9 Hazards and Hazardous Materials

A Phase I and Phase II Environmental Site Assessment was completed to determine potential impacts from hazardous materials associated with the site and development of the Proposed Project (**Appendix F** – *Phase I and II Environmental Site Assessment– 8371 - 8461 Talbert Avenue, Huntington Beach, California*, February 5, 2021).

Regulatory Setting

The County of Orange (County) Environmental Health Division is responsible for regulating the operations of businesses and institutions that handle hazardous materials or generate hazardous wastes in the City of Huntington Beach. As part of the State-mandated Certified Unified Program Agency (CUPA) administered by the California Environmental Protection Agency, the County Environmental Health coordinates regulatory and enforcement for the programs related to hazardous materials and wastes.

The Huntington Beach Emergency Management office is responsible for coordinating emergency preparedness activities in the City, often in cooperation with neighboring cities, the Orange County Sheriff's Department, the Water Emergency Response Organization of Orange County (WEROC), and state and federal agencies.

SCAQMD Rule 1403

The SCAQMD specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials (ACWM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

Environmental Setting

A hazardous material is a substance that is toxic, flammable/ignitable, reactive, or corrosive. Extremely hazardous materials are substances that show high or chronic toxicity, carcinogenic, bioaccumulative properties, persistence in the environment, or that are water reactive. Improper use, storage, transport, and disposal of hazardous materials and waste may result in harm to humans, surface and groundwater degradation, air pollution, fire, and explosion.

Typical equipment which may contain fuel or hydraulic oil that may be used during construction could include a crane, a forklift/pallet jack, jackhammers, and demolition saws.

Soils in Huntington Beach have a high likelihood to contain methane gas, which is often found in the same location as petroleum and in areas with peat in the soil. Methane is the primary component of natural gas and so is a valuable natural resource. Despite its usefulness, methane is extremely flammable, potentially explosive, and may cause asphyxiation in high enough concentrations. As shown in Figure HAZ-9 of the Natural and Environmental Hazards element of

the City's General Plan (City, 2017), the City has identified Methane Hazard Overlay Districts where soils are likely to contain increased areas of methane. The Project Site is designated outside of any Methane Hazard Overlay district.

According to historical documents and interviews with the Property Owner during the Phase I environmental assessment (Appendix F), the Property was historically used for agricultural purposes. Pesticides and heavy metals that typically accompany herbicide application (i.e., arsenic and lead) are commonly present at sites historically used for agricultural purposes. Therefore, a Phase II subsurface investigation was performed to identify potential contaminants.

Based on a review of historical documents during the Phase I investigation (Appendix F), one 550-gallon fuel underground storage tank (UST) was located on the Property. The UST was removed in 1985, during which time a leak was identified. Remedial activities were conducted which included soil excavation.

A field review conducted during the Phase I investigation identified existing residential structures and a large metal shop, along with three unlabeled 55-gallon drums, one approximately 35-pound container of multi-purpose grease, and one approximately 30-gallon rusted container of motor oil outside of the workshop building. All of the containers appeared to be weathered and rusted with no secondary containment.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise to the public or the environment?			X	
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 for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact: Construction activities would require the temporary use of hazardous substances, such as fuel, lubricants, and other petroleum-based products for operation of construction equipment as well as oil, solvents, or paints. The construction activities would also involve the disposal and recycling of materials, trash, and debris.

The transportation, use, and handling of hazardous materials would be temporary and would coincide with the short-term Project construction activities. Further, these materials would be handled and stored in compliance with all with applicable federal, state, and local requirements, any handling of hazardous materials would be limited to the quantities and concentrations set forth by the manufacturer and/or applicable regulations, and all hazardous materials would be securely stored in a construction staging area or similar designated location within the Project Site. In addition, the handling, transport, use, and disposal of hazardous materials must comply with all applicable federal, state, and local agencies and regulations, including the Department of Toxic Substances Control; Occupational Health and Safety Administration (OSHA); Caltrans; and the County Health Department - Hazardous Materials Management Services.

With the compliance with local, state, and federal regulations short-term construction impacts associated with the handling, transport, use, and disposal of hazardous materials would be less than significant.

Once constructed, the proposed dwelling units would use household hazardous materials (e.g., paint, pesticides, cleansers, and solvents) for maintenance activities but any use would be in limited household quantities. The dwelling units would not use, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public or the environment.

Therefore, potential impacts associated with creating a significant hazard to the public or the environment through routine transport, use or disposal of hazardous materials would be less than significant, and no mitigation would be required.

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?

Less than Significant Impact: Construction of the Project would involve the routine transport, use, or disposal of hazardous materials on- and off-site. However, compliance with local, state and federal regulations limits quantities and reduces the potential for accidental conditions involving the release of hazardous materials.

The Phase I and Phase II Environmental Site Assessment (Appendix F) conducted a literature review of historic uses and collected soil sampling at 10 locations for testing for various constituents (**Figure 13** - *Soil Sampling Locations*).

The literature review identified that the Project Site was historically used for agricultural purposes which is generally associated with the potential for pesticides and heavy metals that typically accompany herbicide application (i.e., arsenic and lead). Site soils would be graded for construction which could release these constituents.

The site reconnaissance performed as part of the study in Appendix F found three unlabeled 55-gallon drums, one approximately 35-pound container of multi-purpose grease, and one approximately 30-gallon rusted container of motor oil outside of the workshop building. All of the containers appeared to be weathered and rusted with no secondary containment. Given the lack secondary containment and the condition of the drums, a soil assessment was performed to evaluate whether petroleum hydrocarbons or volatile organic compounds (VOCs) were present at concentrations of concern to residential development.

The results of the soils testing performed in Appendix F is summarized in **Table 8** - *Summary of Soil Analytical Results - OCPs and Lead/Arsenic* and **Table 9** - *Summary of Soil Analytical Results - TPH and VOCs.*

Table 8 - Summary of Soil Analytical Results - OCPs and Lead/Arsenic

			Arsenic and Lead by 6010B		OCPs by 8081A				
Sample ID	**Depth (Feet)**	**Sample Date**	**Arsenic**	**Lead**	**4,4'-'DD**	**4,4'-'DE**	**4,4'-DDT**	**gamma-Chlordane**	**Others**
USEPA RSLs (Residential)			**0.68**	**400**	**1.9**	**2.0**	**1.9**	**NE**	Varies
DTSC HERO Note 3 (Residential)			**0.41**	**80**	**1.9**	**23**	**37**	**NE**	Varies
California Background Levels(–)			**0.6 - 11.–**	**12.4 - 97.1**	**NE**	**NE**	**NE**	**NE**	Varies
B-1	1.0	1/21/21	NA	NA	NA	NA	NA	NA	NA
B-2	1.0	1/21/21	NA	NA	NA	NA	NA	NA	NA
B-3	1.0	1/21/21	NA	NA	NA	NA	NA	NA	NA
B-4	1.0	1/21/21	NA	NA	NA	NA	NA	NA	NA
B-5	1.0	1/21/21	NA	NA	NA	NA	NA	NA	NA
B-6-1.0	1.0	1/21/21	<2.62	**8.22**	<0.0049	<0.0049	<0.0049	<0.0049	<various
B-7-1.0	1.0	1/21/21	**2.83**	**6.76**	<0.005	<0.005	<0.005	<0.005	<various
B-8-1.0	1.0	1/21/21	<2.62	**35.8**	<0.005	<0.005	<0.005	**0.007**	**alpha-Chlordane: 0.0078 Chlordane: 0.062**
B-9-1.0	1.0	1/21/21	**4.27**	**30.2**	<0.0049	**0.0053**	<0.0049	<0.0049	<various
B-10-1.0	1.0	1/21/21	**4.47**	**29.5**	<0.0049	**0.0058**	<0.0049	<0.0049	<various

Notes:
All concentrations reported in milligrams per kilogram (mg/kg).
(1) - More conservative screening level between USEPA Region 9 RSL (May 2020) and DTSC HERO Note 3 (June, 2020
DTSC - Department of Toxic Substance Control
USEPA - United States Environmental Protection Agency
HERO HHRA - Human and Ecological Risk Office Human Health Risk Assessment
NA - Not Analyzed
NE - Not Established
RSL - Regional Screening Level
OCPs - Organochlorine Pesticides
BOLD Denotes analyte was detected above the laboratory reporting limit
< - Denotes analyte was not detected above the laboratory reporting limit
Shading shows value above the residential screening level.

Table 9 - Summary of Soil Analytical Results - TPH and VOCs

ID	Depth	Date	TPH by 8015M			VOC by 8260B					
			GRO	DRO	ORO	Benzene	Toluene	Ethylbenzene	p/m-Xylenes	o - Xylenes	Various
Residential Screening Levels (1)			82	96	2500	0.33	1,100	5.8	560	650	Various
B-1	1.0	1/21/21	<0.10	<0.49	<0.49	<0.00099	<0.00099	<0.00099	<0.0099	<0.0099	<various
B-2	1.0	1/21/21	<0.10	**15**	**38**	<0.00099	<0.00099	<0.00099	<0.0099	<0.0099	<various
B-3	1.0	1/21/21	<0.10	**7.4**	<0.51	<0.00099	<0.00099	<0.00099	<0.0099	<0.0099	<various
B-4	1.0	1/21/21	<0.10	**16**	**21**	<0.00099	<0.00099	<0.00099	<0.0099	<0.0099	**Ethanol 0.530**
B-5	1.0	1/21/21	<0.099	**11**	**14**	<0.00099	<0.00099	<0.00099	<0.0099	<0.0099	<various

Notes:
All concentrations reported in milligrams per kilogram (mg/kg).
(1) - More conservative screening level between USEPA Region 9 RSL (May 2020) and DTSC HERO Note 3 (June 2020).
(2) - SFBRWQCB ESLs used for TPH screening.
DRO - Diesel Range Organic
DTSC - Department of Toxic Substance Control
ESL - Environmental Screening Level
HERO HHRA - Human and Ecological Risk Office Human Health Risk Assessment
GRO - Gasoline Range Organic
ORO - Oil Range Organic
NE - Not Established
VOC - Volatile Organic Compounds
BOLD Denotes analyte was detected above the laboratory reporting limit
< - Denotes analyte was not detected above the laboratory reporting limit

The results of the testing showed:

- *Agricultural constituents:* no organochlorine pesticides (OCPs) were present in any of the soil samples collected from the areas of historical agricultural activities, except for minor detections of 4,4'-DDE, gamma-Chlordane, alpha-Chlordane, and Chlordane (Table 8). However, the concentrations were well below the United States Environmental Protection Agency (USEPA) Regional Screening Level (RSL) and below the Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (HERO) residential screening level. Additionally, the cumulative concentration of the DDT related compounds, and other OCPs, were below the California Hazardous Waste screening levels for these compounds. OCPs are not considered a concern to the Project Site. Therefore, potential impacts would be less than significant.
- *Lead and Arsenic.* Lead was detected at concentrations ranging from 6.76 to 35.8 milligrams per kilogram (mg/kg), which were also well below the USEPA RSL for residential use of 480 mg/kg, and also below the DTSC HERO residential screening level of 80 mg/kg for lead. Arsenic was detected at concentrations ranging from 2.83 to 4.47 mg/kg, which are above the USEPA RSL for residential use of 0.68 mg/kg, but within the southern California naturally occurring regional background levels of 0.6 to 11.0 mg/kg (Table 8). Therefore, potential impacts would be less than significant.

- *Fuel/Oil Constituents.* The soil testing detected low levels of various constituents related to the oil barrels found on site as shown in Table 9. However, the levels are considered to be a *de minimis* condition, which do not present a material risk to human health (Appendix F). Therefore, potential impacts would be less than significant.

The Applicant would have to comply with all applicable federal, state, and local laws and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste during the construction phase to reduce the likelihood and severity of accidents during transit.

Additionally, the Phase 1 Environmental Site Assessment was performed for the Project per ASTM Standard Practice CFR Part E152 13 and the EPA Standards and Practices for All Appropriate 312 (Appendix F). The assessment showed that although the historical use was agriculture with the potential for pesticide use, there was no evidence of Recognized Environmental Condition (RECs) or Controlled RECs on the Project Site based on records searches and the field survey.

Given the age of the existing buildings on the Property, the study in Appendix F showed that the buildings may contain ACMs and lead-based paint. Demolition of the buildings would follow all state, federal and local regulations on ACM and lead-based paint removal. This includes Title 8 of the California Code of Regulations, Section 1529 (8 CCR 1529) which requires that all disturbance and/or removal operations of ACMs, including Assumed ACMs must be performed by a Cal/OSHA registered and State licensed asbestos removal contractor. Notification must be provided to the Division of Occupational Safety and Health (Cal/OSHA) 24 hours prior to starting such activities in accordance with 8 CCR 5203. Title 8 of the California Code of Regulations, Section 1529 (8 CCR 1529).

Should the removal of asbestos-containing materials involve at least 100 square feet, then a 14-calendar day written notification to the South Coast Air Quality Management District (SCAQMD) in accordance with Rule 1403, and a 24-hour written notice to Cal/OSHA prior to the initiation of such activities are required. Notification to employees and contractors working within the building should be made per the California Health and Safety Code, Section 25915 *et.seq*., and Proposition 65.

Other regulations related to demolition of the structures that must be followed that prevent release of hazardous chemicals into the environment include but are not limited to:

- All activities involving potential and identified lead-containing surfaces must be performed per California Health & Safety Code sections 17920.10 and 10525, 10525.7, Title 8, California Code of Regulations (CCR), Section 1532.1. In addition, all activities involving identified lead-based paints (LBP) must be performed per Title 17, CCR, Division 1, Chapter 8, Sections 35001 through 36100, and 40 CFR 745 which proscribe the use of California Department of Public Health (CDPH) or Federal EPA certified firms, workers, work practices, and other requirements.
- Written notification to Cal/OSHA is required should LBP activities involve equal to or more than 100 square feet or 100 linear feet of removal per the requirements of 8 CCR 1532.1. Written notification to CDPH may be required.

- Any welding, cutting or heating of metal surfaces containing surface coatings should be conducted in accordance with 8 CCR 1537 Welding, Cutting, and Heating of Coated Metals. This standard requires surfaces covered with toxic preservatives, and in enclosed areas, be stripped of all toxic coatings for a distance of at least 4 inches, in all directions, from the area of heat application prior to the initiation of such heat application, or 8 CCR 1536 Ventilation Requirements for Welding, Brazing, and Cutting.

Therefore, based on the results of the soil sampling being at low, non-hazardous levels and the fact that the Property Owner/Developer would be required to follow all state, federal, and local regulations, potential impacts associated with a reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is less than significant, and no mitigation would be required.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact: The closest school to the Project Site is the Lake View Elementary School, which is approximately 0.5 mile north of the Project Site, the Fulton Middle School (approximately 0.4 mile east of the Project Site in Fountain Valley), the Roch Courreges Elementary School (approximately 0.4 mile east of the Project Site in Fountain Valley), and Ocean View High School, located approximately 1.3 miles northwest of the Project Site).

There is a potential to expose children at these nearby schools to hazardous substances through accidental releases during demolition and construction activities. However, during demolition, existing hazardous materials and wastes would be removed and disposed per pertinent regulations. During construction, a potential exists for the accidental release or spill of hazardous substances such as gasoline, oil, hydraulic fluid, diesel fuel, or other liquids associated with construction equipment operation and maintenance. However, use of these materials would be in limited quantities as typical during the operation and maintenance of construction equipment and would be conducted in compliance with applicable federal, State, and local regulations. Additionally, the contractor would be required to use standard construction controls and safety procedures, which would avoid and minimize the potential for accidental release or spill of such substances into the environment. With compliance with pertinent regulations, potential impacts associated with the accidental release of hazardous substances during demolition and construction would be less than significant, and no mitigation would be required.

Residential activities associated with occupancy of the proposed dwelling units would be similar to that of other residential uses surrounding the Project Site and would not generate hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste in quantities that may impact students at schools within ¼-mile of the Project Site. Therefore, potential impacts associated with hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school would be less than significant, and no mitigation would be required.

d) Would the project be located on a site which is included on a list of hazardous materials 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?

Less Than Significant Impact: Government Code Section 65962.5(a)(1) requires that Department of Toxic Substance Control (DTSC) "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: (1) all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC"). The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. This is known as the "Cortese List." This is a very small and specific subgroup of facilities, and they are not separately posted on the DTSC or Cal/EPA's website.

A regulatory agency database search report was performed as part of the analysis in Appendix F. The Project property was identified in Cortese List, as well as several other database listings in reference to the presence of a historical UST containing gasoline, located within the Property. Remediation and removal of the UST was completed in 1990 after a leak was discovered in 1985. Since the "No Further Action" letter was issued by the Orange County Health Agency, the case remained closed as of 1990. Soil sampling conducted as part of the analysis in Appendix F did not detect fuel or oil above reporting limits. The Project Site is not included in any other list of hazardous materials sites pursuant to Government Code Section 65962.5. Operation of the Proposed Project would not result in the use or storage of copious quantities of hazardous materials, Therefore, potential impacts associated with hazardous materials sites to the public or the environment would be less than significant, and no mitigation would be required.

e) For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 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?

No Impact: The Project Site is not located within two miles of a public airport. The closest airports to the Project Site are the John Wayne International Airport, approximately 6.5 miles southeast of the Project Site, and the Los Alamitos Airfield, approximately 7 miles northwest of the Project Site. The Proposed Project would not result in a safety hazard for people residing or working in the project area because of its proximity to a public airport. Therefore, no impacts associated with public use airports would occur, and no mitigation would be required.

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

Less Than Significant Impact: Development of the Project Site would not interfere with any of the daily operations of the City of Huntington Beach Fire Department Site access would be provided by two driveways. The main entrance would be on Newland Street at the eastern boundary of the Project Site with a secondary entrance off of Talbert Ave.

Emergency response and evacuation for the City are based on numerous access routes. The City's General Plan designates Newland Street as an Evacuation Route in the event of a tsunami. The Project Site is well outside of the tsunami evacuation zone, which is primarily occurs along the low-lying wetlands and beach areas near the coastline, approximately 4 miles south of the Project Site. Should an evacuation for a tsunami occur, residents would not need to evacuate and could shelter in place. The driveways allow access to the Project Site for the residents as to not to interfere with the emergency evacuation plan.

The Proposed Project would not interfere with the City's emergency operations plan or impede roadway access through removal or closure of any streets. All construction activities would be required to be performed according to the standards and regulations of the City and county fire and sheriff's departments. For example, the Property Owner/Developer and construction contractor would be required to provide on- and offsite access and circulation for emergency vehicles and services during the construction and operation phases.

The Project would also be required to undergo the City's development review and permitting process and would be required to incorporate all applicable design and safety standards and regulations of the Fire Department to ensure that the Project does not interfere with the provision of local emergency services (e.g., provision of adequate access roads to accommodate emergency response vehicles, adequate numbers/locations of fire hydrants).

Overall, the Proposed Project would not impair implementation of or physically interfere with the City of Huntington Beach's emergency operations plan or evacuation plan. The Proposed Project would not interfere with circulation or access to Talbert Ave or Newland Street for surrounding uses. Therefore, no impacts associated with an adopted emergency response plan or emergency evacuation plan would occur, and no mitigation would be required.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

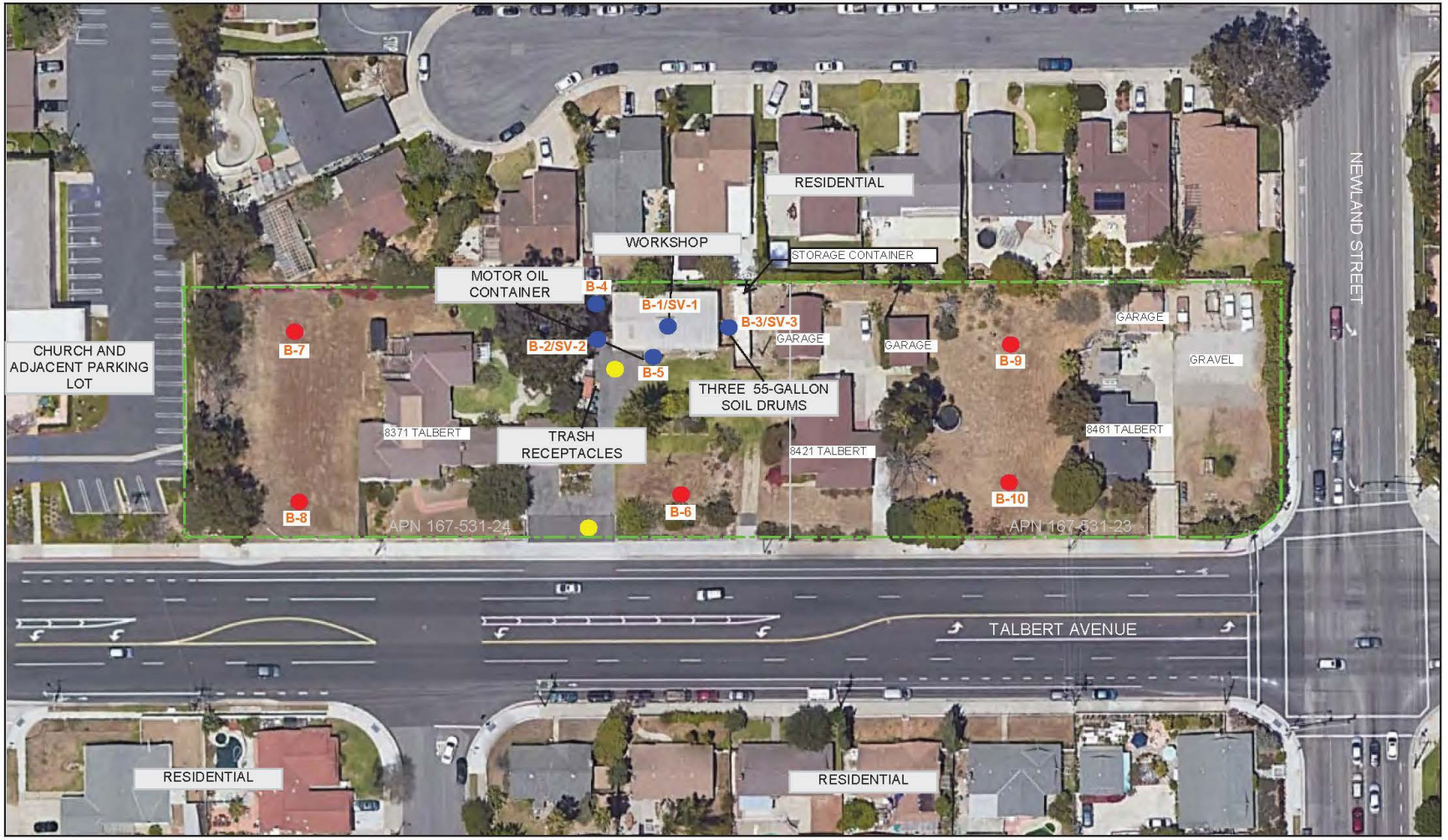
No Impact: The Project Site is located in an urban area, and there are no wildlands in the vicinity of the Project. The new facilities would be constructed in accordance with all local, State and federal regulations regarding fire safety devices, including but not limited to fire sprinklers in the building. Therefore, potential impacts associated with wildland fires would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Hazards and Hazardous Materials apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Hazards and Hazardous Materials would be less than significant, and no mitigation would be required.



Not to Scale

Figure 13: Soil Sampling Locations

Source: *Phase 1 and Phase II Report, Appendix F*

4.10 Hydrology and Water Quality

A Water Quality Management Plan (PWQMP) was completed to determine potential impacts to hydrology and water quality associated with the development of the Proposed Project (**Appendix G** – *Preliminary Water Quality Management Plan, Talbert & Newland, Tentative Tract Map No. 19157).*

Regulatory Setting

The Santa Ana Regional Water Quality Control Board requires that dischargers whose construction projects disturb one (1) or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD).

The State's Municipal Storm Water Permitting Program regulates stormwater discharges from municipal separate storm sewer (drain) systems (MS4s). Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a storm water management plan/ program with the goal of reducing the discharge of pollutants to the "maximum extent practicable," which is the performance standard specified in Section 402(p) of the Clean Water Act. The management programs specify which BMPs would be used to address certain program areas. The program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations.

County of Orange, Orange County Flood Control District and the incorporated Cities of Orange County within the Santa Ana Region are permitted to discharge pollutants from their MS4s. Stormwater and non-stormwater enter and are conveyed through the MS4 and discharged to surface water bodies of the Orange County region. The MS4 permit requires the development and implementation of a program addressing stormwater pollution issues in development planning for private projects. The primary objectives of the municipal stormwater program requirements are to: 1) effectively prohibit non-stormwater discharges, and 2) reduce the discharge of pollutants from stormwater conveyance systems to the "maximum extent practicable" statutory standard.

Environmental Setting

The Project Site is relatively flat with elevations ranging from 45 to 51 AMSL. The existing site drainage pattern is directed as sheet flow to the south onto Talbert Avenue. The drainage is then directed west into an existing catch basin on the north side of Talbert Avenue and about 20 ft east of the west project property line. From thence storm water flows north via a series of storm water drainage facilities to the East Garden Grove Wintersburg Channel, where it then flows southwest and ultimately to the Pacific Ocean.

Floodplains

The Project Site does not contain any natural drainages or waterways, according to the biological resources report in Appendix B**.** The Project Site is also located outside of a flood zone according to Figure HAZ-7 of the Natural and Environmental Hazards element of the City's General Plan identifies that (City, 2017).

Groundwater

During the geotechnical analysis prepared for the Project (Appendix E), groundwater was encountered during this firm's subsurface exploration at a depth of 38 feet below the existing ground surface. The data obtained during the geotechnical investigation identifies that the historical high groundwater for the subject site is deeper than 30 feet.

The City of Huntington Beach (City) delivers water to most of the City including to the Project Site. The Proposed Project does not include the installation of groundwater wells for water service. The City is a member agency of the Municipal Water District of Orange County, which provides "imported" water from the Colorado River and the State Water Project via the Metropolitan Water District of Southern California.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
X. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
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:				
• result in substantial erosion or siltation onsite or offsite;			X	
• substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;			X	
• create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
• impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion

a) Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact:

Construction

Construction-related runoff pollutants are typically generated from waste and hazardous materials handling or storage areas, outdoor work areas, material storage areas, and general maintenance areas (e.g., vehicle or equipment fueling and maintenance, including washing). Construction projects that disturb 1 acre or more of soil, including the Proposed Project, are regulated under the construction general permit (CGP, Order No. 2009-009-DWQ) and its subsequent revisions (Order No. 2012-0006-DWQ) issued by the SWRCB. Projects obtain coverage under the CGP by developing and implementing a SWPPP, estimating sediment risk from construction activities to receiving waters, and specifying best management practices that would be implemented as a part of the Project's construction phase to minimize pollution of stormwater prior to and during grading and construction.

The Proposed Project's construction contractor would be required to prepare and implement a SWPPP and associated BMPs in compliance with the CGP during grading and construction. The SWPPP would specify BMPs that would be implemented for the Proposed Project during the construction phase include but are not limited to:

- Installation of perimeter silt fences and perimeter sandbags and/or gravel bags
- Stabilized construction exits with rumble strip(s)/plate(s)
- Installation of storm drain inlet protection on affected roadways
- Installation of silt fences around stockpile and covering of stockpiles
- Stabilization of disturbed areas where construction ceases for a determined period of time (e.g., one week) with erosion controls
- Installation of temporary sanitary facilities and dumpsters

Adherence to the BMPs in the SWPPP would reduce, prevent, minimize, and/or treat pollutants and prevent degradation of downstream receiving waters; reduce or avoid contamination of urban runoff with sediment; and reduce or avoid contamination with other pollutants such as trash and debris, oil, grease, fuels, and other toxic chemicals.

Therefore, with implementation of the BMPs in the required SWPPP, impacts associated with water quality or waste-discharge from Project-related grading and construction activities would be less than significant, and no mitigation would be required.

Operations

The PWQMP, located in Appendix G, addresses the post-project conditions with respect to water quality. In the post-development condition, the Proposed Project would maintain existing drainage patterns. The Project Site's runoff drains to, and is collected in, the north/south drive

aisle gutters and conveyed in a southerly direction towards two proposed bioswales. High flows drain west and discharge to the existing catch basin in the north side of Talbert Avenue through a proposed storm drain connection. Overall, implementation of the WQMP would reduce water quality and waste-discharge impacts from operational activities to less than significant, and no mitigation would be required. Therefore, potential impacts associated with water quality standards or waste discharge requirements would be less than significant, and no mitigation would be required.

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?

Less Than Significant Impact: The Project Site lies within the Coastal Plain of Orange County Groundwater Basin within the greater Orange County Groundwater Basin, as designated by the California Department of Water Resources. Water from the basin provides approximately 70 percent of the water supply for residents in north and central Orange County. The basin stores an estimated 66 million acre-feet of water, although only a fraction of this can be sustainably pumped without causing physical damage such as seawater intrusion or potential land subsidence (OCWD, 2015).

Groundwater was encountered during this firm's subsurface exploration at a depth of 38 feet below the existing ground surface. The CDMG Seismic Hazard Zone Report 03 suggest that historical high groundwater for the subject site is deeper than 30 feet (CDMG, 1997).

No aspect of the Project involves installation of groundwater extraction wells or groundwater recharge. Development of the Project would involve paving a large amount of the approximately 2.1-acre Project Site, thereby increasing impervious surfaces in the Project area. The WQMP prepared for the Project identifies that all runoff would be dispersed to landscaped swales. Insufficient demand for harvest and use is a site constraint, therefore impervious area dispersion was considered as a low-impact development opportunity. The landscape swales would retain stormwater runoff during storm events and gradually release it back into the ground and the City's storm drain system. Therefore, the Project would not interfere with groundwater recharge and would beneficially retain water to ensure more groundwater recharge. Therefore, potential impacts associated with groundwater supplies or groundwater recharge would be less than significant, and no mitigation would be required.

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:

- *result in substantial erosion or siltation onsite or offsite;*

Less Than Significant Impact: Grading activities during construction of the Proposed Project may result in wind driven soil erosion and loss of topsoil. However, all construction and grading activities would comply with City's grading ordinance using BMPs, including the use storm drain inlet protection, efficient irrigation systems and landscape design, and common area litter control. Upon project completion, the Project Site would be developed with a 34-unit residential

development consisting of residential rental units, paved surfaces, and landscaping, which would prevent substantial erosion from occurring. Therefore, potential impacts from erosion would be less than significant, and no mitigation would be required.

- *substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;*

Less Than Significant Impact: As discussed, the Proposed Project would not substantially alter the existing drainage pattern of the Project Site. The Proposed Project would not involve an alteration of the course of a stream or river. Appendix G concludes the post-construction drainage pattern would remain the same as the preconstruction drainage pattern, and on-site runoff would not exceed that of the existing condition. The Project Site's runoff drains to, and is collected in, the north/south drive aisle gutters and conveyed in a southerly direction towards two proposed bioswales. High flows drain west and discharge to the existing catch basin in the north side of Talbert Avenue through a proposed storm drain connection. The proposed bioswale system would be designed and installed in compliance with Appendix G to temporarily store and infiltrate runoff, primarily from rooftops and another impervious area.

The Proposed Project would not increase the runoff from the Project Site because the proposed bioswale and drainage system proposed for the Project Site would retain and treat project run-off and would not increase flow rates from the pre-development condition, as identified in Appendix G. Therefore, potential impacts associated with on or off-site flooding due to an altered drainage pattern would be less than significant, and no mitigation would be required.

- *create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*

Less Than Significant: As discussed, the Proposed Project would not substantially alter the existing drainage pattern of the Project Site and would not increase flow rates from the existing condition as the Proposed Project includes a drainage system that would be designed and installed in compliance with Appendix G to temporarily store and infiltrate runoff, primarily from rooftops and other impervious area. Non-structural BMPs such as activity restrictions, common area landscape maintenance, and litter control would also contribute toward runoff control and water quality protection. In addition, the Property Owner/Developer would be required to comply with the NPDES permit requirements to reduce any potential water quality impacts.

The discharges from Project Site post-development would not alter the drainage characteristics of the Project Site as drainage would follow existing conditions. Therefore, potential impacts from runoff that would exceed the capacity of the drainage systems or provide additional sources of polluted runoff would be less than significant, and no mitigation would be required.

- *impede or redirect flood flows?*

No Impact: According to the Federal Emergency Management Agency (FEMA) flood maps, the Project Site is located The Project is located outside the 100-year floodplain, as mapped by FEMA (site is within Flood Zone X) and would not impede or redirect flood flows (FEMA Map 065034).

Therefore, no impacts associated with impeding or redirecting flood flows would occur, and no mitigation would be required.

d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact: According to the Federal Emergency Management Agency (FEMA) flood maps, the Project Site is located The Project is located outside the 100-year floodplain, as mapped by FEMA (site is within Flood Zone X.

The City of Huntington Beach's General Plan identifies that the Proposed Project is located approximately 3 miles north of the tsunami hazard zone.

Seiches are surface waves created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to development near large water bodies and water storage facilities, because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. The Project Site is not near a body of water where seiche can occur.

No dams are located in the Huntington Beach area, although the Seven Oaks Dam and Prado Dam dams, located upstream along the Santa Ana River, could flood large portions of Huntington Beach if they experienced a catastrophic failure. Figure HAZ-8 of the Natural and Environmental Hazards element in the City's General Plan identifies that the Project Site is outside of the potential to experience flooding from dam failure.

The surrounding topography of the Project Site is generally flat and would not be subject to inundation by mudflow.

Therefore, no impacts associated with seiche, tsunami, or mudflow would occur, and no mitigation would be required.

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

Less Than Significant Impact: The Proposed Project's construction contractor would be required to prepare and implement a SWPPP and associated BMPs in compliance with the CGP during grading and construction. The Project would be operated in accordance with a final WQMP which would be approved by the City and operated by the Project's homeowner's association. No aspect of the project involves groundwater wells or groundwater pumping. Therefore, potential impacts associated with the implementation of a water quality control plan or sustainable groundwater management plan would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Hydrology and Water Quality apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Hydrology and Water Quality would be less than significant, and no mitigation would be required.

4.11 Land Use Planning

Environmental Setting

The approximately 2.1-acre Project Site is generally located on the north side of Talbert Ave, adjacent to and west of Newland Street and approximately 0.4 mile east of Beach Blvd/SR-38 (Figures 1 through 3). The Project Site is situated within an area of single-family residences except a church which borders the Project Site's western boundary. West of the church lies the Good Shepherd Cemetery and Mausoleum. Table 1 identifies the surrounding land uses.

The City of Fountain Valley city limits lies on the east side of Newland Street directly across from the Project Site. In the vicinity of Talbert Ave and Newland Street, The City of Fountain Valley identifies the area as AH- Affordable Housing District.

The Project Site encompasses the addresses of 8371, 8461, and 8421 Talbert Ave (Figure 2) and are identified as Orange County Assessor's Parcel No. 167-531-23 (8421 and 8461 Talbert Avenue) and 167-531-24 (8371 Talbert Avenue). Each parcel is approximately 1 acre.

The Project Site current contains three one-story single-family homes, with four single-story outbuildings. The oldest dwelling, 8461 Talbert Avenue, was constructed in 1917 in a Craftsman style. The 8371 Talbert Avenue residence was constructed in 1935 in a Ranch style, and the third dwelling, 8421 Talbert Avenue, was constructed in 1948 in a Minimal Traditional style.

Site Zoning and General Plan Designations

The Project Site and immediate surrounding area are zoned by the City as Residential Low Density (RL), which provides for a maximum density of seven residential units per acre (City of Huntington Beach, Title 21, Section 210.02).

The Project Site's General Plan designation is RL (Low Density Residential). Density in this designation ranges up to seven units/acre and provides for traditional detached single-family housing, zero-lot-line developments, mobile home parks, low-density senior housing, and accessory dwelling units or "granny" flats (City, 2017).

While the surrounding parcels conform to the density designated by the City's zoning and general plan, the Project parcels are each approximately 1-acre and only have one to three residential units per acre.

Project Regulatory Components and Entitlements

The Project includes a number of regulatory actions that will ensure the Proposed Project is consistent with the City of Huntington Beach's ordinances and plans. These are as follows:

- General Plan Amendment No. 21-002**.** The Proposed Project includes a request to amend the General Plan designation for parcels 167-531-23 and -24 from Residential Low Density (RL) to Residential Medium Density (RM). The City's General Plan, Land Use Element, defines RM as having density range of greater than 7.0–15.0 units/acre, and provides for uses allowed with the Low Density Residential designation, as well as smaller lot detached single- family housing, zero-lot-line developments, attached

single-family housing (e.g., duplexes, townhomes), and lower-density multiple-family housing, such as garden apartments.

- Zoning Map Amendment No. 21-001. The Proposed Project includes a request to change the zone from Residential Low Density (RL) to Residential Medium Density (RM) Density. The City's zoning code, Title 21, Chapter 210, Section 210.02.
- Tentative Tract Map No. 19157. The Proposed Project includes a tentative tract map to subdivide parcels 167-531-23 and -24, which total approximately 2.1 acres, for condominium purposes.
- Conditional Use Permit No. 21-004**.** The Proposed Project includes a request for a conditional use permit to develop 34 attached two- and three-story townhomes up to 35 ft. tall in the RM Zone, and to allow for an up to 8-foot-high retaining wall topped with a 6-foot-high wall along the west property line. The CUP is required for a proposed use of 10+ units in the RM zone in accordance with the City's Code 210.04.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				X
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?			X	

Discussion

a) Would the project physically divide an established community?

No Impact: The Proposed Project would be compatible with the adjacent residential neighborhoods, would not divide or disrupt the physical arrangement of the existing adjacent residential neighborhoods, and would serve as an extension of existing residential area. Therefore, no impacts associated with dividing an established community would occur, and no mitigation would be required.

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?

Less Than Significant Impact: The Proposed Project's land use is guided by the City of Huntington Beach's General Plan. **Table 10** - *General Plan Consistency* provides an evaluation of Project consistency with General Plan goals, policies and implementation measures that have been adopted for the purpose of avoiding or mitigating an environmental effect.

The General Plan identifies "Goals" as representing a synthesis of input from those who live and work in the City of Huntington Beach and define desired General Plan outcomes. "Policies" provide the overall direction for choosing among alternative courses of action necessary to achieve the Goals while also providing a measure of flexibility needed to adapt the action to changes over the life of the General Plan. "Implementation Measures" are specific, discreet actions the City may take to achieve the future conditions reflected in the General Plan element. Implementation Measures define the municipal work program for providing transportation improvements needed to meet Goals identified in the General Plan element, consistent with the element's policies.

The Proposed Project includes a request to change the zone from Residential Low Density (RL) to Residential Medium Density (RM) Density. **Figure 14** – *Project Site and Vicinity Zoning* illustrates the Project Site and vicinity zoning. The City's zoning code, Title 21, Chapter 210, Section 210.02 sets out the base districts:

- The RL Low Density Residential District, which the Project Site is currently zoned, provides opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Cluster development is allowed. Maximum density is seven units per acre.
- The RM Medium Density Residential District provides opportunities for denser housing than single-family detached dwelling units, including duplexes, triplexes, town houses, apartments, multi-dwelling structures, or cluster housing with landscaped open space for residents' use. Single-family homes, such as patio homes, may also be suitable. Maximum density is 15 units per acre.

For the purposes of Table 10, only those Goals, policies and implementation measures that are applicable to the Project approvals are identified.

Table 10 - General Plan Consistency

General Plan Goal or Policy	Project Consistency Analysis
Land Use Element	
Goal LU-1. New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.	
Policies:	
A. Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.	*Consistent*. The Project Site is currently zoned RL (Residential Low Density). The Project entitlements include a zone change to RM, Residential Medium Density, which is consistent with the proposed General Plan designation of RM.
B. Ensure new development supports the protection and maintenance of environmental and open space resources.	The Project includes Three courtyards (or paseos) are interspersed throughout the community with a larger central green open space serving as the community's focal point for social life and recreation.
C. Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.	The Project would remove the existing single-family structures and would consolidate two parcels into one parcel.
D. Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.	The Project proposes a multi-story residential complex in Huntington Beach, at the corner of Talbert Ave and Newland Street. The adjoining residential in Huntington Beach are single-story. However, on the east side of the intersection with Talbert Ave and Newland Street is the City of Fountain Valley, where multi-story residential exists on both sides of the intersection. Therefore, the Proposed Project would be consistent with the character of the intersection and adjoining land uses to the east.
Goal LU-2. New development preserves and enhances a distinct Surf City identity, culture, and character in neighborhoods, corridors, and centers.	
Policies:	*Consistent*. The Project is designed in a Santa Barbara style with strong eave cornice details (at enhanced locations), gable-end faces and simple shed roofs with low profile Spanish roof tiles. The style exhibits faux gable-end vent recesses, sculpted stucco sill trim, decorative trim with ceramic tile inserts, and smooth stucco surrounds at featured front doors or windows. Other details that the style brings are stucco battered wing-walls, arched openings at porches, deck openings with corbel details and corbel adorned details at cantilevers. Metal railing with accented scrolls, bay windows, Stucco Spanish hood entry awnings
A. Ensure that new development and reuse projects protect existing Surf City culture and identity and preserve and recognize unique neighborhoods and areas as the building blocks of the community. *B. Ensure that new and renovated structures and building architecture and site design are context-sensitive, creative, complementary of the city's beach culture, and compatible with surrounding development and public spaces.* *C. Distinguish neighborhoods and subareas by character and appearance and strengthen physical and visual*	

General Plan Goal or Policy	Project Consistency Analysis
distinction, architecture, edge and entry treatment, landscape, streetscape, and other elements. Evaluate the potential for enhancement of neighborhood entrances and perimeter walls. *D. Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.* *E. Intensify the use and strengthen the role of public art, architecture, landscaping, site design, and development patterns to enhance the visual image of Huntington Beach.*	and exposed truss tails at low porches further expresses the style. The Project is a townhome complex that would be compatible with the surrounding residential environment. The Project Site is currently vegetated along both Talbert Ave and Newland Street. The Project landscape plan provides for landscaping along these main roadways consistent with the roadway landscaping in the Project vicinity.
Goal LU-3. Neighborhoods and attractions are connected and accessible to all residents, employees, and visitors.	
Policies: *A. Ensure that future development and reuse projects are consistent with the Land Use Map to provide connections between existing neighborhoods and city attractions.* *B. Improve trail, bicycle pathway, roadway, sidewalk, and transit connections to new development and reuse projects.* *C. Ensure connections are well maintained and safe for users.*	*Consistent.* The Proposed Project is within an existing single-family residential area, along major thoroughfares that have connections to existing neighborhoods and city attractions. The streets adjacent to the Project Site (Talbert Ave and Newland Street) are improved with sidewalks and a bicycle lane. Transit opportunities exist within walking distance (less than 0.5 mile) of the Project Site. The Project does not propose to change these features.
Goal LU-4. A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.	
Policies: *A. Encourage a mix of residential types to accommodate people with diverse housing needs.* *B. Improve options for people to live near work and public transit.* *C. Encourage and provide incentives for residential property owners to maintain their homes and buildings.* *D. Ensure that single-family residences are of compatible proportion scale and character to surrounding neighborhoods.* *E. Encourage housing options located in proximity to employment to reduce vehicle miles traveled.*	*Consistent.* The Proposed Project is a 34-unit townhome complex that would offer three units to moderate income which would encourage homeownership in an underserved population of Huntington Beach. The Project is located along two throughfares, which offer transit opportunities. Once constructed, the complex would be professionally managed by a Homeowners Association which would maintain the grounds. The Project's proposed three-story units are of compatible proportion and scale to the immediate vicinity of the intersection of Talbert Ave and Newland Street where single-story units exist on the south side of Talbert Ave and on the northern property line, but multi-story residential exists east of the intersection, in Fountain Valley. Overall, the three-story units being on the corner of the intersection would be compatible in proportion and scale to the overall character of the area.

General Plan Goal or Policy	Project Consistency Analysis
Circulation Element	
Goal CIRC-1a. The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections. **Goal CIRC-1c. Through ongoing evaluation of jurisdiction, efficient transportation management provides the highest level of safety, service, and resources.**	
Policies:	*Consistent.*
B. Maintain the following adopted performance standards for citywide level of service for traffic-signal-controlled intersections during peak hours. *a. Locations with specific characteristics identified as critical intersections: LOS E (ICU to not exceed 1.00)* *b. Principal Intersections: LOS D (0.81–0.90 ICU)* *c. Secondary Intersections: LOS C (0.71–0.80 ICU)*	The Project traffic study (Appendix H) identified that the additional Project traffic would not reduce levels of service at the intersections of Talbert Ave/Newland Street, as well as at the Project driveway entrances. Both Newland Street and Talbert Street are designed by the City as Secondary intersections.
C. Monitor the capacity of principal intersections. When principal intersections approach or have reached unacceptable levels of service, consider elevating the priority of Capital Improvement Program (CIP) projects that reduce traffic congestion at these intersections.	
D. Require additional right-of-way and restrict parking on segments adjacent to principal intersections to allow for future intersection improvements and turning movements as needed to satisfy performance standards.	On-street parking is allowed on Talbert Ave and Newland Street, and the Proposed Project would not change that.
E. Maintain compliance with the OCTA Congestion Management Program or any subsequent replacement program.	Neither Talbert Ave nor Newland Street are considered by OCTA as a Congestion Management Program highway target to reduce congestion measures.
F. Require development projects to provide circulation improvements to achieve stated City goals and to mitigate to the maximum extent feasible traffic impacts to adjacent land uses and neighborhoods as well as vehicular conflicts related to the project.	No circulation improvements are required of the Project as it was deemed consistent with the City's traffic goals.
G. Limit driveway access points, require driveways to be wide enough to accommodate traffic flow from and to arterial roadways, and establish mechanisms to consolidate driveways where feasible and necessary to minimize impacts to the smooth, efficient, and controlled flow of vehicles, bicycles, and pedestrians.	The Project proposes two ingress/egress driveways, one off of Newland Street (east side of property) and one from Talbert Ave (southwest side of property). This is the minimum driveways necessary to support interior circulation and emergency. The main ingress/egress is proposed off of Newland Street, and the secondary, right-in/right-out driveway is proposed for Talbert Ave.

General Plan Goal or Policy	Project Consistency Analysis
H. Protect residential neighborhoods from adverse conditions associated with cut-through and nonresidential traffic.	The Project would be gated, and there would be no cut-through traffic by non-residents. Because the Proposed Project's additional traffic was determined not to cause additional delays on adjacent streets, cut-through traffic in the other neighborhoods is not anticipated.
Environmental Resources and Conservation	
Goal ERC-12. New buildings are increasingly energy efficient and ultimately equipped to support zero net energy performance	
Policies:	*Consistent*.
A. Create incentives for proposed development and reuse projects to exceed the minimum energy efficiency standards established in the California Building Standards Code when constructing new or significantly renovated residential and nonresidential buildings, including achieving zero net energy performance in advance of state-level targets.	The proposed homes will be designed to meet Title 24 Part 6 building standards that requires all new homes built in California to be designed to be zero-net- energy, which is achieved through enhanced insulation and installation of efficient lights, appliances and rooftop solar PV systems.
B. Promote the use of passive solar design techniques and technologies in new buildings to reduce energy use for heating and cooling.	The Proposed Project has been designed with consideration of passive solar design techniques that include north-south orientation of buildings as well as utilization of overhangs and placement of trees for shade.
Goal ERC-13. Increase both distributed generation and utility renewable energy sources within municipal and community-wide practices.	
Policies:	Consistent.
A. Encourage the use of solar energy systems in homes and commercial businesses as a form of renewable energy, including in support of zero net energy goals.	The proposed homes will be designed to meet Title 24 Part 6 building standards that requires all new homes built in California to install rooftop solar PV systems.
B. Encourage renewable energy options that are affordable and benefit all community members.	All proposed homes will include a rooftop solar PV system and the Applicant has committed to providing 10 percent moderate-income affordable units.
E. Support opportunities to increase energy storage capacity in the community.	The Proposed Project is required to meet the Title 24 Part 6 building standards that requires the garages of all new homes to be wired for electrical vehicle chargers, which may also be utilized for home energy storage systems.

General Plan Goal or Policy	Project Consistency Analysis
Natural and Environmental Hazards	
Goal HAZ-1. Structures are designed and retrofitted to be more resilient to earthquakes and other geologic and seismic hazards, protecting against injury while also preserving the structural integrity of the structure.	
Policies: *A. Ensure that new and significantly retrofitted structures are sited and designed to reduce the risk of damage from geologic and seismic hazards.* *C. Construct new key facilities to be resistant to damage from geologic and seismic hazards.*	*Consistent.* The Proposed Project would be designed consistent with the latest standards for seismic safety. The Project Site is not located on or within a major fault zone.
Noise Element	
Goal N-1. Noise-sensitive land uses are protected in areas with acceptable noise levels.	
Policies: *A. Maintain acceptable stationary noise levels at existing noise-sensitive land uses such as schools, residential areas, and open spaces.* *B. Incorporate design and construction features into residential, mixed-use, commercial, and industrial projects that shield noise-sensitive land uses from excessive noise.*	*Consistent.* The Noise Impact Analysis (Appendix H) identified that the Proposed Project would not contribute significant noise to noise-sensitive land uses. Title 24 design features have been incorporated into the Project design which provides interior noise shielding to the residents of the townhomes.
Goal N-2. Land use patterns are compatible with current and future noise levels.	
Policies: *A. Require an acoustical study for proposed projects in areas where the existing or projected noise level exceeds or would exceed the maximum allowable levels identified in Table N-2. The acoustical study shall be performed in accordance with the requirements set forth in this Noise Element.* *B. Allow a higher exterior noise level standard for infill projects in existing residential areas adjacent to major arterials if no feasible mechanisms exist to meet exterior noise standards.*	*Consistent.* The Noise Impact Analysis (Appendix H) identified that the Proposed Project would not contribute significant noise to noise-sensitive land uses. Title 24 design features have been incorporated into the Project design which provides interior noise shielding to the residents of the townhomes.
Goal N-3. The community is not disturbed by excessive noise from mobile sources such as vehicles, rail traffic, and aircraft.	
Policies: *A. Mitigate noise created by any new transportation noise source so that it does not exceed the exterior or interior sound levels specified in Table N-2.* *B. Prioritize use of site planning and project design techniques to mitigate excessive noise. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project.* *C. Employ noise-reducing technologies such as rubberized asphalt, fronting homes to the roadway, or sound walls to reduce the effects of roadway noise on noise-sensitive land uses.*	*Consistent*. The Noise Impact Analysis (Appendix H) identified that the Proposed Project would not contribute significant mobile-source noise to the surrounding area or contribute to aircraft noise. Title 24 design features have been incorporated into the Project design which provides interior noise shielding to the residents of the townhomes.

General Plan Goal or Policy	Project Consistency Analysis
Goal N-4. Noise from construction activities associated with discretionary projects, maintenance vehicles, special events, and other nuisances is minimized in residential areas and near noise-sensitive land uses.	
Policies: *A. Reduce construction, maintenance, and nuisance noise at the source as the first and preferred strategy to reduce noise conflicts.* *B. Require that new discretionary uses and special events such as restaurants, bars, entertainment, parking facilities, and other commercial uses or beach events where large numbers of people may be present adjacent to sensitive noise receptors comply with the noise standards in Table N-2 and the City Noise Ordinance.* *C. Encourage shielding for construction activities to reduce noise levels and protect adjacent noise-sensitive land uses.* *D. Limit allowable hours for construction activities and maintenance operations located adjacent to noise-sensitive land uses.*	*Consistent*. The Noise Impact Analysis (Appendix H) determined that potential significant impacts associated with a substantial temporary or permanent increase in construction and operational noise levels in excess of standards would be less than significant and no mitigation would be required.
Public Services and Infrastructure	
Goal PSI-1. Public safety services, education, facilities, and technology protect the community from illicit activities and crime.	
Policies: *A. Consider the relationship between the location and rate of planned growth and resulting demands on police facilities and personnel.* *D. Ensure that new development and reuse projects and existing land uses promote community safety.*	*Consistent*. As discussed in Section 4.15, Public Services of the IS/MND, the Proposed Project would create the typical range of service calls for residential developments. The Proposed Project would generate a demand for police protection services once the proposed dwelling units are occupied. The incremental demand of the Project for police protection services is not anticipated to increase Huntington Beach Police Department (HBPD) response times to the Project Site or surrounding area. The Project Site would be gated at both ingress/egress points, which would assist in reducing vagrancy and crime within the complex caused by non-homeowners. The gate locks would be accessible to the police department. Additionally, it is assumed that the Homeowners Association would assist in providing residents safety information and would act as a liaison with the City on safety and crime matters.

General Plan Goal or Policy	Project Consistency Analysis
Goal PSI-2. Huntington Beach residents and property owners are protected from fire hazards and beach hazards, and adequate marine safety and emergency medical services are provided by modern facilities and advanced technology.	
Policies: *A. Consider the relationship between the location and rate of planned growth, the placement of critical facilities, and the resulting demands on fire, marine safety, and EMS facilities and personnel.* *E. Ensure that new development and reuse projects and existing land uses promote fire safety.* *G. Ensure development provides adequate access for public safety responders in the event of an emergency.*	*Consistent*. As discussed in Section 4.15, Public Services of the IS/MND, the Proposed Project would create the typical range of service calls for residential developments. The City of Huntington Beach Fire Department (HBFD) provides response to fire protection, medical emergencies, marine safety, hazardous materials incidents, natural and man-made disasters and related emergencies in an effort to reduce life and property loss. The Project Site is currently covered by the HBFD response standards and would not have an impact on response standards. In addition, the Proposed Project would not require an increase in firefighting staff or an increase in firefighting equipment, trucks, or facilities.
Goal PSI-5. A range of educational programs and facilities meets the needs of all ages of the community.	
Policies: *D. Ensure that developers consult with the appropriate school district with the intent to mitigate a potential impact on school facilities prior to project approval by the City.*	*Consistent*. As discussed in Section 4.15, Public Services of the IS/MND, the Proposed Project would generate approximately generate approximately 17 elementary school students (K-8), and approximately 17 high school students, for a potential total of 24 students. The Ocean View School District (OVSD) (Grades K-8) and the Huntington Beach Unified High School District (HBUHSD) (Grades 9-12) would serve the future students. The Project would require payment of mandated school fees as required by Section 65995 of the California Government Code, would provide full and complete mitigation of potential impacts to schools resulting from the Proposed Project.
Goal PSI-6. The costs of water and sewer infrastructure improvements are addressed by benefitting development projects.	
Policies: *A. Provide and maintain wastewater collection facilities which adequately convey wastewater generated by existing land uses and future projects while maximizing cost efficiency.* *B. Ensure that the costs of water and wastewater infrastructure improvements are borne by those who benefit, through adequate fees and charges or the construction of improvements.*	*Consistent*. The City will condition the Project so it shall be the financial responsibility of the developer to furnish and construct all necessary water improvements to City Water Division Standards including any required offsite improvements,

General Plan Goal or Policy	Project Consistency Analysis
C. Explore additional funding sources to support necessary maintenance, expansion, and upgrades to the water and sewer systems.	
Goal PSI-7. The flood control system supports permitted land uses while preserving public safety.	
Policies:	*Consistent*.
C. Monitor demands and manage future development and reuse projects and existing land uses to mitigate impacts and/or facilitate improvements to the storm drainage system. *E. Control surface runoff water discharge into the stormwater conveyance system to comply with the City's National Pollutant Discharge Elimination System Permit and other regional permits issued by the Santa Ana Regional Water Quality Control Board.*	The Proposed Project would generate storm water pollutants during grading and construction activities on the Project Site. However, preparation and implementation of the SWPPP in compliance with the NPDES Construction General Permit and implementation of BMPs would reduce pollutants in the storm water. Therefore, the Proposed Project would be developed consistent with the City's goals pertaining to future demands on the City's storm drain/stormwater conveyance system and compliance with the City's NPDES Permit and other regional permits issued by the Santa Ana RWQCB.
Goal PSI-9. An adequate and orderly system for solid waste collection and disposal meets the demands of new development and reuse projects, existing land uses, and special events.	
Policies: *A. Ensure that new development and reuse projects provide adequate space for recycling and organics collection activities to support state waste reduction goals.* *B. Continue to exceed state solid waste reduction goals and work toward making Huntington Beach a zero-waste community.*	*Consistent*. As described in Section 4.19, Utilities and Service System of the IS/MND, the proposed Project would comply with applicable solid waste statutes and regulations including waste diversion programs. The Proposed Project is anticipated to generate 16 tons of solid waste per year from the Proposed Project (Appendix B). There is sufficient solid waste disposal capacity in the existing landfills to meet the solid waste disposal needs of the proposed Project. Therefore, the Proposed Project would be developed consistent with the City's goals pertaining to solid waste. No conflict with these policies would occur.
Historic and Cultural Resources	
Goal HCR-1. To promote the preservation and restoration of the sites, structures and districts which have architectural, historical, and/or archaeological significance to the City of Huntington Beach.	
Objective: HCR 1.1 Ensure that all the City's historically and archaeologically significant resources are identified and protected.	
Policies:	*Consistent.*
HCR 1.1.1 Continually update the existing citywide survey of potentially historic resources subject to City Council approval. (I-HCR 1)	As described in Section 4.5 of this IS/MND, the Project Site contains three residences that had been identified in the *City of Huntington Beach Historic Context & Survey Report* prepared in 2014 as eligible for listing on the CRHR and for local

General Plan Goal or Policy	Project Consistency Analysis
HCR 1.1.2 Consider the designation of any historically significant public trees, archaeological sites, parks, structures, sites or areas deemed to be of historical, archaeological, or cultural significance as a Huntington Beach City Historical Point, Site or District. (I-HCR 1, and I-HCR 2, I-HCR 3,).	historical context. The properties were not intensively researched or substantively evaluated for CRHR listing as part of the 2014 effort. An intensive historical survey of the properties was prepared as part of the Project (Appendix D-1) which determined that the while the properties were representative of Huntington Beach's past, they did not meet the criteria for eligibility to the CRHR.
2013-2021 Housing Element	
Goal 1: Maintain and enhance the quality and affordability of existing housing in Huntington Beach.	
Policies: *Policy 1.1: Neighborhood Character: Preserve the character, scale and quality of established residential neighborhoods.*	*Consistent:* As described in response LU-2C, the design of the Proposed Project would maintain the informal aesthetic elements of the existing beach community. The Proposed Project design would complement the architectural style of the overall area and surrounding neighborhoods.
Goal 3: Enhance housing affordability so that modest income households can remain an integral part of the Huntington Beach community.	
Policies: *Policy 3.1: Housing Diversity: Encourage the production of housing that meets all economic segments of the community, including lower, moderate-, and upper-income households, to maintain a balanced community.*	*Consistent.* The Proposed Project includes three units that will be reserved for sale to moderate-income qualifiers.
Goal 4: Reduce potential governmental constraints to housing production and affordability.	
Policies: *Policy 4.1 Regulatory Incentives for Affordable Housing. Support the use of density bonuses and other incentives, such as fee deferrals/waivers and parking reductions, to offset or reduce the costs of developing affordable housing while ensuring that potential impacts are addressed.* *Policy 4.2 Flexible Development Standards. Provide flexibility in development standards to accommodate new models and approaches to providing housing, such as transit-oriented development, mixed use and live/work housing.* *Policy 4.3 Efficient Development Processing. Explore continued improvements to the entitlement process to streamline and coordinate the processing of permits, design review and environmental clearance.*	*Consistent:* The Project entitlements include waivers from various City development standards that would accommodate the density bonus and the ultimate number of units as permitted by state law. These are described in Section 2.3.1 of this IS/MND.

General Plan Goal or Policy	Project Consistency Analysis
Goal 6: Promote a healthy and sustainable Huntington Beach through support of housing which minimizes reliance on natural resources and automobile use.	
Policies:	*Consistent:*
Policy 6.1: Green Building: Implement the City's Green Building Program to ensure new development is energy and water efficient.	The proposed homes will be designed to meet Title 24 Part 6 building standards that requires all new homes built in California to install rooftop solar PV systems, which will reduce the reliance on energy. The landscaping plans include drought-tolerant species that will reduce reliance on water.
Policy 6.2: Energy Efficiency and Alternative Energy Sources: Promote modifications to increase energy efficiency and the use of alternative energy sources such as solar energy, cogeneration, and non-fossil fuels.	All proposed homes will include a rooftop solar PV system and the Applicant has committed to providing 10 percent moderate-income affordable units. Additionally, the Proposed Project would meet the Title 24 Part 6 building standards that requires the garages of all new homes to be wired for electrical vehicle chargers, which may also be utilized for home energy storage systems which increases energy efficiency by providing a means for Project residents to reduce reliance on fossil fuels.

Note: MND = Mitigated Negative Declaration; CBC = California Building Code.

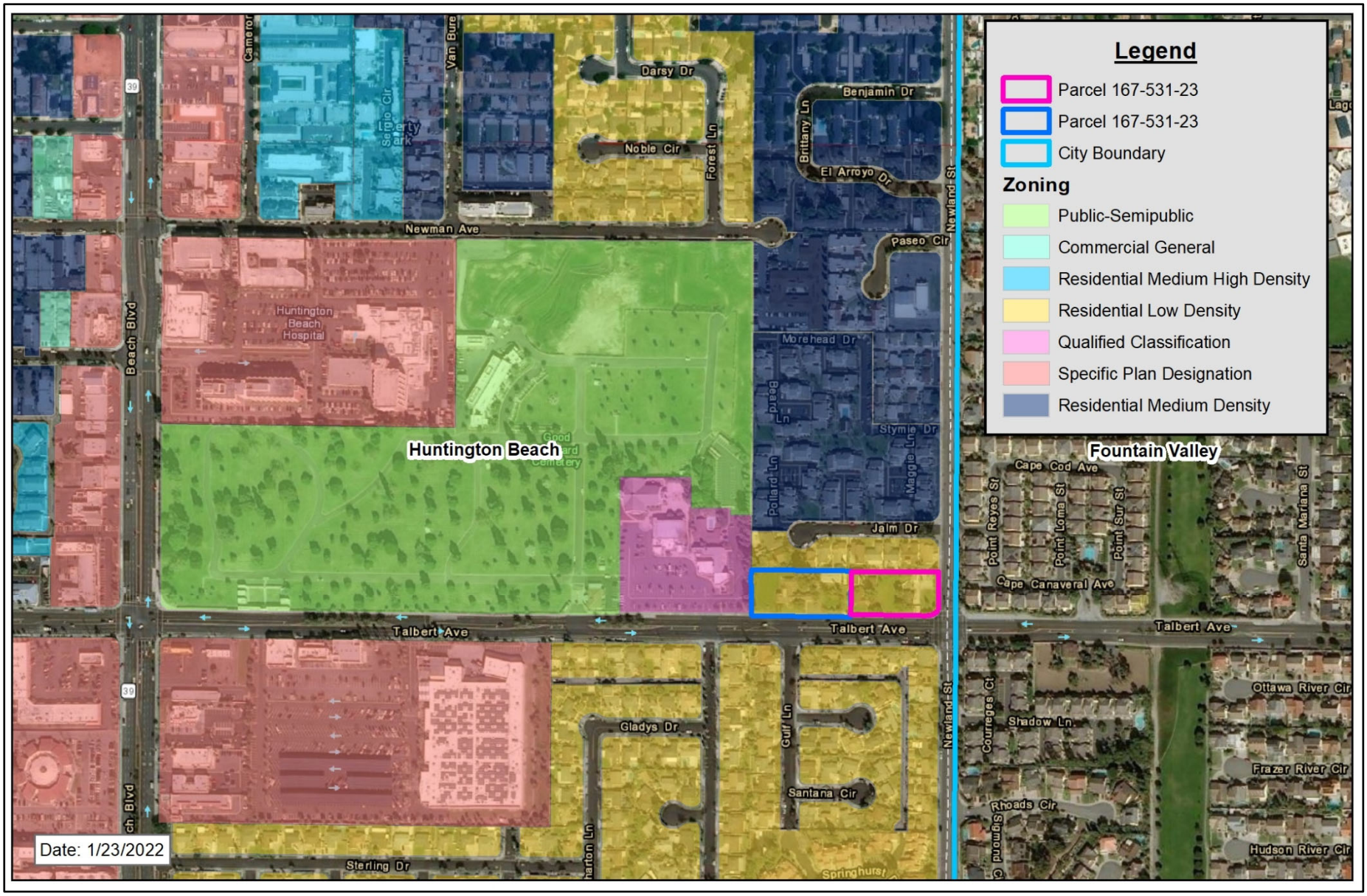
As provided in Table 10, the Proposed Project would be consistent with the applicable General Plan goals and policies. Therefore, potential impacts associated with compliance with the General Plan Land Use Element and Zoning requirements would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Land Use and Planning apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Land Use and Planning would be less than significant, and no mitigation would be required.



Not to Scale

Figure 14: Project Site and Vicinity Zoning

Source: *City GIS*

4.12 Mineral Resources

Regulatory Setting

In 1975, the California legislature enacted the Surface Mining and Reclamation Act (SMARA). This act provides for the reclamation of mined lands and directs the State Geologist to classify (identify and map) the non-fuel mineral resources of the state to show where economically significant mineral deposits occur and where they are likely to occur based upon the best available scientific data. Mineral Resource Zones (MRZ) classifications are designed by the State Geologist in accordance with the State Mining and Geology Board (SMGB)'s priority list, as follows:

- MRZ-1 - areas where geologic information indicates no significant mineral deposits are present;
- MRZ-2 - areas that contain identified mineral resources;
- MRZ-3 - areas of undetermined mineral resource significance;
- MRZ-4 - areas of unknown mineral resource potential.

Environmental Setting

Soils in Huntington Beach are known to contain peat. Peat production occurred in the area from 1941 to 1954. No further mining of peat or other soil conditioners has been known to occur since that time (City, 2017). Soils containing peat have poor engineering properties, as they are prone to liquefaction, collapse, and settlement and are not suitable for building purposes. Soils containing peat also have a high potential for methane gas. Methane hazards have resulted in City regulations and procedures to ensure proper mitigation.

The City's General Plan identifies that the Project Site lies within MRZ-3, which indicates that information is unavailable or historic mining has not occurred, and therefore the significance of mineral resources is unknown. Additionally, the urbanized character of Huntington Beach generally precludes mining activities (City, 2017).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XII. MINERAL RESOURCES: 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?				X
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?				X

Discussion

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?

No Impact: According to the City of Huntington Beach's General Plan, the Project Site is designated MRZ-3. Areas designated MRZ-3 are defined as areas containing known or inferred mineral occurrences of undetermined mineral resource significance. Redevelopment of the Project Site with residential uses would not result in a loss of availability of a known mineral resource. Therefore, no impacts associated with any known mineral resource that would be of value to the region and the residents of the state would occur, and no mitigation would be required.

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?

No Impact: No areas in the City of Huntington Beach have been designated as locally important mineral resource recovery sites on any local plan. Therefore, no impacts associated with the availability of any locally important mineral resource recovery sites would occur, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Mineral Resources apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Mineral Resources would be less than significant, and no mitigation would be required.

4.13 Noise

A Noise Impact Analysis was completed to determine potential impacts to noise associated with the development of the Proposed Project (**Appendix H** – *Noise Impact Analysis*, February 12, 2022).

Environmental noise is commonly measured in A-weighted decibels (dBA). A decibel (dB) is a unit of sound energy intensity. Sound waves, traveling outward from a source, exert a sound pressure level (commonly called a "sound level") measured in dB. An A-weighted decibel (dBA) is a decibel corrected for the variation in frequency response that duplicates the sensitivity of human ears. Decibels are measured on a logarithmic scale. Generally, a three dBA increase in ambient noise levels represents the threshold at which most people can detect a change in the noise environment; an increase of 10 dBA is perceived as a doubling of loudness.

The FHWA identifies ranges of noise perceptibility as follows:

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Just perceptible
5	Clearly noticeable
10	Twice (or half) as loud

https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm

Noise Descriptors

The noise descriptors utilized in the noise study for the Proposed Project include but are not limited to the following:

- Ambient Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
- Community Noise Equivalent Level (CNEL): The average equivalent A-weighted sound level during a 24- hour day, obtained after addition of five (5) decibels to sound levels in the evening from 7:00 to 10:00 PM and after addition of ten (10) decibels to sound levels in the night before 7:00 AM and after 10:00 PM.
- Equivalent Sound Level (LEQ): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time-varying noise level. The energy average noise level during the sample period.

Vibration

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and only exists indoors since it is produced from noise radiated from the

motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Table 11 - *Vibration Source Levels for Construction Equipment* identifies typical construction sources of vibration as identified by the Federal Transit Administration.

Table 11 - Vibration Source Levels for Construction Equipment

	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.

Regulatory Setting

Federal Regulations

The adverse impact of noise was officially recognized by the federal government in the Noise Control Act of 1972, which serves three purposes:

- Publicize noise emission standards for interstate commerce
- Assist state and local abatement efforts
- Promote noise education and research

The federal government advocates that local jurisdictions use their land use regulatory authority to arrange new development in such a way that "noise sensitive" uses are either prohibited from being constructed adjacent to a highway or, or alternatively that the developments are planned and constructed in such a manner that potential noise impacts are minimized.

Since the federal government has preempted the setting of standards for noise levels that can be emitted by the transportation source, the City is restricted to regulating the noise generated by the transportation system through nuisance abatement ordinances and land use planning.

State Regulations

The State of California has established noise insulation standards as outlined in Title 24 and the Uniform Building Code (UBC) which in some cases requires acoustical analyses to outline exterior noise levels and to ensure interior noise levels do not exceed the interior threshold.

The State Department of Health Services has published guidelines that rank noise land use compatibility in terms of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable in which local agencies can utilize as a guide in establishing their own policies.

City of Huntington Beach

The *City of Huntington Beach General Plan* (General Plan), adopted October 2017, and the *Huntington Beach Charter and Codes Huntington Beach, California* (Municipal Code), December 2, 2021, establishes policies related to noise and vibration.

Table 12 - *Land Use Compatibility Guidelines - City of Huntington Beach* illustrates the City's noise compatibility guidelines relative to residential projects as identified in the City's General Plan.

Table 12 - Land Use Compatibility Guidelines - City of Huntington Beach

General Plan Land Use Designation	Proposed Uses	Exterior Normally Acceptable[1]	Exterior Conditionally Acceptable[2]	Exterior Normally Unacceptable[3]	Interior Acceptable[4]
Residential					
Low Density	Single-family, mobile home, senior housing	Up to 60	61-65	≥66	45
Medium Density, Medium High Density, High Density	Attached single-family, duplex, townhomes, multi-family, condominiums, apartments	Up to 65	66-70	≥71	45

Notes:
All noise levels shown in this Table are designated CNEL.
[1] Normally Acceptable means that land uses may be established in areas with the stated ambient noise level, absent any unique noise circumstances.
[2] Conditionally Acceptable means that land uses should be established in areas with the stated ambient noise level only when exterior areas are omitted from the project or noise levels in exterior areas can be mitigated to the normally acceptable level. Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use. Where it is not practical to mitigate exterior noise levels at patio or balconies of apartment complexes, a common area such as a pool or recreation area may be designated as the outdoor activity area.
[3] Normally Unacceptable means that land uses should generally not be established in areas with the stated ambient noise level. If the benefits of the project in addressing other General Plan goals and policies outweigh concerns about noise, the use should be established only where exterior areas are omitted from the project or where exterior areas are located and shielded from noise sources to mitigate noise to the maximum extent feasible. Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use. Where it is not practical to mitigate exterior noise levels at patio or balconies of apartment complexes, a common area such as a pool or recreation area may be designated as the outdoor activity area.
[4] Interior Acceptable means that the building must be constructed so that interior noise levels do not exceed the stated maximum, regardless of the exterior noise level. Stated maximums are as determined for a typical worst-case hour during periods of use.
Source: City of Huntington Beach, 2017.

The City of Huntington Beach Municipal Code Section 8.40.090 *Special Provisions* sets limits for exterior noise levels during construction and operations within residential areas as follows:

D. Noise sources associated with construction, repair, remodeling, or grading of any real property; provided that (1) the City has issued a building, grading or similar permit for such activities; (2) said activities do not take place between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, or at any time on Sunday or a Federal holiday; and (3) the average construction noise levels do not exceed 80 dBA Leq at nearby noise-sensitive land uses. If outdoor construction activities are permitted by the City after 7:00 p.m. or before 7:00 a.m., the average construction Noise Levels at nearby noise-sensitive land uses shall be limited to 50 dBA Leq.

F. Noise sources associated with the maintenance of real property and use of domestic power tools provided said activities take place between the hours of 8:00 a.m. and 7:00 p.m. Monday through Saturday or between the hours of 9:00 a.m. and 6:00 p.m. on Sunday or a Federal holiday. Noise from typical and occasional property maintenance and the use of domestic power tools which does not require a building permit shall not be subject to the noise limits in subsection D of this section.

8.40.113 Vibration

Notwithstanding other sections of this chapter, it is unlawful for any person to create, maintain or cause any operational ground vibration on any property which exceeds 72 VdB at nearby vibration-sensitive land uses. The vibration limit at vibration-sensitive uses with high sensitivity such as operations conducting medical research and imaging shall be 65 VdB.

Environmental Setting

The Project Site is located on two parcels that are approximately 2.1 combined acres in a Residential Low Density (RL) zone where the use is identified as single-family residential land use in neighborhoods, with a maximum density of seven units per acre. The Project Site is surrounded by the RL zone.

The nearest sensitive receptors to the Project Site are single-family homes that are located as near as 12 feet north of the Project Site. The nearest church structure is located as near as 60 feet west of the Project Site. The nearest K-12 school is Futon Middle School, which is located as near as 0.3 miles northeast of the Project Site.

The Proposed Project would include construction of a 6-foot-high cmu block wall on the north and west boundaries of the Project Site, bordering the adjacent land uses. For the western boundary, the 6-foot-high cmu block wall would be on top of a retaining wall that varies in height from 2 feet to 8 feet high, depending on topography. The southern and eastern edges of the Project Site, adjacent to Talbert Avenue and Newland Street respectively, would include a variety of wall conditions. The perimeter of private open space areas would be bound by 4-foot-high

cmu walls, and the ends of the internal driveways would be bound by 5-foot 6-inch-high cmu walls. The proposed wall plan is shown in Figure 8.

To determine the existing ambient noise conditions, three, twenty-four hour (24) ambient noise measurement were performed at the following locations (Appendix H):

Noise Measurement Site No. 1: Approximately 20 feet south the northeast corner of the project site and approximately 40 feet west of Newland Street centerline;

Noise Measurement Site No. 2: Near the middle of the southern side of the project site and approximately 90 feet north of Talbert Avenue centerline; and,

Noise Measurement Site No. 3: Approximately 40 feet south of the northwest corner of the project site and approximately 150 feet north of Talbert Avenue centerline.

The results of the ambient noise survey indicated that the average ambient noise level for a 24-hour period ranges between 57.7 dbA (Site 2) and 72.1 dbA (Site 1). Noise data indicates that the Project Site and the surrounding area experience noise higher levels of background noise, primarily from vehicular traffic, given that the Project Site is situated at the intersection of two heavily traveled roadways.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIII. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
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?			X	

Discussion

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?

Less Than Significant Impact: The Proposed Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The following section calculates the potential noise emissions associated with the temporary construction activities and long-term operations of the Proposed Project and compares the noise levels to the City standards.

Construction-Related Noise

Construction activities for the Proposed Project are anticipated to include demolition of the existing three single-family homes with supporting structures, site preparation and grading of the 2.43 gross acre Project Site, building construction of the 34 townhomes, paving of the onsite roads and surface parking spaces, and application of architectural coatings.

Noise impacts from construction activities associated with the Proposed Project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. The nearest sensitive receptors to the Project Site are single-family homes that are located as near as 12 feet north of the Project Site, in addition, the nearest church structure is located as near as 60 feet west of the Project Site.

Section 8.40.090(E) of the City's Municipal Code exempts construction noise from the City noise standards provided that (1) the City has issued a building, grading or similar permit for such activities; (2) said activities do not take place between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, or at any time on Sunday or a Federal holiday; and (3) the average construction noise levels do not exceed 80 dBA Leq at nearby noise-sensitive land uses. If outdoor construction activities are permitted by the City after 7:00 p.m. or before 7:00 a.m., the average construction Noise Levels at nearby noise-sensitive land uses shall be limited to 50 dBA Leq.

The Applicant has committed to obtaining all necessary permits for construction of the Proposed Project and has committed to limiting all construction to between the hours of 7:00 a.m. and 7:00 p.m. between Monday through Saturday. In order to determine if construction noise levels to the nearby sensitive receptors would be within the 80 dBA Leq noise standard, the construction noise levels have been calculated through use of the FHWA's Roadway Construction Noise Model (RCNM) as detailed in Appendix H. In order to account for the existing 6-foot-high concrete masonry unit (cmu) wall on the north side of the Project Site, 5 dB of estimated shielding was added to the RCNM model for the homes to the north. **Table 13** - *Construction Noise Levels at the Nearest Sensitive Receptors* identifies the potential construction noise at the closest receptor areas to the north and west.

Table 13 - Construction Noise Levels at the Nearest Sensitive Receptors

	Construction Noise Level (dBA Leq) at:	
Construction Phase	**Nearest Homes to the North[1]**	**Church to the West[2]**
Demolition	75	67
Site Preparation	75	66
Grading	75	66
Building Construction	75	67
Paving	73	64
Painting	63	55
City Construction Noise Threshold[4]	**80**	**80**
Exceed Threshold?	No	No

[1] The nearest homes to the north are located as near as 95 feet from the center of the project site. 5 dB of estimated shielding was included to account for the 6-foot high cmu wall on the north side of the project site.
[2] The nearest church structure to the west is located as near as 450 feet from the center of the project site.
[4] The City Construction noise threshold obtained from Section 8.40.090(E) of the City's Municipal Code.
Source: RCNM, Federal Highway Administration, 2006

Table 13 shows that the greatest noise impacts would occur during the demolition and building construction phases, with a noise level as high as 75 dBA Leq at the homes to the north and 67 dBA Leq at the church to the west. Table 13 also shows that none of the construction phases would exceed the City's 80 dBA Leq noise standard at the nearby homes or school. Therefore, through adherence to the allowable construction times detailed in Section 8.40.090(E) of the Municipal Code, construction of the Proposed Project would not create a substantial temporary increase in ambient noise levels.

Operational Related Noise

The Proposed Project would consist of a residential development with 34 townhomes. Potential noise impacts associated with the operations of the Proposed Project would be from Project-generated vehicular traffic on the nearby roadways. In addition, the Proposed Project would be adjacent to Talbert Avenue and Newland Street, which may create exterior and interior noise levels in excess of City standards at the proposed townhomes. The noise impacts to the nearby existing homes and proposed townhomes were analyzed separately in Appendix H.

Roadway Vehicular Noise Impact to Nearby Homes

Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires. The level of traffic noise depends on three primary factors (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic. The Proposed Project does not propose any uses that would require a substantial number of truck trips and the Proposed Project would not alter the speed limit on any existing roadway so the Proposed Project's potential offsite noise impacts have been focused on the noise impacts associated with the change of volume of traffic that would occur with development of the proposed project.

Neither the General Plan nor the Municipal Code defines what constitutes a "substantial permanent increase to ambient noise levels". The impact analysis in Appendix H utilized guidance from the Federal Transit Administration for a moderate impact that shows that the Project contribution to the noise environment can range between 0 and 7 dB, which is dependent on the existing roadway noise levels.

The potential offsite traffic noise impacts created by the on-going operations of the Proposed Project were analyzed through utilization of the FHWA model and parameters described in Appendix H for both the existing year and opening year 2024 scenarios.

Table 14 - *Opening Year 2024 Project Traffic Noise Contributions* identifies the permanent increase in roadway noise that could be generated by the Proposed Project. The average daily traffic (ADT) volumes were obtained from the *Newland and Talbert Residential Project Traffic Impact Study* (Traffic Study, Appendix I). The Traffic Study identified that the Proposed Project is expected to generate approximately 249 daily trips and less than 20 peak hour trips during any peak hour.

Table 14 - Opening Year 2024 Project Traffic Noise Contributions

Roadway	Segment	dBA CNEL at Nearest Receptor[1]			Increase Threshold[2]
		Year 2024	Year 2024 Plus Project	Project Contribution	
Beach Boulevard	North of Talbert Avenue	62.7	62.7	0.0	+2 dBA
Beach Boulevard	South of Talbert Avenue	68.7	68.7	0.0	+1 dBA
Newland Street	North of Project Access 1	69.3	69.3	0.0	+1 dBA
Newland Street	South of Project Access 1	68.4	68.5	0.1	+1 dBA
Newland Street	South of Talbert Avenue	67.6	67.6	0.0	+1 dBA
Talbert Avenue	West of Project Access 2	67.6	67.6	0.0	+1 dBA
Talbert Avenue	East of Project Access 2	68.3	68.4	0.1	+1 dBA
Talbert Avenue	East of Newland Street	72.6	72.7	0.1	+1 dBA

Notes:
[1] Distance to nearest residential use shown in Appendix H, Table F, does not take into account existing noise barriers.
[2] Increase Threshold obtained from the FTA's allowable noise impact exposures detailed in Appendix H, Table A.
Source: FHWA Traffic Noise Prediction Model FHWA-RD-77-108.

Table 14 shows that the Proposed Project's permanent roadway noise increases to the nearby homes from the generation of additional vehicular traffic would not exceed the FTA's allowable increase thresholds detailed above. The average daily traffic (ADT) volumes would need to double to realize a 3 dBA increase (i.e., noticeable increase) from the existing noise level. Since the Project generates a nominal amount of traffic relative to the existing ADTs, the Project's traffic noise level increase would be nominal and therefore less than significant (Appendix H).

The Proposed Project would not result in a substantial permanent increase in ambient noise levels for the opening year conditions. Therefore, potentially impacts associated with noise in the opening year conditions would be less than significant.

The Noise Impact Study in Appendix H also studied the impacts of traffic noise to the interior units of the Proposed Project. The results indicated that the exterior noise levels at the private patio areas that are adjacent to Newland Street and Talbert Avenue would be within the General Plan Goal N-2 Policy A Normally Acceptable exterior noise standard of 65 dBA CNEL (refer to Appendix H, Table M).

Additionally, for the interior noise levels of the proposed townhomes, the General Plan Noise Element identifies that new residential buildings which are constructed consistent with the Title 24 building standards typically provide 15 dBA exterior to interior noise level reduction with windows open and 25 dBA on noise level reduction with windows closed. Each townhome has a forced air heating and air conditioning system so that windows may be kept in the closed position. The analysis in Appendix H indicated that the interior noise levels at the proposed townhomes that are adjacent to Newland Street and Talbert Avenue would also be within the General Plan Goal N-2 Policy A interior noise standard of 45 dBA CNEL (Appendix H, Table N).

Therefore, potential impacts associated with a substantial temporary or permanent increase in ambient noise levels in excess of standards would be less than significant and no mitigation would be required.

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

Less Than Significant Impact:

The Proposed Project would not expose persons to or generation of excessive groundborne vibration or groundborne noise levels. The following section analyzes the potential vibration impacts associated with the construction and operations of the Proposed Project.

Construction-Related Vibration Impacts

The construction activities for the Proposed Project are anticipated to include demolition of the existing three single-family homes with supporting structures, site preparation and grading of the 2.43 gross acre Project Site, building construction of the 34 townhomes, paving of the onsite roads and surface parking spaces, and application of architectural coatings. Vibration impacts from construction activities associated with the Proposed Project would typically be created from the operation of heavy off-road equipment. The nearest sensitive receptors to the Project Site are single-family homes that are located as near as 12 feet north of the Project Site.

Section 8.40.113 of the Municipal Code limits vibration levels to 72 VdB at the nearby vibration-sensitive land uses that include the nearby homes. However, Section 8.40.090(E) of the City's Municipal Code exempts construction activities from the City standards provided that (1) the City has issued a building, grading or similar permit for such activities; (2) said activities do not take place between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, or at any time on Sunday or a Federal holiday. Since neither the Municipal nor the General Plan provide a quantifiable vibration threshold for temporary construction activities, guidance from the *Transportation and Construction-Induced Vibration Guidance Manual*, prepared by Caltrans, April 2020, has been utilized, which defines the threshold of perception from transient sources such as off-road construction equipment at 0.25 inch per second peak particle velocity (PPV).

The primary source of vibration during construction would be from the operation of a bulldozer. From Table 11 above, a large bulldozer would create a vibration level of 0.089 inch per second PPV at 25 feet. Based on typical propagation rates, the vibration level at the nearest homes (12 feet to the north) would be 0.20 inch per second PPV. The vibration level at the nearest offsite structure would be below the 0.25 inch per second PPV threshold detailed above. Therefore, potential impacts associated with construction vibration would be less than significant.

Operations-Related Vibration Impacts

The proposed project would consist of the development of a residential community. The on-going operation of the proposed project would not include the operation of any known vibration sources other than typical onsite vehicle operations for a residential development. Therefore, the potential impacts associated with operational vibration would be less than significant.

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?

Less Than Significant Impact:

The Proposed Project may expose people residing in the project area to excessive noise levels from aircraft. The Natural and Environmental Hazards Element of the General Plan analyzed the potential impacts (including noise impacts) from aircraft and from the nearby airports, which found the following:

> *While there are no airports in the planning area, there are multiple airports in the vicinity, including John Wayne Airport, Long Beach Airport, and Los Angeles International Airport, as well as the military Joint Forces Training Center in nearby Los Alamitos. Studies have found that aircraft departing from or arriving at these airports may pass lower than 2,000 feet above the planning area, which can generate noise in excess of 70 dBA. There are also multiple heliports within the planning area.*

Although, the above statement is true for many parts of the City, no aircraft overflights were observed while taking noise measurements on the Project Site. The 24-hour noise measurements taken on the Project Site measured noise levels as low as 57.7 dBA CNEL near the middle of the Project Site (Noise Measurement Site No. 2) and 58.2 dBA CNEL on the west side of the Project Site (Noise Measurement Site No. 3), which are both within the Normally Acceptable exterior noise standard of 65 dBA CNEL from General Plan Goal N-2 Policy A. Since aircraft noise would come from above the Project Site, any aircraft generated noise would impact the entire Project Site relatively evenly. It can be reasonably concluded that the proposed townhomes would not be exposed to excessive aircraft noise. Therefore, potential impacts associated with the exposure of people residing or working in the project area to excessive noise levels from aircraft would be less than significant and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Noise apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Noise would be less than significant, and no mitigation would be required.

4.14 Population and Housing

Environmental Setting

U.S. Census data for 2021 identified the population of the City of Huntington Beach as 198,711, which is an approximate 0.4 percent increase from the population of 189,992 identified in 2010. The 2021 Census data did not have data on the number of housing units in the city but identified that 56 percent of the housing was owner occupied.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIV. POPULATION AND HOUSING: Would the project:				
a) Induce substantial 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)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

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)?

Less Than Significant Impact: The Proposed Project involves development of a 34-unit townhome complex. Using the City's population generation factor of 2.257 persons per unit, the Project would generate approximately 76 residents. This would increase the City's 2021 resident population of 189,992 persons by less than 0.0003 percent to 190,068 residents. It would increase the City's 2020 housing stock of 78,321 by 0.10 percent to 78,397 units. Jobs that would be created during construction would be short-term and would not increase the City's job base permanently. However, the temporary construction crew and long-term residents of the Project would not create a significant change in demand for goods and services that may induce business investment, growth, or development in the area. Additionally, these increases would be within anticipated growth for the City as projected by SCAG at 207,100 residents, 81,200 households, and 87,000 jobs by 2040.

Additionally, the Proposed Project functions as an infill project and is served by existing roads and utility infrastructure. No extension of roads or infrastructure is proposed by the Project such that would encourage development levels beyond what is already planned elsewhere in the City or indirectly induce growth. Therefore, the Project would not result in substantial unplanned population growth, directly or indirectly.

The Project Site is a geographically constrained site, with two street frontages, and fully developed on the remaining two property lines. Therefore, potential impacts associated with population growth would be less than significant, and no mitigation would be required.

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

Less Than Significant: The Project Site is developed with three residences, one of which is vacant, one is owner occupied, and one is rented to a tenant. Once the Applicant purchases the Project Site, the tenant would find housing elsewhere in the area. The current property owner has offered the property for sale, and these tenants would have had to relocate or obtain new leases irrespective of if the Applicant or another third party purchased the Project Site. The Proposed Project would remove the existing three homes and construct the 34-unit townhome complex, which assists the City in meeting its housing goals under SCAG's RHNA, as identified in the Housing Element of the General Plan. Demolition of the existing homes would not lead to the loss of existing housing in the City because the Project would add housing to the Project Site. Therefore, potential impacts associated with displacement of existing people or housing would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Population and Housing apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Population and Housing would be less than significant, and no mitigation would be required.

4.15 Public Services

Environmental Setting

Fire and police services are provided by the City of Huntington Beach. The Project Site is served by one high school district, the Huntington Beach Union High School District (HBUHSD), which also serves portions of Fountain Valley, Garden Grove, Seal Beach, Westminster, and parts of unincorporated Orange County. The Project Site is served by the Ocean View School District (OVSD), which provide middle and elementary school services in the planning area. Recreation services are provided by the City of Huntington Beach.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XV. PUBLIC SERVICES: a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Recreation/Parks?			X	
Other public facilities?			X	

Discussion

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:

Fire Protection

Less Than Significant Impact: Fire services in the City, including the Project Site, are provided by the Huntington Beach Fire Department (HBFD), which maintains and operates eight stations in the City. HBFD provides response to fire protection, medical emergencies, marine safety, hazardous materials incidents, natural and man-made disasters and related emergencies in an effort to reduce life and property loss. The Department also provides automatic and mutual aid assistance to neighboring fire departments. HBFD identifies the following for fire/rescue/emergency medical response arrival times:

- Provide a five-minute response time for emergency fire calls 80 percent of the time.
- Provide a five-minute response time for emergency medical calls 80 percent of the time.

The closest fire station to the Project Site is Fire Station 1, located at 18311 Gothard Street, approximately 1.5 miles southwest of the Project Site. This station would be the first to respond to calls for service from the Project Site.

The Proposed Project would result in a resident population of approximately 76 persons, which is a nominal increase in the total number of City residents (estimated at 189,992 in 2021 per the US Census data) served by HBFD. The Proposed Project would replace the existing four single family residences with 34 single-family townhomes. Given the size of the Project and the net increase in demand for fire protection services over existing uses, the incremental demand of the Project for fire protection services would not result in the need for new firefighters and other personnel, nor would it require the construction of new or the alteration of existing fire protection facilities to maintain an adequate level of fire protection service in the City.

The Applicant would be required to submit building plans that comply with the most current California building codes to ensure the Proposed Project is developed in compliance with all applicable Building and Fire safety requirement. Additionally, the Applicant will be required to pay the appropriate impact fees in effect at the time building permits are issued to offset any potential impact to fire facilities. Development of the Project Site would be within the growth projections for the City, and payment of impact fees would offset the nominal incremental increase in demand on fire protection services and would not result in the need for new or physically altered fire protection facilities. Therefore, potential impacts associated with fire protection would be less than significant, and no mitigation would be required.

Police Protection

Less Than Significant Impact: Police protection services for the City of Huntington Beach, including the Project Site, are provided by the Huntington Beach Police Department (HBPD). HBPD is headquartered at the Huntington Beach Civic Center complex located at 2000 Main Street and consists of four divisions: Executive, Administrative Operations, Uniform, and Investigations.

The City is divided into eight geographical areas, known as beats. Each beat is assigned a sufficient number of officers to provide the beat area with 24 hour a day, 7 day a week coverage. The Project Site is located in Area 6, which is bordered by Heil Street to the north, Goldenwest Street to the west, Talbert Ave to the south and Newland Street to the east. Talbert Ave serves as the dividing line between Area 6 on the north side and Area 5 on the south side. The Project Site could also be served by Area 5 if demand in Area 6 is not available. The Proposed Project would generate a demand for police protection services during construction and operation of the Proposed Project once the proposed dwelling units are occupied. The primary response to the Project Site would be by patrol vehicles that are assigned by beats throughout the City. Although response time to service calls may vary depending upon their location at the time of dispatch, the City's goal is to respond in 5 minutes or less. The incremental demand of the Project for police protection services is not anticipated to increase HBPD response times to the Project Site or surrounding area. The net increase in demand for police protection services over the existing uses is also not anticipated to generate the need for new sworn officers, nor would it require construction of new or physically altered police protection facilities to maintain an adequate level of service to the Project Site and surrounding areas. The Applicant would be required to pay development impact fees at the time building permits are issued to offset any potential impact to police facilities. Development of the Project Site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

Schools

Less Than Significant Impact: The Project Site is served by the Ocean View School District (OVSD) and the Huntington Beach Union High School District (HBUHSD). The Ocean View School District (OVSD) serves approximately 7,700 students and families from the communities of Huntington Beach, Fountain Valley, Westminster, and Midway City. Located within these boundaries are more 17 schools: two preschools, 11 elementary schools and four middle schools.

The Proposed Project involves the development of 34 dwelling units that would be occupied by approximately 76 residents with potential school-aged children requiring school services from both the OVSD (Grades K-8) and the HBUHSD (Grades 9-12). According to student generation rates for residential land uses within the OVSD of 0.5 students per dwelling unit, the Proposed Project may generate approximately 17 students for grades K-8. For students in grades 9-12, the HBHSD student generation rate of 0.2 students per dwelling yields a result of approximately 6.8 students.

The additional 24 students are a negligible increase to school enrollment that will not create an impact. Nevertheless, the Proposed Project would be subject to Senate Bill 50 (SB 50), which requires the payment of mandatory impact fees to offset any impact to school facilities. The Applicant would be required to pay its fair share of school fees in accordance with SB 50 based on the number of proposed dwelling units and square footage to offset the potential impact to school services. Therefore, potential impacts associated with schools would be less than significant, and no mitigation would be required.

Recreational/Parks

Less Than Significant Impact: The City of Huntington Beach offers 79 parks as well as the City Gym and Pool. The proposed 34-unit residential development would generate a total of approximately 76 residents, which would increase demand for and use of existing parks and recreational facilities. The Project Applicant would be required to pay in-lieu fees for improvements to existing City parks and recreation facilities. Therefore, potential impacts associated with park facilities would be less than significant, and no mitigation would be required.

Other public facilities

Less Than Significant Impact: The Huntington Beach Public Library provides library services to the City through five libraries (a Central Library and four branches: Banning, Main Street, Oak View, and Helen Murphy). The closest library to the Project Site is the Central Library, located at 7111 Talbert Ave, approximately 1.1-mile west Project Site. In addition, it should be noted that there is one college in the City of Huntington Beach (i.e., Golden West Community College) and one college in adjacent Costa Mesa (i.e., Orange Coast Community College). The colleges have academic libraries, which are resources available to residents, as they allow non-students to purchase a library card with borrowing privileges. Golden West College has an on-site collection of more than 45,000 print and non-print materials and more than 9,000 e-books as well as access to online databases and full-text periodical articles. Orange Coast College has a collection of over 100,000 titles of books, periodicals, videos, and audiocassettes.

Increased demands for library services are primarily driven by increases in permanent population, which is associated with development of residential land uses only. The existing and proposed zoning is residential, although the Project proposes a higher density of residential use. The following analysis addresses the potential impacts associated with library facilities based on the proposed 34 residential units for the Proposed Project. Residents of Huntington Beach can use any branches within the Huntington Beach Public Library system. With an estimated population increase of approximately 76 residents, and the closest library is the main Central Library it is anticipated that only nominal additional demand for library services would result from implementation of the Proposed Project.

However, it should be noted that the Proposed Project would not, in and of itself, trigger the need for construction of new or expanded library facilities. In compliance with the Huntington Beach Municipal Code Chapter 17.67, the proposed development would contribute its fair share through payment of library development impact fees, which would ensure that adequate library services are provided and impacts to library services and facilities would be less than significant and would not result in impacts associated with the need for new or physically altered governmental facilities. The impacts to the overall availability per capita of books, media, computers, and library public service space would not create significant physical or environmental impacts. Therefore, potential impacts associated with library facilities would be less than significant, and no mitigation measures would be required.

Mitigation Measures

No mitigation measures associated with impacts to Public Services apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Public Services would be less than significant, and no mitigation would be required.

4.16 Recreation

Environmental Setting

According to the City's General Plan, Environmental Resources and Conservation Element, Huntington Beach has 79 parks and public recreation facilities totaling 1,073 acres. This includes City-owned parks, a public golf course, non-City owned public open space areas/parks, recreation facilities, and 207 acres of City-operated beaches. The City also provides recreation facilities, including community centers, senior centers, golf courses, bikeways and trail systems, campgrounds, and City-run marine-based amenities such as beaches, a pier, and harbor channel.

The closet parks to the Project Site include Lambert Park, an approximate 3.5-acre park located at 18482 Gina Ln (approximately 0.3 mile south of the Project Site) and Taylor Park, a 4.8-acre park located at 7701 Taylor Drive (approximately 0.8 mile southwest of the Project Site).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVI. RECREATION:				
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?			X	
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?				X

Discussion

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?

Less Than Significant Impact: Impacts on parks and recreational facilities are typically analyzed based on increases in permanent residents from projects involving residential developments.

The Huntington Beach General Plan Environmental Resources and Conservation Element maintains an established citywide parkland level of service goal of 5 or more acres of parkland per 1,000 residents. Accordingly, this would require a total of approximately 1,004 acres of local parkland to serve the current population of 200,730 residents.

The proposed 34-unit single family dwelling units would result in a population of approximately 76 residents which would generate a demand for parks and recreational facilities. Given the population of 189,992 and based on the City's generation factor of 2.257 persons per unit, the Project would be required to provide 0.015 acre of parkland. However, the Project Applicant is proposing to pay park in lieu fees instead which would provide for the development of new or expanded park facilities in the City such that physical deterioration of the existing parks would not occur. In addition, the Proposed Project would have three courtyards (or paseos) interspersed throughout the community with a larger central green open space serving as the focal point for community and recreation. The central paseo would include a shade structure with tables, seating, and a fireplace with sectional-style. Most units gain access from the paseos and may include enclosed patio spaces. These on-site amenities would provide an alternative to off-site public parks and recreational facilities, allowing the residents of the Proposed Project to recreate on the Project Site while incrementally reducing impacts associated with off-site public park and recreational facilities. Therefore, potential impacts associated with existing recreational facilities would be less than significant, and no mitigation would be required.

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?

No Impact: The Project Site includes three courtyards (or paseos) that are interspersed throughout the Project community with a larger central green open space serving as the community's focal point for social life and recreation. A shade structure with tables and seating and a fireplace with ample sectional-style seating is planned for this more major, centralized paseo. Virtually all front elevations front onto these paseos, some with enclosed patio spaces, to create a sense both a sense of community and provide an attractive open space view from all units. Along the entire stretch of the Talbert frontage, a "dry creek" bio-swale is planned to collect and treat storm water. It would also double as an attractive semi-natural feature and a buffer to the heavily truck-trafficked Talbert corridor. Buildings side on to that bio-swale section with side elevations exposed to the street (i.e., no wall) to maintain openness to the neighborhood and avoid a walled-off appearance.

Additionally, the Project Applicant is proposing to pay park in lieu fees instead of providing additional park land, which would provide for the development of new or expanded park facilities in the City as the City deems necessary.

No adverse physical impacts beyond those already disclosed in this document would occur because of implementation of the Proposed Project's on-site recreational facilities. Further, no construction or expansion of existing facilities off-site would occur as a result of the Proposed Project. Therefore, no impacts associated with the construction or expansion of recreational facilities would occur, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Recreation apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Recreation would be less than significant, and no mitigation would be required.

4.17 Transportation

A Traffic Impact Study was completed to determine potential impacts to transportation associated with the development of the Proposed Project (**Appendix I** – *Newland and Talbert Residential Project, Traffic Impact Study*, January 6, 2022).

Regulatory Setting

Senate Bill 743

SB 743, passed in 2013, updated the way transportation impacts are measured in California for new development projects, to allow Californians more options to drive less. The change was made as part of the California Global Warming Solutions Act of 2006 (Assembly Bill [AB 32]) to assist with achieving climate commitments.

In January 2019, the California Office of Planning and Research (OPR) issued guidance relative to evaluating a project's Vehicle Miles Traveled (VMT) to reduce GHG emissions. The CEQA Guidelines were also subsequently revised to require that lead agencies utilize VMT-related metric(s) that evaluate the significance of transportation-related impacts under CEQA for development projects, land use plans, and transportation infrastructure projects, beginning on July 1, 2020. Until that time, jurisdictions utilized a Level of Service (LOS) to analyze traffic impacts. The OPR guidelines require that projects be evaluated using VMT metrics but also allows jurisdictions to continue to use the LOS method as a secondary methodology for non-CEQA purposes.

Regional Transportation Plans

The Southern California Association of Governments (SCAG) is a council of governments representing the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Every four years SCAG updates the Regional Transportation Plan (RTP) for the six-county region. On April 7, 2016, the SCAG's Regional Council adopted the 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy (2016 RTP/SCS). The SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas emissions from transportation (excluding goods movement).

The Orange County Transit Authority (OCTA) was designated by the cities in Orange County as the Congestion Management Agency (CMA) for the County to prepare and implement a Congestion Management Program (CMP) in response to Proposition 111 of 1990 that required California's urbanized areas – areas with populations of 50,000 or more - to adopt a CMP. The CMP contributes to federal Congestion Management Process requirements, which is a systematic and regionally accepted approach for managing congestion. The federal Congestion Management Process provides accurate, up-to-date information on transportation system performance and assesses alternative strategies for congestion management that meet state and local needs. The Congestion Management Process is also intended to serve as a systematic process that provides for consistent and effective integrated monitoring and management of the multimodal transportation system (OCTA, Nov 2021).

City of Huntington Beach

The City of Huntington Beach's General Plan contains a Circulation Element that addresses the physical circulation system consisting of streets, highways, bicycle routes, equestrian facilities, paths, and sidewalks, as well as available modes of transportation, including cars, buses, bicycles, and walking. The Circulation Element also identifies goals and policies with respect to the City's transportation network.

Methodology

Signalized Intersection Capacity Utilization (ICU)

The methodology used in the Project's Traffic Impact Study (Appendix I) to assess the operation of the signalized intersections is the Intersection Capacity Utilization (ICU) methodology. To calculate the ICU, the volume of traffic using the intersection is compared with the capacity of the intersection. ICU is usually expressed as a ratio. This ratio represents that portion of the hour required to provide sufficient capacity to accommodate all intersection traffic if all approaches operate at capacity.

Unsignalized Intersection Peak Hour Level of Service Analysis Methodology

The methodology used in the Project's Traffic Impact Study (Appendix I) to assess the operation of the unsignalized intersections the Highway Capacity Manual (HCM) 2010 methodology which calculates level of service at unsignalized study area intersections. For intersections with stop control on the minor street only, the calculation of level of service is dependent on the occurrence of gaps occurring in the traffic flow of the main street, and the level of service is determined based on the vehicle delay of the worst individual movement or movements sharing a single lane.

Level of Service (LOS) is commonly used as a qualitative description of intersection operation and is based on the capacity of the intersection and the volume of traffic using the intersection.

The definitions of level of service for uninterrupted flow (flow unrestrained by the existence of traffic control devices) are identified in **Table 15 -** *Level of Service Descriptors,* for both methodologies.

Table 15 - Level of Service Descriptors

LOS	Description	ICU Method - Critical Volume to Capacity Ratio	HCM Method - LOS Unsignalized Vehicle Delay (Seconds)
A	Represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream	0.00 – 0.60	0.00 - 10.00
B	In the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver.	0.61 – 0.70	10.01 - 15.00
C	In the range of stable flow, but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream.	0.71 – 0.80	15.01 - 25.00
D	High-density but stable flow. Speed and freedom to maneuver are severely restricted, and the driver experiences a generally poor level of comfort and convenience.	0.81 – 0.90	25.01 - 35.00
E	Operating conditions at or near the capacity level. All speeds are reduced to a low, but relatively uniform value. Small increases in flow will cause breakdowns in traffic movement.	0.91 – 1.00	35.01 - 50.00
F	Forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse the point. Queues form behind such locations.	>1.00	>50.01

Environmental Setting

The Project Site is located on the northwest corner of the Talbert Ave and Newland Street and intersection in the City of Huntington Beach. The Proposed Project consists of 34 residential dwelling units on approximately 2.1 acres. The Project Site is currently occupied by three single family homes and associated structures that would be demolished as part of the Proposed Project.

Access to the Project Site is planned via the following:

- One unsignalized access driveway along Newland Street, and
- One unsignalized right-in/right-out access driveway along Talbert Avenue.

The Project would be constructed as one phase and is planned to open in 2024.

Talbert Ave is identified in the City's General Plan (City, 2017) as a Primary Arterial. Primary arterials are four-lane divided roadways carrying local and regional commute traffic. Unsignalized minor street and driveway access may be allowed, but signalized access is preferred, and left-turn restrictions are typically planned at unsignalized access locations. Curbside parking is generally prohibited. Maximum service volumes of ±35,000 vehicles per day can be achieved depending on the degree of access control, peak-period loadings, and lane configurations at the major intersections.

Newland Street is designed in the City's General Plan (City, 2017) as a Secondary Arterial. Secondary arterials are four-lane roadways without medians. The General Plan states that direct access from private residential properties to secondary arterials should be avoided where possible unless medians can be provided at such access points. While secondary arterials have curbside parking, localized circumstances could warrant parking restrictions, such as prohibiting parking near intersections where left-turn lane striping is provided. In some locations, secondary arterials may include a limited median or be restriped to provide a left-turn pocket. Maximum service volumes of ±25,000 vehicles per day can be achieved depending on the degree of access allowed, intersection operations, and peak-period traffic loadings.

Existing Traffic Volumes

Existing and future traffic operation conditions have been evaluated at the following four key study intersections, as some portion of potential Project-related traffic would pass through each of these intersections.

- Newland Street / Project Access 1;
- Newland Street / Talbert Avenue;
- Beach Boulevard / Talbert Avenue; and
- Talbert Avenue/Project Access 2.

Existing conditions intersection level of service calculations are based upon manual AM and PM peak hour turning movement counts taken in September 2021 during typical weekday conditions. The AM peak hour traffic volumes were determined by counting the two-hour peak period between 7:00 AM and 9:00 AM and using the highest hour within that two- hour peak period. Similarly, the PM peak hour traffic volumes were identified by counting the two-hour peak period between 4:00 PM and 6:00 PM and using the highest hour within that two-hour peak period. The existing traffic volumes are identified in **Table 16** - *Existing Traffic Conditions.*

Table 16 - Existing Traffic Conditions

Intersection		Traffic Control[3]	Methodolgy[2]	V/C Ratio[1]		Delay (Secs)[1]		Level of Service	
				AM	PM	AM	PM	AM	PM
1.	Newland Street (NS) / Project Access 1 (EW)	CSS	HCM	- -	- -	N/A	N/A	N/A	N/A
2.	Newland Street (NS) / Talbert Avenue (EW)	TS	ICU	0.466	0.571	- -	- -	A	A
3.	Beach Boulevard (NS) / Talbert Avenue (EW)	TS	ICU	0.543	0.735	- -	- -	A	C
4.	Project Access 2/Talbert Avenue (NSEW) / Talbert Avenue Project Access 2 (EWNS)	CSS	HCM	- -	- -	N/A	N/A	N/A	N/A

Notes:

1 Deficient operation shown in **Bold**.

2 ICU Analysis Software: Traffic, Version 8.0. Volume to Capacity Ratio (V/C) is calculated utilizing the Intersection Capacity Utilization methodology

HCM Analysis Software: Synchro, Version 10.0. Per the 2010 Highway Capacity Manual Edition, intersections with cross-street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

3 TS = Traffic Signal CSS = Cross-Street Stop

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVII. TRANSPORTATION: Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

Discussion

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

Less Than Significant Impact:

The Traffic Impact Study in Appendix H identified that the Proposed Project is anticipated to generate approximately 249 daily trips which include approximately 16 AM peak hour trips and approximately 19 PM peak hour trips.

The City of Huntington Beach General Plan's Circulation element identifies Goals and Policies for its roadways to achieve acceptable levels of service. Based on the LOS standards, the study intersections performance criteria would adhere to **Table 17** - *LOS Requirements for Project Study Intersections*. Roadway conditions in the planned opening year of 2024, both without the Project and with the Project are provided in **Table 18** - *LOS Analysis Summary With Project Conditions*.

Table 17 - LOS Requirements for Project Study Intersections

#	Study Intersection	IntersectionDesignation	AcceptableLOS
1	Newland Street (NS) / Project Access 1 (EW) *	---	D or better
2	Newland Street (NS) / Talbert Avenue (EW)	Secondary	C or better
3	Beach Boulevard (NS) / Talbert Avenue (EW)	Principal	D or better
4	Project Access 2 (NS) / Talbert Avenue (EW) *	---	D or better

Source:
General Plan Circulation Update, City of Huntington Beach (Stantec Consulting Services, Inc., January 13, 2017).
* *Intersection is not classified as a principal or secondary.*

Table 18 - LOS Analysis Summary With Project Conditions

Intersection		Opening Year (2024) Without Project Conditions						Opening Year (2024) With Project Conditions							
		V/C Ratio[1]		Delay (Secs)[1,2]		Level of Service		V/C Ratio[1]		Delay (Secs)[1,2]		Level of Service		Requires Improvement?	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1.	Newland Street (NS) / Project Access 1 (EW)	- -	- -	N/A	N/A	N/A	N/A	- -	- -	14.8	13.0	B	B	No	No
2.	Newland Street (NS) / Talbert Avenue (EW)	0.479	0.587	- -	- -	A	A	0.482	0.591	- -	- -	A	A	No	No
3.	Beach Boulevard (NS) / Talbert Avenue (EW)	0.558	0.756	- -	- -	A	C	0.559	0.756	- -	- -	A	C	No	No
4.	Project Access 2 (NS) / Talbert Avenue (EW)	- -	- -	N/A	N/A	N/A	N/A	- -	- -	10.8	12.0	B	B	No	No

As identified in Table 18, the Project would not impact the current levels of service experienced at the Study intersection. Therefore, the Project is consistent with the City's General Plan requirements.

The current Orange County CMP requires that a traffic impact analysis be conducted for any project generating 2,400 or more daily trips, or 1,600 or more daily trips for projects that directly access the CMP Highway System (HS). The Proposed Project has two access driveways (Talbert Ave and Newland Street), neither of which are identified as part of the CMPHS. The Proposed Project is forecast to generate approximately 249 daily trip-ends; therefore, it does not meet the criteria requiring a CMP analysis. Therefore, the Project is consistent with the regional and City transportation standards and plans for development.

Public/Mass Transit

The OCTA provides local transit service and regional transit connections between the city and other areas of the county and region. OCTA provides a variety of transit services including bus service, passenger rail, and mobility services for those with special needs. OCTA continues to develop new transit alternatives to improve regional mobility.

OCTA Route 76, Huntington Beach to John Wayne Airport, travels along Talbert Ave, with the closest bus to the Project Site as Beach Blvd and Talbert Ave, approximately 0.5 mile west of the Project Site.

No aspect of the Project Site would require the alteration of the bus route or any bus stops along Talbert. Table 18 identifies that there would be no change in the level of service or delays along Talbert Ave due to the Project. Therefore, the Project would not interfere with mass transit.

Trails and Bikeways

Huntington Beach's mild climate permits bicycle riding year-round, and the growing popularity of bicycling has drawn enthusiasts onto the streets and bike trails near the beach and throughout the planning area. The bikeway plan shown in Figure CIRC-5 of the Circulation Element of the City's General Plan identifies the planned system of bikeways to accommodate growing demand and provide a real alternative to the car for local trips.

Both Talbert Ave and Newland Street have bike lanes. The Project would not remove or change these bike lanes.

Pedestrian Facilities

The City's General Plan identifies that sidewalks and walking paths allow people to walk easily around most parts of Huntington Beach, particularly in areas such as Downtown, adjacent to the beach, and along portions of Beach Boulevard. In many other neighborhoods, sidewalks allow children to walk to schools and parks and surrounding uses.

The City seeks to improve the pedestrian experience and enhance pedestrian safety. Areas eligible for improvements would be designated as pedestrian enhancement zones (PEZs). PEZ improvements may include widened sidewalks, crosswalks, trees, pedestrian-scale lighting, and traffic-calming measures.

Both Talbert Ave and Newland Street have existing sidewalks for pedestrians. The Project does not propose to alter the sidewalks.

The Proposed Project is consistent with the programs, plans, ordinances and policies that address the circulation system, including transit, roadways, bicycle and pedestrian facilities. Therefore, potential impacts associated with the circulation system would d be less than significant, and no mitigation would be required.

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

Less Than Significant Impact: CEQA Guidelines Section 15064.3 provides that transportation impacts of projects are, in general, best measured by evaluating the Project's vehicle miles traveled (VMT). Automobile delay (often called Level of Service) would no longer be considered to be an environmental impact under CEQA.

The City has yet to adopt criteria for evaluating VMT impacts under CEQA. The City of Huntington Beach follows the guidance and recommendations provided by the Office of Planning and Research (OPR) in regard to determining the thresholds of significance and methodology for identifying VMT related impacts. Additionally, the City of Huntington Beach has the discretion to utilize criteria similar to that which is has been adopted by the County of Orange (COO, November 2020). As part of the draft VMT guidelines for the County of Orange, projects that generate a net number of 500 or fewer average daily trips (ADT) may result in a less than significant impact to transportation and circulation and therefore may be screened out of a VMT analysis. The Traffic Impact Study in Appendix H identified that the Proposed Project is forecast to generate approximately 249 daily trips which include approximately 16 AM peak hour trips and

approximately 19 PM peak hour trips. The Proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Therefore, potential impacts would be less than significant, and no mitigation would be required.

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

Less Than Significant Impact: The Proposed Project does not include the construction or widening of any roadways. There are two ingress and egress points, and both would be gated. One ingress/egress location would be from Talbert Ave, along the southwestern end of the property, but the primary ingress/egress is designated off of Newland Street (east side of property). The Project Site contains an interior single spine road along the length of the northern property line which provides access to the entire community while doubling as a buffer to the abutting residences to the north. Perpendicular drive aisles extending from the spine road would provide access to the individual units. The Newland Street entrance is directly connected to the northern spine road while the Talbert Ave entrance is connected to one of the perpendicular drive aisles that is connected to the spine road. Both the Talbert Ave and Newland Street entrances have driveway space to allow cars to queue in the driveway and not back up onto the streets.

The Proposed Project does not create hazards or conflicts between pedestrians and vehicles internally, nor does it create a conflict between autos and trucks for the ingress and egress. Therefore, potential impacts associated with hazards or incompatible uses would be less than significant, and no mitigation would be required.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact: The Proposed Project would comply with the City's development review process including review by the City Fire Department for compliance with all applicable fire code requirements for construction and access to the Project Site. The access and circulation features within the Project Site would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. Emergency vehicles would enter the Project Site using the driveway entrance at either Newland Street or Talbert Ave. The internal circulation includes ample area that can accommodate vehicle delivery trucks as well as fire trucks. The proposed on-site accessways meet street width requirements of the Huntington Beach Fire Department as shown on Figure 4.

Each of the Proposed Project's driveways would be designed and constructed to City standards and comply with City width, clearance, and turning-radius requirements. The Project Site would be accessible to emergency responders during construction and operation of the Proposed Project. Because of the Proposed Project's multiple access driveways and because it would comply with all applicable local requirements related to emergency vehicle access and circulation, the Proposed Project would not result in inadequate emergency access. Therefore, potential impacts associated with inadequate emergency access would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Transportation apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Transportation would be less than significant, and no mitigation would be required.

4.18 Tribal Cultural Resources

A Phase 1 Cultural Resources Evaluation was completed to determine potential impacts to tribal cultural resources associated with the development of the Proposed Project (Appendix D). The evaluation also addressed the ethnographic and archaeology of the Native American occupation in the City of Huntington Beach.

Regulatory Setting

Senate Bill 18

Senate Bill (SB) 18 (California Government Code Section 65352.3), enacted in 2004, sets forth requirements for local governments to provide California Native American Tribes an opportunity to participate in local land use decisions at an early stage of planning for the purpose of protecting, or mitigating impacts on, cultural places.

Assembly Bill 52

AB 52, enacted and codified in 2014, is applicable to projects that have filed a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) or notice of a Mitigated Negative Declaration (MND) or Negative Declaration (ND) on or after July 1, 2015. The law requires lead agencies to initiate consultation with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project and have requested such consultation, prior to determining the type of CEQA documentation that is applicable to the Project (i.e., EIR, MND, ND). Significant impacts to "Tribal Cultural Resources" are considered significant impacts to the environment.

City of Huntington Beach Tribal Consultation

On July 2, 2021, the City of Huntington Beach sent informational letters pursuant to the requirements of both AB 52 and SB 18 to the following individuals/Tribes:

- Ralph Goff, Chairperson, Campo Band of Diegueno Mission Indians
- Robert Pinto, Chairperson, Ewiiaapaayp Band of Kumeyaay Indians
- Michael Garcia, Vice Chairperson, Ewiiaapaayp Band of Kumeyaay Indians
- Andrew Salas, Chairperson, Gabrieleño Band of Mission Indians-Kizh Nation
- Anthony Morales, Chairperson, Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Sandonne Goad, Chairperson, Gabrielino/Tongva Nation
- Robert Dorame, Chairperson, Gabrielino Tongva Indians of California Tribal Council
- Christina Conley, Tribal Consultant and Administrator, Gabrielino Tongva Indians of California Tribal Council
- Charles Alvarez, Gabrielino-Tongva Tribe
- Matias Belardes, Chairperson, Juaneño Band of Mission Indians Acjachemen Nation
- Javaughn Miller, Tribal Administrator, La Posta Band of Diegueno Mission Indians

- Gwendolyn Parada, Chairperson, La Posta Band of Diegueno Mission Indians
- Isaiah Vivanco, Chairperson, Soboba Band of Luiseno Indians
- Angela Elliott Santos, Chairperson, Manzanita Band of Kumeyaay Nation (by fax)
- Michael Linton, Chairperson, Mesa Grande Band of Diegueno Mission Indians
- Shasta Gaughen, Tribal Historic Preservation Officer, Pala Band of Mission Indians
- Lovina Redner, Tribal Chair, Santa Rosa Band of Cahuilla Indians

The only responses that were received were from the Gabrieleño Band of Mission Indians-Kizh Nation and the Juaneño Band of Mission Indians Acjachemen Nation. Both requested consultation and Tribal monitoring during Project grading. Mitigation measures in accordance with their request are included in this section. Consultation with other tribes concluded.

Environmental Setting

As discussed in Section 4.5, the area now known as Huntington Beach has been inhabited since 8,000 before present (BP). Huntington Beach was originally occupied by the Tongva people. This group of people was also known as the Gabrielino Indians, a name derived from their association with the San Gabriel Arcangel Mission during the Spanish period. Their land included much of Los Angeles and Orange Counties, including several offshore islands. The Tongva people were one of the most important groups in Southern California, as their influence extended north into the Central Valley and to the southern deserts. They were reported to be one of the wealthiest, most populous, and most powerful ethnic groups in the area.

At the time of European contact in 1769, when Gaspar de Portolá's expedition crossed the Los Angeles Basin, what were to be named the Gabrielino Native Americans by the Spanish, occupied the area around the Project Site (Appendix D-1). While the term Gabrielino identifies those Native Americans who were under the control of the Spanish Mission San Gabriel Archángel, the overwhelming number of people in these areas were of the same ethnic nationality and language (Takic) group. Their territory extended from northern Orange County north to the San Fernando Valley in Los Angeles County and eastward to the San Bernardino area.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVIII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
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), or		X		
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.		X		

Discussion

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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)?

Less Than Significant Impact With Mitigation Incorporated: According to PRC Chapter 2.5, Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and items with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in Section 5020.1.

There are no resources that have been identified as eligible for listing to the California Register of Historic Places within or near the Project Site. Therefore, there would be no impact to known tribal cultural resources. However, **MM TCR-1** and **MM TCR-2** would require tribal monitoring during any ground disturbing activities on the Project Site and to avoid potential impacts to tribal

cultural resources that may be unearthed by Project construction activities. **MM TCR-3** would be implemented if any human remains – including Native American human remains - are unearthed by Project construction activities. Therefore, with implementation of **MM TCR-1**, **MM TCR-2**, and **MM TCR-3**, potential impacts associated with tribal cultural resources would be less than significant.

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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?

Less Than Significant Impact With Mitigation Incorporated: The Project Site is previously disturbed land currently under residential land use and are no resources that have been identified as significant within or near the Project Site. Although ground-disturbing activities would occur on previously disturbed land, there is the potential to uncover unanticipated tribal cultural resources.

There are no resources that have been identified as eligible for listing to the California Register of Historic Places within or near the Project Site. **MM TCR-1** and **MM TCR-2** would require monitoring during any ground disturbing activities on the Project Site and to avoid potential impacts to tribal cultural resources that may be unearthed by Project construction activities. **MM TCR-3** would be implemented if any human remains - including Native American human remains - are unearthed by Project construction activities. Implementation of these measures would ensure that Project-specific impacts would be less than significant.

Mitigation Measures:

MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The Property Owner/Developer shall retain a Native American monitor(s) from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the "Kizh" or the "Tribe") - Juaneno Band of Mission Indians, Acjachemen Nation- Belardes (the "Belardes" or the "Tribe") the direct lineal descendants of the project location. The monitor(s) shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement(s) shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The Property Owner/Developer shall provide the Tribes with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.

D. The Property Owner/Developer shall hold at least one (1) pre-construction sensitivity/educational meeting *prior to the commencement of any ground-disturbing activities*, where at a senior member of the Tribes will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the Project Site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures.

E. The monitor(s) will complete daily monitoring logs that will provide descriptions of the relevant ground- disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribes. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to Property Owner/Developer and/or lead agency upon written request.

F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribes that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the Project Site and at any off-site project location are complete; or (2) written notice by the Tribes to the Property Owner/Developer and/or lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribes at that time) at the Project Site and at any off-site project location possesses the potential to impact TCRs.

MM TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods

A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh and/or Belardes monitor and/or Kizh and/or Belardes archaeologist will promptly report to the location of

the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe(s) have completed assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.

B. The Tribes will recover and retain all discovered TCRs in the form and/or manner the Tribes deems appropriate in its sole discretion, and for any purpose the Tribes deems appropriate, including but not limited to, educational, cultural and/or historic purposes.

C. If Native American human remains and/or grave goods are discovered or recognized on the Project Site or at any off-site project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (Pub. Res. Code § 5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98 (a), d)(1) and (2).)

D. Thereafter, construction activities may resume in other parts of the Project Site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribes determine in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitors and/or archaeologists deem necessary). (14 Cal. Code Regs. § 15064.5(f).)

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

MM TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods:

A. The Burial Policy of the determined applicable Tribe shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated "grave goods" (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial

purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

E. In the event preservation in place is not possible despite good faith efforts by the Property Owner/Developer, before ground-disturbing activities may resume on the Project Site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner and shall be protected in perpetuity.

F. Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery.

G. The Tribes will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribes, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribes do NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Conclusion

Implementation of **MM TCR-1** and **MM TCR-2** and **MM TCR-3** would reduce potential impacts of the Proposed Project associated with Tribal Cultural Resources to less than significant.

4.19 Utilities and Service Systems

The Project Applicant has obtained letters from various utilities indicating that they can serve the project (**Appendix J** – *Will Serve Letters*).

Environmental Setting

Water

The City provides water service to the City, including the Project Site. The City relies on a combination of imported water and local groundwater to meet its water needs. The City works together with three primary agencies, Metropolitan Water District (MWD), Municipal Water District of Orange County (MWDOC), and Orange County Water District (OCWD) to ensure safe and reliable water supply for the City. The City has an extensive water system that includes system pipelines, wells, pumps, reservoirs, and pump stations. The City's water distribution system is connected to three MWD transmission main connections located respectively in the northeast, northwest, and southeast sections of the City. Groundwater is currently pumped from eight active wells located throughout the City. The City operates four storage and distribution water reservoirs with a combined capacity of 55 million gallons. The water storage system is supported with four booster stations located at each reservoir.

There are 53,091 current customer active service connections in the City's water distribution system with all connections metered. Since 2005, the number of connections has increased only 1.8 percent while the demand has decreased towards meeting the 20 percent mandatory reduction implemented for the City (City, 2018). The City's current water demand is 28,090 AFY, met through locally pumped groundwater and purchased imported water from MWDOC.

Wastewater

The City operates and maintains the local sewer collection pipes that feed into the Orange County Sanitation District's (OCSD's) trunk sewer system to convey wastewater to OCSD's Plant No. 2. OCSD is responsible for the treatment and disposal of all the City's wastewater. The City's sewer system includes 360 miles of sewer lines ranging from 6 inches to 30 inches in diameter, 10,000 utility access holes and 27 lift stations. OCSD has an extensive system of gravity flow sewers, pump stations, and pressurized sewers. OCSD Plant No. 2 has a capacity of 312 MGD with a 120-inch diameter ocean outfall that extends 4 miles off the coast of the City. There is also a 78-inch diameter emergency outfall that extends 1.3 miles off the coast.

Electricity, Gas, Telecom

Southern California Edison (SCE) currently provides electricity to the City of Huntington Beach, including the Project Site.

The Southern California Gas Company (SCGC) currently provides natural gas service to the City of Huntington Beach, including the Project Site.

Spectrum and Frontier Communications provide telecommunications service to the area, including the Project Site. The service would be provided in accordance with the provider's policies and extension rules on file with the CPUC.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIX. UTILITIES AND SERVICE SYSTEMS: 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?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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?			X	
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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion

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

Less than Significant Impact:

Water

There are existing City water pipelines located along Talbert Avenue and Newland Street that may provide water service and fire flow to the proposed development according to the City of

Huntington Beach's "will serve" letter (Appendix J, City of Huntington Beach Public Works Department, *Water Will-Serve Letter for Talbert and Newland Residential Townhome Project*, February 1, 2021). The City indicated in its "will serve" letter that it would provide water service to the Project Site provided the Property Owner/Developer pays all the necessary fees and satisfies all the Conditions of Approval and Development Code Requirements specified for the Project. Prior to connection, the City will require the Application to provide a water system hydraulic analysis to verify whether the City's existing water system could satisfy the ultimate domestic and fire flow demands for the proposed development. The City indicated that it shall be the financial responsibility of the developer to furnish and construct all necessary water improvements per the City Water Division Standards including any required offsite improvements, if the hydraulic analysis confirms that the City's water system is not adequate to satisfy the Proposed Project's demand.

The Proposed Project is estimated to create a water demand of approximately 2,215,237 gallons per year of indoor water use and 1,396,562 gallons per year of outdoor water use (Appendix B). The Project will comply with 2016 CCR Title 24 Part 11 (CALGreen), which requires the use of low flow faucets, showers, and toilets and use of smart irrigation system controller requirements. Based on the City's average of 2.257 persons for each of the 34 attached dwelling unit proposed, and the City's calculated average of 94 gallons per person per day (City, 2018), potable water demands would be approximately 7,213 gallons per day.

Water service to the Project would also be provided in compliance with the latest City Water Division Standards and Title 14, Water and Sewers, of the Huntington Beach Municipal Code, which sets regulations for service connections, water rates, and other water system provisions.

Wastewater Treatment/Storm Drainage

The Proposed Project is estimated to create a water demand of approximately 2,215,237 gallons per year of indoor water use and 1,396,562 gallons per year of outdoor water use (Appendix B). The water usage estimate correlates to wastewater usage because a majority of the water becomes wastewater.

The OCSD Sewer Capacity Verification Letter to the Applicant (Appendix J, Orange County Sanitation District *Sewer Capacity Verification Letter*, February 11, 2021) indicated that the OCSD studied the impacts of the Proposed Project's estimated peak wastewater discharge rate, and determined utilizing the OC San's wastewater generation rates and net peak flow calculations to be less than the currently rated use, as follows:

- Proposed Average Discharge Rate = 7,247 GPD
- Proposed Peak Discharge Rate = 18,118 GPD

The OCSD February 11, 2021, letter indicated that OC San has sufficient treatment capacity in its facilities to accept the provided, estimated wastewater flows from the subject property, as conveyed to the OC San by the City of Huntington Beach municipal sanitary sewer system. When OCSD Capital Facilities Capacity Charges are paid to the City of Huntington Beach, this property will be subject to the design and construction of any necessary on-site collection facilities and the

discharge of wastewater from the property will not result in a violation of the OCSD's Regional Water Quality Control Board permit requirements.

The City of Huntington Beach Public Works Department also evaluated the Project and determined that City sewer service to the Proposed Project may be provided by the City (Appendix J – City of Huntington Beach Public Works Department, *Sewer Will-Serve Letter for the Talbert and Newland Residential Townhome Project at the northwest corner of Talbert Avenue and Newland Street (34 total units),* February 1, 2021).

The Public Works Department also indicated that a condition of Project approval would be a sewer hydraulic analysis study verifying sewer capacity within the City's sanitary sewer system that must be prepared and submitted to Public Works for review and approval. This study must include and be based upon 14-day or longer flow test data, as well as the projected sewer flows/demands for the Proposed Project. The City requires that the flow test data be conducted prior to construction.

The City's letter indicated that if the sewer study shows adequate capacity to serve the proposed development, and the Property Owner/Developer pays all of the necessary City development fees and meets all Code Requirements, Conditions of Approval and Mitigation Measures as required by the City, then the Property Owner/Developer would be responsible for furnishing, constructing and installing all sewer improvements per the City of Huntington Beach Public Works standards and approved plans.

The City's approval would constitute an affirmation that they can serve the Proposed Project without impacts to their systems. Therefore, potential impacts associated with water, wastewater, and storm drainage would be less than significant, and no mitigation would be required.

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?

Less than Significant Impact: The Applicant has obtained a "will serve" letter from the City (Appendix J) which indicates there is sufficient water supplies to serve the Proposed Project. Additionally, the City's Urban Water Master Plan (City, 2018) identifies that the City's conservation efforts have been successful in reducing water demand throughout the City. Therefore, potential impacts associated with available water supplies would be less than significant, and no mitigation would be required.

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?

Less than Significant Impact: The Applicant has obtained a "will serve" letter from the City which indicates there is sufficient wastewater capacity to serve the Project (Appendix J). Therefore, potential impacts associated with wastewater treatment capacity would be less than significant, and no mitigation would be required.

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?

Less than Significant Impact: Republic Services provides trash, recycling, and green waste service in the City of Huntington Beach. Waste is transported to a variety of regional landfills and transfer stations for processing.

The analysis in Appendix A identified a waste generation rate of 16 tons of solid waste per year from the Proposed Project operations. For operations, the Proposed Project would be served by a variety of regional landfills with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. The Proposed Project would not be served by a landfill with insufficient permitted capacity to accommodate solid waste disposal needs. Therefore, potential impacts associated with solid waste disposal would be less than significant, and no mitigation would be required.

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

Less than Significant Impact: Solid waste generated by the Proposed Project would be disposed of at a variety of landfills and transfer stations in Orange County. Disposal of solid waste would be required to comply with all federal state, and local statutes and regulations related to solid waste. This would include providing receptacles for green waste, recyclables, and garbage. Therefore, potential impacts associated with compliance with solid waste statutes and regulations would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Utilities and Service Systems apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Utilities and Service Systems would be less than significant, and no mitigation would be required.

4.20 Wildfire

Environmental Setting

The City's General Plan identifies that the City has a very low risk and a very low incidence of brush fires.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XX. WILDFIRE: 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?				X
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 wildfire?				X
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?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact: The Project Site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2009). Therefore, no impacts associated with an adopted emergency response plan or emergency evacuation plan in reference to wildfire would occur, and no mitigation would be required.

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?

No Impact: The Project Site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2009). Therefore, no impacts associated with wildfire would occur, and no mitigation would be required.

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?

No Impact: The Project Site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2009). Therefore, no impacts associated with wildfire would occur, and no mitigation would be required.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact: The Project Site is not located within a very high fire hazard severity zone according to City General Plan maps or Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2009). Therefore, no impacts associated with wildfire would occur, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Wildfire apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated Wildfire risk would be less than significant, and no mitigation would be required.

4.21 Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
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?		X		
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)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion

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?

Less Than Significant With Mitigation Incorporated: The Proposed Project is an infill development project located in an urbanized area of the City and the Project Site is not within or adjacent to and would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, other approved local, regional, or state habitat conservation plan. However, the Project site is heavily vegetated and **MM BIO-1** would reduce potential impacts to nesting birds.

According to the Phase I Cultural Resources Assessment (Appendix D), no cultural resources have been recorded within the Project Site, and the Project Site does not contain any resources that are important to major periods of California history or prehistory. Although the Project Site does not contain any documented cultural resources, there is a possibility that undiscovered, buried resources (including paleontological and tribal cultural resources) might be encountered during construction. Therefore, implementation of **MM GEO-1, MM TCR-1, MM TCR-2** and **MM TCR-3** would reduce potential impacts associated with any undiscovered resources to less than significant and ensure that the Proposed Project would not eliminate important examples of the major periods of California history or prehistory.

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

Less Than Significant: The Air Quality, Noise, and Transportation analyses presented in Section 4.3, Section 4.13, and Section 4.17, respectively, of this document considered cumulative impacts and determined that cumulative air, noise, and traffic impacts would be less than significant, as outlined in those sections. No additional mitigation measures would be required to reduce cumulative impacts to less than significant levels.

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

Less Than Significant with Mitigation Incorporated: All potential impacts of the Proposed Project have been identified, and mitigation measures have been provided, where applicable, to reduce potential impacts to less than significant levels. Upon implementation of mitigation measures, the Proposed Project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly. No additional mitigation measures would be required.

5 LIST OF PREPARERS

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6 REFERENCES

The following reports and/or studies are applicable to development of the Project Site and are hereby incorporated by reference:

California Department of Conservation, Division of Mines and Geology (CDMG), 1997, *Seismic Hazard Zone Report for the Anaheim and Newport Beach 7.5-Minute Quadrangles, Los Angeles County, California*, Seismic Hazard Report 03.

City of Huntington Beach, January 2018 (City, 2018). *Amendments to 2015 Urban Water Management Plan*.

City of Huntington Beach, Adopted October 2, 2017 (City, 2017). *General Plan*.

City of Huntington Beach. October 1, 2005. *Tree Replacement for CEQA Compliance*. Inter-Department Communication.

Galvin Preservation Associates Inc, 2014. *City of Huntington Beach Historic Context & Survey Report*, prepared for City of Huntington Beach Planning and Building Department.

Orange County Water District, June 7, 2015 (OCWD, 2015). *Groundwater Management Plan 2015 Update*.

Orange County Transportation Authority, November 2021 (OCTA, Nov 2021). 2021 Orange County Congestion Management Program Report.

County of Orange, Amended November 17, 2020 (COO, November 2020). *2020 Updated Transportation Implementation Manual, County of Orange, Public Works Infrastructure Programs*.

State of California, Department of Conservation, Farmland Mapping and Monitoring Program. https://maps.conservation.ca.gov/DLRP/CIFF.

United States Dept of Agriculture, Natural Resources Conservation Service, Web Soil Survey, https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

Appendix A

Architectural Plans

On File With City of Huntington Beach

Appendix B

Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, January 2022

On File With City of Huntington Beach

Appendix C

General Biological Survey for the Olson Townhome Project [APNs 167-531-24 and 167-531-23], November 18, 2021

On File With City of Huntington Beach

Appendix C-1

Tree Inventory and Tree Assessment For Huntington Beach - Talbert & Newland, November 2021

On File With City of Huntington Beach

Appendix D

Phase I Cultural Resources Assessment, November 2021

On File With City of Huntington Beach

Appendix D-1

Historical Resource Analysis Report 8371, 8421, 8461 Talbert Avenue, November 2021

On File With City of Huntington Beach

Appendix E

Geotechnical Due-Diligence Investigation and Percolation Study, February 2021

On File With City of Huntington Beach

Appendix F

Phase I and II Environmental Site Assessment, February 2021

On File With City of Huntington Beach

Appendix G

Preliminary Water Quality Management Plan

On File With City of Huntington Beach

Appendix H

Noise Impact Analysis, February 2022

On File With City of Huntington Beach

Appendix I

Traffic Impact Study, January 2022

On File With City of Huntington Beach

Appendix J

Utility Will Serve Letters

On File With City of Huntington Beach