ADDENDUM
Transit Zoning Code (SD 84A and SD 84B) Environmental Impact Report
City of Santa Ana
State Clearing House No. 2006071100

Washington Santa Ana Housing Partners Removal Action Workplan

1126 and 1146 East Washington Avenue

Santa Ana, California 92701

Department of Toxic Substances Control
Site Mitigation and Restoration Program
5796 Corporate Avenue
Cypress, California 90630

March 2022

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1.0 Introduction

1.1 Purpose of Addendum

On June 7, 2010, the City Council of the City of Santa Ana, by resolution (https://www.santa-ana.org/sites/default/files/Documents/SD84.NS-2803.TransitZoningCode.pdf), certified the Final Environmental Impact Report (EIR) (SCH No. 2006071100) prepared for the Transit Zoning Code (SD 84A and 84B). The primary objective of the Transit Zoning Code is to provide zoning for the integration of new infill development into existing neighborhoods, to allow for the reuse of existing structures, and to provide a transit-supportive, pedestrian-oriented development framework to support the addition of new transit infrastructure. The Transit Zoning Code covers an area located in the central urban core of Santa Ana and comprises over 100 blocks and 450 acres.

After certification of the Final Transit Zoning Code EIR, a Removal Action Workplan (RAW) was prepared for the Washington Santa Ana Housing Partners (Washington Santa Ana) Project Site, also known as the Crossroads at Washington. The RAW was prepared to address areas of soil contaminated with arsenic, lead, chromium and petroleum hydrocarbons, and an area of soil vapor contaminated with tetrachloroethylene (PCE), prior to the Washington Santa Ana Housing Partners' planned residential development. (see Section 2 for detailed project description). The Project Site is in the Transit Village Zone of the area covered by the Transit Zoning Code. As such, this EIR Addendum identifies and analyses the potential environmental effects of the removal action as it relates to the Transit Zoning Code evaluated in the certified EIR.

1.2 Basis for Decision to Prepare Addendum

According to Section 15164 of the State CEQA Guidelines, an addendum to a previously certified EIR or adopted negative declaration shall be prepared by a lead or responsible agency if changes or additions to the document are necessary but none of the conditions described in Section 15162 requiring the preparation of a subsequent EIR or negative declaration are applicable. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body considers the addendum with the final EIR or adopted negative declaration prior to making a decision on the project, as modified.

Section 15162 of the State CEQA guidelines states that, for a project covered by a certified EIR or adopted negative declaration, preparation of a subsequent EIR or negative declaration is required if one or more of the following conditions occur:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been know with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
d. Mitigation measures or alternatives that are considerable different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This EIR Addendum will identify that some changes or additions to the certified EIR are necessary but none of the conditions requiring the preparation of a subsequent EIR are applicable.

2.0 Project Background and Proposed Modification

2.1 Project Background

The Transit Zoning Code (SD 84A and 84B) (TZC) area is in the central urban core of Santa Ana and comprises over 100 blocks and 450 acres. The TZC area is generally bounded by First Street, Flower Street, Civic Center Drive, Grand Avenue, and Interstate 5 (I-5). The TZC area is generally located in the area west of I-5, north of Fist Street, and between Grand Avenue and Flower Street and south of Civic Center Drive in the City of Santa Ana in Orange County, California.

The approved TZC provided new zoning for properties contained within its boundaries (see Figure 2) to support integration of new infill development into existing neighborhoods, to allow for the reuse of existing structures, to provide for a range of housing options, including affordable housing, and to provide a transit-supportive, pedestrian-oriented development framework to support the addition of new transit infrastructure. The TZC is partitioned into the following nine distinct zones:

- Corridor (CDR) Zone
- Downtown (DT) Zone
- Government Center (GCD) District
- Open Space (OS) Zone
- Transit Village (TV) Zone
- Urban Center (UC) Zone
- Urban Neighborhood 1 (UN-1) Zone
- Urban Neighborhood 2 (UN-2) Zone
- Industrial Overlay (IO) Zone

The City of Santa Ana's General Plan was amended to permit the new land uses proposed by the approved TZC and amend the Zoning Code to establish development standards that implement the approved TZC. For this EIR Addendum, the approved TZC is used as the baseline for the analysis since it represents what is currently permitted for development at the Project Site.

After certification of the Final Transit Zoning Code EIR, a RAW was prepared for the Project Site, also known as the Crossroads at Washington. The RAW was prepared to address removal of contaminated soil from the Project Site. The Project Site is located in the Transit Village (TV) Zone identified in the area covered by the Transit Zoning Code. The certified EIR includes the following description of the Transit Village (TV) Zone:

> *"This zone is applied to areas adjacent to and north of the Santa Ana Regional Transportation Center, easterly to Interstate 5. This zone is intended to provide standards for compact transit-supportive mixed-use/residential development. This zone is characterized by a wide range of building intensities including mixed-use tower-on-podium buildings, commercial blocks, liners, stacked flats, and courtyard housing. The zone accommodates retail, restaurant, entertainment, and other pedestrian-oriented uses at street level, with offices and flats above in the mixed-use building types, at high intensities and densities. The landscape palette is urban with shading and accent street trees in parkway strips along Santa Ana Boulevard, and in sidewalk tree wells where on-street parking is provided. Parking may be accommodated on street, in structures with liner buildings, and underground."*

The Project Site location is shown on Figure 1 and the Project Site location within the TZC area is shown on Figure 2.

This EIR Addendum identifies and analyzes the potential environmental effects of the RAW as it relates to the TZC evaluated in the certified EIR.

The Project Site is located at 1126 and 1146 E Washington Avenue, Santa Ana, California. The Project Site is an approximately 2.286-acre vacant site, bordered by East Washington Avenue to the north, East Santa Ana Boulevard to the south, commercial properties to the west, and an offramp to Interstate 5 Freeway southbound to the east, in Santa Ana, California. The Project Site consists of two parcels, identified as North Parcel and South Parcel, as shown on Figure 3.

The North Parcel is owned by the Housing Authority of the City of Santa Ana and consists of mostly uncovered soil. Historically, the parcel was used for orchards (1938-1952), followed by vehicle fueling and maintenance. By the early 1990s, the parcel appeared vacant then was used for material/equipment storage. In October 2019, stockpiled soil was observed and was reportedly removed and disposed of at a landfill.

The South Parcel is owned by the County of Orange and consists mostly of uncovered soil with degraded asphalt and concrete pads. Historically, the east area of the South Parcel contained row crops (before 1938 through 1952). By 1964, the parcel was paved and was used for parking and materials/equipment storage. In 1996, oil and solvent wastes were reportedly generated at the South Parcel and disposed off-site.

Comprehensive investigations of soil and soil vapor were conducted in 1990 on the northern portion, 2004 on the southern portion, and 2020-2021 on the entire Project Site.

In 1990 and 1991, an investigation in the northwestern part of the North Parcel was conducted to assess the extent of petroleum hydrocarbons in soil previously identified during the 1988 Underground Storage Tank (UST) removal for State of California Department of Transportation (Caltrans). Soil samples were collected to evaluate potential releases from a former wash rack area, abandoned fuel pump island, a former 1,000-gallon gasoline UST, a former 12,000-gallon diesel UST, and a former 550-gallon waste oil tank. Elevated concentrations of petroleum hydrocarbons were detected soil samples collected near the northernmost drainage sump beneath the wash rack canopy and near the abandoned fuel pump island.

In 2004, a limited subsurface soil investigation was performed on the South Parcel. Soil samples were analyzed for petroleum hydrocarbons, metals, volatile organic compounds, organochloride pesticides, and chlorinated herbicides. Only arsenic and lead were detected in soil samples at levels exceeding background and residential DTSC screening levels, respectively.

In January 2020, an investigation was conducted to evaluate Recognized Environmental Conditions (RECs) on both parcels that were summarized in a 2019 Phase I Environmental Site Assessment. Soil and soil vapor samples were collected to investigate potential releases from former operations and historical stockpiles. Selected soil samples were analyzed for petroleum hydrocarbons, metals, organochloride pesticides, and chlorinated herbicides. Soil vapor samples were analyzed for volatile organic compounds. Sampling results were consistent with previous investigations and indicated arsenic and lead in mostly shallow soil samples collected on the South Parcel. Similarly, petroleum hydrocarbons were detected in a soil sample collected on the North Parcel. PCE was detected in soil vapor samples collected on the North Parcel. Based on a geophysical survey conducted to evaluate the presence of

abandoned/buried underground storage tanks, further evaluation of one large and six smaller subsurface anomalies was recommended.

From August to December 2020, Orange County Health Care Agency served as the voluntary oversight agency (Case # 20IC003) for the Project Site. Orange County Health Care Agency reviewed the Site Assessment Work Plan (Altec, 2020b) and Site investigation conducted in October 2020. Project Site documents are available on the Water Board GeoTracker at https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000015917.

Additional soil and soil vapor sampling was conducted in May and December 2020 to confirm previous sampling results and to obtain additional information on extent of contamination. Additionally, seven previously identified subsurface geophysical anomalies on the North Parcel were excavated and inspected. Field observations and screening did not indicate a potential release. Where possible, the metallic or foreign objects were removed and set aside on the ground surface.

On December 18, 2020, the Orange County Health Care Agency transferred the case to DTSC for oversight. The most recent Supplemental Site Investigation in July 2021 was conducted under the DTSC Targeted Site Investigation Plus (TSI+) program, funded by United States Environmental Protection Agency State Response Program Grant Number RP-98T06201. The July 2021 investigation included evaluation of fill material on the northern portion, confirmation of metals and petroleum hydrocarbons in soil, and volatile organic compounds (VOCs) in soil vapor. A Screening Level Human Health Risk Assessment was conducted as a part of this investigation.

Based on the results of these investigations and Screening Level Human Health Risk Assessment, a RAW was prepared to address areas of soil contaminated with arsenic, lead, chromium and petroleum hydrocarbons, and an area of soil vapor contaminated with PCE, prior to planned residential development. The RAW, prepared by GSI Environmental Inc. on December 17, 2021, "Draft Removal Action Workplan, Washington Santa Ana Housing Partners, 1126 and 1146 East Washington Avenue, Santa Ana, California," is incorporated by reference in this EIR Addendum. The Draft RAW was prepared by GSI Environmental Inc. for DTSC under the DTSC Targeted Site Investigation Plus (TSI+) program, funded by United States Environmental Protection Agency State Response Program Grant Number RP-98T06201.

2.2 Proposed Modification

The proposed project modification evaluated in this EIR Addendum is the proposed cleanup alternative in the RAW that includes (1) excavation and off-site disposal of soil contaminated with arsenic, lead, chromium, and petroleum hydrocarbons, and (2) recording a Land Use Covenant (LUC) with the County of Orange to restrict construction over the area of soil vapor contaminated with PCE beneath the western portion of the North Parcel.

The RAW details the proposed removal action and necessary guidance and/or plans required for safe and successful implementation:

- Quality Assurance/Quality Control Plan (QA/QC) – included in the RAW.
- Decontamination Plan – included in the RAW.
- Dust Monitoring and Mitigation Plan – included in the RAW.

- Soil Management Plan (SMP) – SMP requirements are included in the RAW. A site-specific SMP will be prepared by the excavation contractor and approved by DTSC prior to implementation.
- Transportation Plan (TP) – TP requirements are included in the RAW. A site-specific TP will be prepared by the excavation contractor and approved by DTSC prior to implementation.
- Health and Safety Plan (HASP) – HASP requirements are included in the RAW. Health and safety procedures for cleanup activities to comply with California Occupational Health and Safety Administration (OSHA) requirements for excavations and hazardous waste operations. A site-specific HASP will be prepared by the excavation contractor and approved by DTSC prior to implementation.

RAW Activities

Implementation of the removal action consists of the following tasks:

1. Excavate approximately 300 cubic yards from the North Parcel and 1,300 cubic yards from the South Parcel, for a total of 1,600 bank cubic yards (in-place volume) of impacted soil (or approximately 2,560 tons using an estimated conversion factor of 1.6 tons per cubic yard) from identified locations.
2. Temporarily stockpile excavated soils on-site to perform waste-profile testing needed to obtain approval for landfill disposal.
3. Conduct confirmation sampling of the excavation sidewalls and bottoms, compare confirmation data to soil removal goals, and if necessary, excavate additional volume until soil removal goals are met.
4. Load and transport approximately 2,560 tons of impacted soil to an appropriate disposal facility, approximately 300 cubic yards (480 tons) from the North Parcel to a non-hazardous landfill and approximately 1,300 cubic yards (2,080 tons) from the South Parcel to an appropriate disposal facility.
5. Import certified-clean fill materials and backfill excavations in preparation for start of redevelopment construction.
6. Record a LUC with the County of Orange that restricts construction of a building over the area of soil vapor contaminated with PCE.

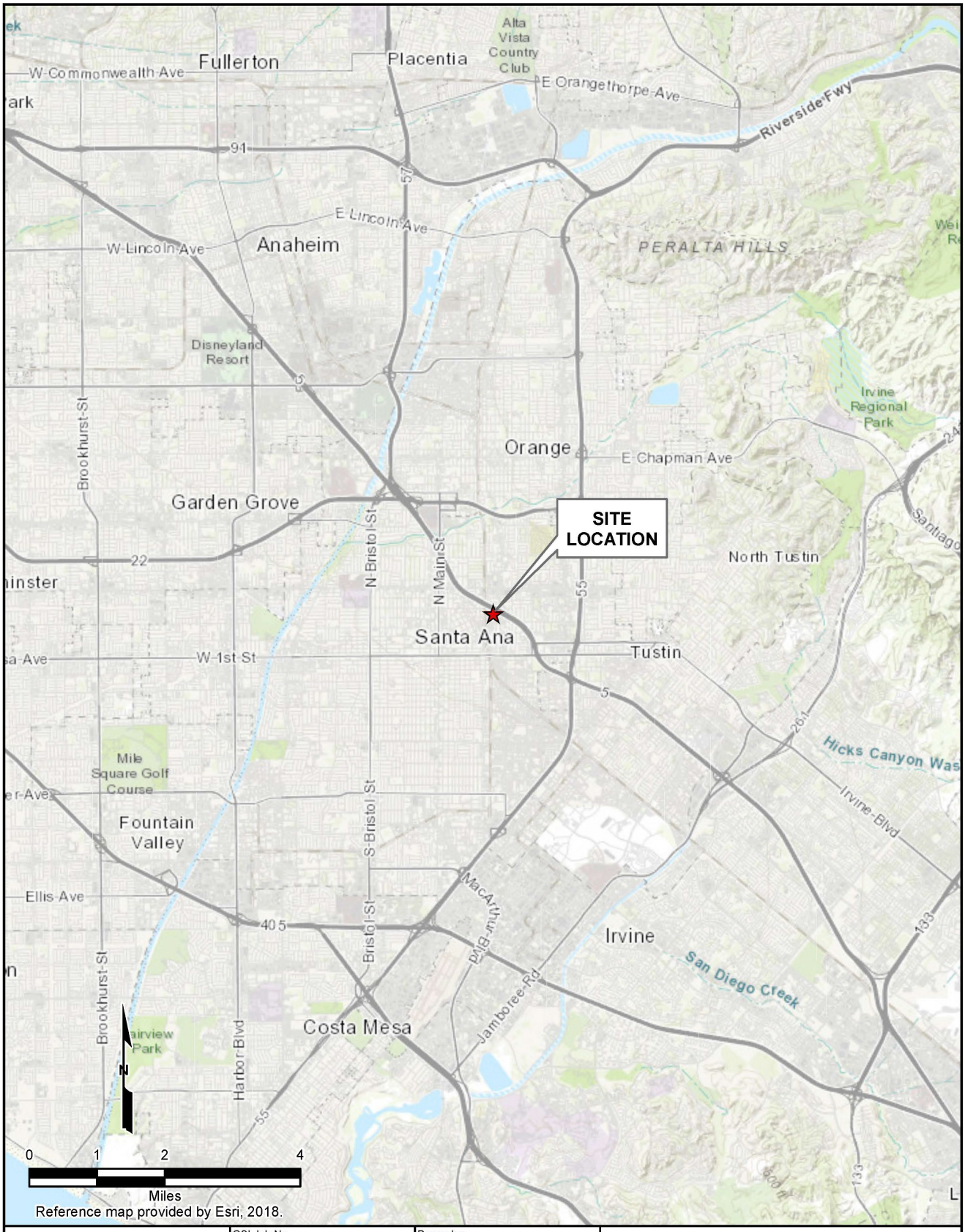
It is estimated that the excavation of approximately 2,560 tons of impacted soil would require approximately 128 truck trips and occur over a two-week period. Excavated soil from the North Parcel is expected to be disposed of at a nonhazardous landfill in California. Some portion of soil excavated from the South Parcel may need to be disposed of at a California hazardous landfill or a landfill outside California that will accept the material. However, ultimate disposal locations may change pending stockpile characterization, landfill acceptance criteria, landfill capacity, and transportation and disposal costs at the time of excavation. Any debris generated from excavation activities will also be profiled for transport and disposal at an appropriate landfill facility.

All vehicles and equipment will be decontaminated prior to leaving the work area as described in Section 5.4 (Control Measures) of the RAW and Decontamination Plan included in Appendix C of the RAW. The main objectives of the Decontamination Plan are:

- Establish a consistent approach for checking cleanliness of equipment mobilized to the Project Site, thereby minimizing the potential for introducing regulated materials to the Project Site.

- Institute protocols for decontaminating equipment that comes in contact with impacted Project Site media (E.G., solids or liquids), thus minimizing the potential for cross-contaminating on-site media (e.g., b moving equipment from impacted areas to unimpacted areas) and for transporting impacted Project Site media off-Site (e.g., via vehicle tracking).

Trucks transporting impacted soil will be covered or tarped before leaving the Project Site to prevent soil and/or dust from spilling out of the truck during transport to the disposal facility. The excavation contractor's Construction Quality Assurance Engineer or designed Construction Quality Assurance observer will inspect vehicles or equipment leaving impacted areas or the Project Site to ensure that they are decontaminated, payloads are adequately covered, and shipment is properly manifested.



GSI ENVIRONMENTAL	GSI Job No. 5857	Drawn by: GM	SITE LOCATION MAP
	Issued: 30-Nov-2021	Chk'd by: MJ	Washington Santa Ana Housing Partners 1126 and 1146 East Washington Avenue, Santa Ana, California
	Revised:	Aprv'd by: HA	
	Map ID: Figure01_SLM	FIGURE 1	

Figure 1

Project Site Location Map

Source: "Draft Removal Action Workplan, Washington Santa Ana Housing Partners, 1126 and 1146 East Washington Avenue, Santa Ana, California," prepared by GSI Environmental Inc., December 17, 2021

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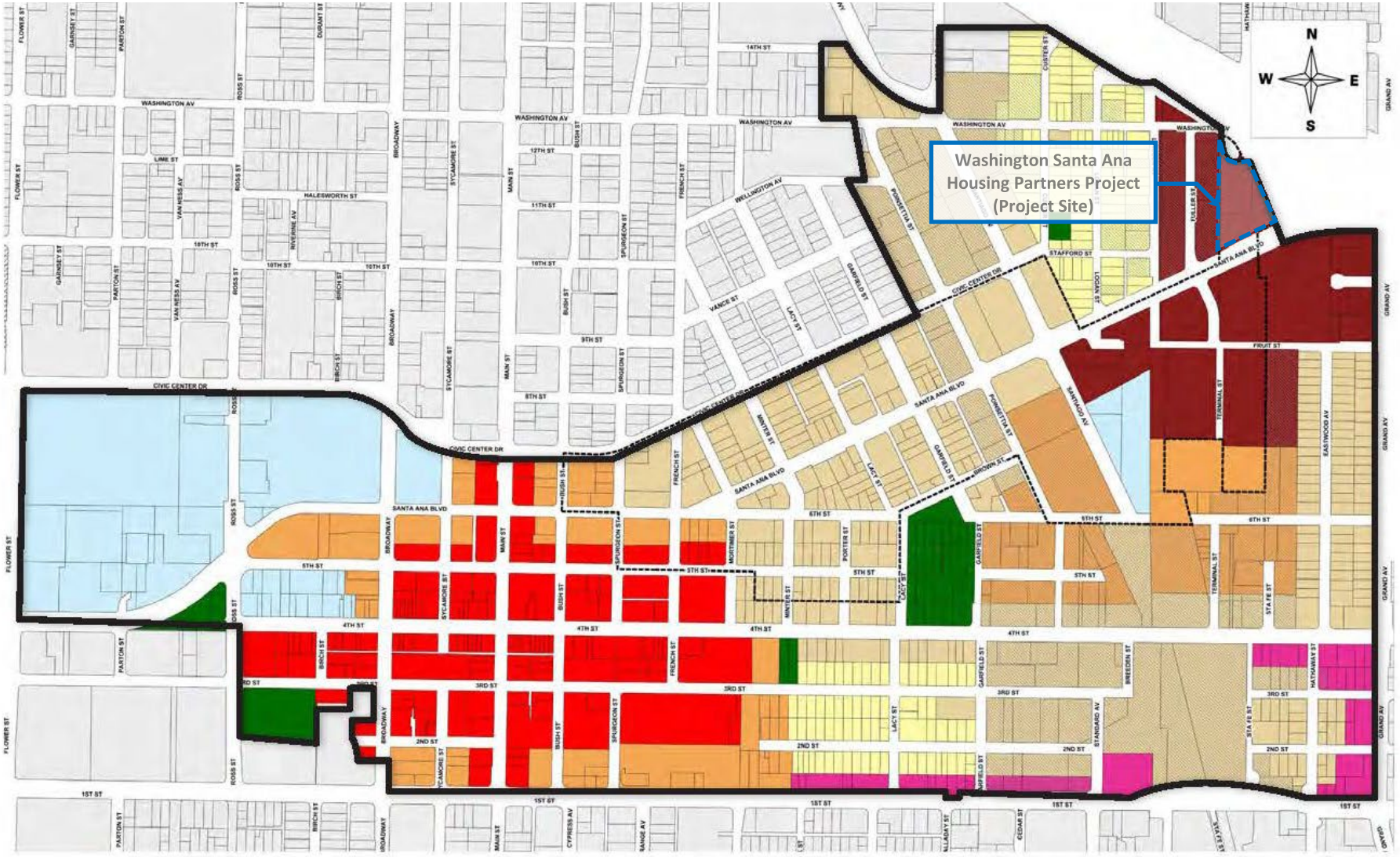

Source: City of Santa Ana GIS, January 2010.

Figure 2

Project Site Location on Transit Zoning Code Map

Source: Figure ES-2, "Transit Zoning Code (SD 84A and SD 84B0 Map, City of Santa Ana Transit Zoning Code (SD 84A and SD84B) EIR," prepared by PBS&J, 2010 (https://www.santa-ana.org/transit-zoning-code-environmental-impact-report)

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Figure 3

Project Site Vicinity Map

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3.0 Environmental Review

3.1 Introduction

This section provides analysis that supports the conclusion that the modified project to implement the RAW does not meet the criteria requiring preparation of a subsequent environmental impact report as required under CEQA Guidelines Section 15164. Refer to Section 2 for detailed project description.

This section includes a summary of the environmental impact topics evaluated, as detailed in the following parts in the certified EIR:

- Table ES-2 – Summary of Environmental Effects and Mitigation Measures from Chapter 1 – Executive Summary of the certified Final Transit Zoning Code EIR
- Changes documented in Table ES-2 – Summary of Environmental Effects and Mitigation Measures from Chapter 9 – Changes to the Draft EIR of the certified Final Transit Zoning Code EIR
- Evidence/rationale and findings for significant and unavoidable impacts presented in Table 2-1 – CEQA Findings included in the Findings of Fact/Statement of Overriding Considerations

The analysis in the certified EIR reflects a future build-out scenario assuming any development that occurred would do so at the most intense standard contained with the Transit Code. Potential environmental impacts from the certified EIR are classified in the following categories:

- Less Than Significant (LTS) – Results in no substantial adverse change to existing environmental conditions.
- Potentially Significant (PS) – Constitutes a substantial adverse change to existing environmental conditions that can be mitigated to less-than-significant levels by implementation of feasible mitigation measures or by the selection of an environmentally superior project alternative
- Significant and Unavoidable (SU) – Constitutes a substantial adverse change to existing environmental conditions that cannot be fully mitigated by implementation of all feasible mitigation measures or by the selection of an environmentally superior project alternative

Potentially significant effects, from the construction or operation of the proposed project, were identified and evaluated in the certified EIR for the following impact areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Transportation
- Utilities and Service Systems
- Climate Change

Significant and mitigable impacts were found for the environmental impact areas listed above. The certified EIR also recommended feasible mitigation measures, where possible. Mitigation measures reduced the impacts to below the level of significance with the exception of Aesthetics, Air Quality, Cultural Resources, Noise, Transportation, and Climate Change. Significant and unavoidable impacts that could not be mitigated were identified in the certified EIR and addressed in the adopted CEQA findings

and statement of overriding considerations. Significant and unavoidable impacts are also summarized in their respective subsections below.

No substantial changes in circumstances have occurred since the certified EIR was prepared, and no new information of substantial importance has become available since the certified EIR was prepared.

This section also includes a determination as to whether the modified project would result in an increase in the severity of impacts identified in the certified EIR, or any new impacts not previous considered in the certified EIR.

3.2 Aesthetics

3.2.1 Certified EIR

The certified EIR indicated the following impacts to Aesthetics/Visual Resources:

- **Impact 4.1-1** The potential mix of development/redevelopment projects that combine residential and non-residential uses within the Transit Zoning Code (SD 84A and SD 84B) area would not cause an obstruction of significant public views or vistas.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.1-2** Long-term cumulative development within the project area, along with associated infrastructure improvements would alter the existing visual character or quality of the Transit Zoning Code (SD 84A and SD 84B) area.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.1-3** Long-term cumulative development occurring pursuant to the Transit Zoning Code, and associated infrastructure improvements could result in new sources of increased daytime glare.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.1-1** Proposed new structures shall be designed to maximize the use of textured or other non-reflective exterior surfaces and non-reflective glass. Building materials shall be reviewed by the City of Santa Ana prior to issuance of building permits for each project.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.1-4** Long-term cumulative development occurring pursuant to the Transit Zoning Code would result in new sources of spillover light.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.1-2** All exterior lighting and advertising (including signage) shall be directed onto the specific location intended for illumination (e.g., parking lots, driveways, and walkways) and shielded away from adjacent properties and public rights-of-way to minimize light spillover onto adjacent areas.
        - **MM4.1-3** Prior to issuance of a building permit for a specific development project, the applicant shall submit a lighting plan to the City for review and

approval. The plan shall specify the lighting type and placement to ensure that the effects of security and other outdoor lighting are minimized on adjacent uses and do not create spillover effects. The plan shall specifically incorporate the following design features:

- All projects shall incorporate project design features to shield light and/or glare from vehicles entering or exiting parking lots and structures that face sensitive uses (e.g., schools, hospitals, senior housing, or other residential properties) by providing barriers so that light from vehicle headlights would not illuminate off-site sensitive uses.
- All projects shall incorporate project design features to provide landscaping, physical barriers, screening, or other buffers to minimize project-generated illumination from entering off-site areas and to prevent glare or interference with vehicular traffic, in accordance with the City's Municipal Code.

  - Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.1-5** Long-term cumulative development occurring pursuant to the Transit Zoning Code (SD 84A and SD 84B) could result in a substantial increase in shade/shadows over sensitive uses.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)
  - Transit Zoning Code Mitigation Measures
    - **MM4.1-4** For any proposed structure that would exceed four stories in height, applicants shall submit a site-specific shade/shadow report with renderings representing the level of shade/shadows associated with the proposed development at the following times: 9:00 A.M., 12:00 P.M., 3:00 P.M. PST for the both the winter and summer solstices. An additional rendering for the 5:00 P.M. PST time period shall be prepared for the summer solstice period. Typically, a variety of criteria are used to determine the significance of a shadow impact, including the following:
      - Affected land use (criticality of direct sunlight for the use)
      - Duration (hours per day in shadow)
      - Time of day (critical time period for direct sunlight)
      - Season (time of year use would be shadowed)
      - Extent (percentage of use that would be shadowed)
      - Preexisting condition (shadow condition due to existing buildings, landscaping, or other features)
      - Type (solid or dappled shadow)

      The report shall include any feasible design considerations that would reduce the extent of shadows cast by a proposed structure. The analysis and the project design plans shall be forwarded to the Planning and Building Agency for review and approval.
  - Level of Significance After Mitigation: Significant and Unavoidable (SU)

The following significant and unavoidable impacts were addressed in the adopted CEQA findings and statement of overriding considerations:

- **Impact 4.1-5** Long-term cumulative development occurring pursuant to the Transit Zoning Code (SD 84A and SD 84B) would result in a substantial increase in shade/shadows over sensitive uses.
    - Evidence/Rationale Supporting Findings: Potential development of future buildings within the Transit Village Zone (which allow building heights up to 20-stories) would cause significant impacts from shade/shadow. Due to the uncertainty of the exact design specifications of future buildings, it is possible that impacts would occur, even after the implementation of MM4.1-4. Therefore, this impact is considered significant and unavoidable.
    - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR. Specifically, MM4.1-4 would reduce shade/shadow issues through the feasible design recommendations set forth in required studies.
    - **Finding 3** Despite these changes, impacts would remain significant. The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, no additional feasible mitigation measures exist that would avoid or substantially reduce this impact.

3.2.2 Modified Project

RAW activities, including soil excavation, staging, and loading may have an impact on the visual character of the Project Site; however, this would be a temporary impact, lasting approximately two weeks, and would be considered less than significant. RAW activities will not create any new impacts to daytime glare, spillover light, or shade/shadows over sensitive uses. Since mitigation measures are intended to mitigate these effects, they are not applicable to RAW activities. Based on the information above, the modified project would not result in any additional significant adverse aesthetic resources impacts or substantial increase in severity of impact identified in the certified EIR.

3.2.3 Conclusion

The modified project would not result in any additional significant adverse aesthetic/visual resources impacts or substantial increase in severity of impact identified in certified EIR.

3.3 Air Quality

3.3.1 Certified EIR

The certified EIR indicated the following impacts to Air Quality:

- **Impact 4.2-1** Construction and operation of the proposed project would not create objectionable odors affecting a substantial number of people.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.2-1** Trash receptacles within the Transit Zoning Code (SD 84A and SD 84B) will be required to have lids that enable convenient collection and loading and will be emptied on a regular basis, in compliance with City of Santa Ana regulations for the collection of solid waste.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.2-2** Construction of the proposed project would not raise local ambient pollutant concentrations above the significance thresholds with the incorporation of mitigation measures MM4.2-2 through MM4.2-6.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.2-2** The construction contractor shall ensure that no more than 5 acres per day are actively graded or developed.
        - **MM4.2-3** The construction contractor shall ensure that all active disturbed surfaces should be watered three times per day throughout the construction period.
        - **MM4.2-4** The construction contractor shall ensure that the mass grading, fine grading, and structure construction are conducted at separate time periods and do not overlap with one another.
        - **MM4.2-5** The construction contractor shall ensure that all haul roads are watered three (3) times per day.
        - **MM4.2-6** The construction contractor shall ensure that all traffic on unpaved roads is reduced to 15 mph or less.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.2-3** Operation of the proposed project would increase local traffic volumes, but would not expose sensitive receptors to substantial localized carbon monoxide (CO) concentrations.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.2-4** Long-term cumulative development pursuant to the adoption of the Transit Zoning Code would not conflict with or obstruct implementation of the Air Quality Management Plan.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required
    - Level of Significance After Mitigation: Significant and Unavoidable (SU)
- **Impact 4.2-5** Construction activities associated with the construction of individual projects within the Transit Zoning Code area, including the Developer project, could contribute substantially to an existing or projected air quality violation for criteria air pollutants.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.2-7** Project applicants shall require by contract specifications that all diesel-powered equipment used will be retrofitted with after-treatment products (e.g., engine catalysts) to the extent that they are readily available in the South Coast Air Basin. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Santa Ana prior to issuance of a grading permit.
        - **MM4.2-8** Project applicants shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site use low-NO_X diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California Air Resources Board diesel) in the South Coast Air Basin (this does not apply to diesel-powered trucks

traveling to and from the project site). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Santa Ana prior to issuance of a grading permit.

- **MM4.2-9** Project applicants shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) be utilized to the extent that the equipment is readily available and cost effective in the South Coast Air Basin. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Santa Ana prior to issuance of a grading permit.
- **MM4.2-10** Project applicants shall require by contract specifications that construction equipment engines be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Santa Ana prior to issuance of a grading permit.
- **MM4.2-11** Project applicants shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Santa Ana prior to issuance of a grading permit.
- **MM4.2-12** As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following:
    - Application of soil stabilizers to inactive construction areas
    - Quick replacement of ground cover in disturbed areas
    - Watering of exposed surfaces three times daily
    - Watering of all unpaved haul roads three times daily
    - Covering all stockpiles with tarp
    - Reduction of vehicle speed on unpaved roads
    - Post signs on-site limiting traffic to 15 miles per hour or less
    - Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads
    - Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas
    - Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip
- **MM4.2-13** The developer shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more

than 30 minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than 5 minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana.

- **MM4.2-14** The developer shall require by contract specifications that construction parking be configured to minimize traffic interference during the construction period and, therefore, reduce idling of traffic. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana.
- **MM4.2-15** The developer shall require by contract specifications that temporary traffic controls are provided, such as a flag person, during all phases of construction to maintain smooth traffic flow. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana.
- **MM4.2-16** The developer shall require by contract specifications that construction activities that affect traffic flow on the arterial system by scheduled to off-peak hours (9:00 A.M. to 3:00 P.M.). Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana.
- **MM4.2-17** Upon issuance of building or grading permits, whichever is issued earliest, notification shall be mailed to owners and occupants of all developed land uses within ¼ mile of any project within the Transit Zoning Code (SD 84A and SD 84B) boundaries greater than four stories in height or 25,000 sf in area providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will include the identification and contact number for a community liaison and designated construction manager that would be available on site to monitor construction activities. The construction manager shall be responsible for complying with all project requirements related to PM_{10} generation. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contract information for the community liaison and construction manager will be located at the construction office, City Hall, the police department, and a sign on site.
- **MM4.2-18** The developer shall require by contract specifications that the architectural coating (paint and primer) products used would have a VOC rating of 125 grams per liter or less. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana.
- **MM4.2-19** The developer shall require by contract specifications that materials that do not require painting be used during construction to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana.

        - **MM4.2-20** The developer shall require by contract specifications that pre-painted construction materials be used to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana.
    - Level of Significance After Mitigation: Significant and Unavoidable (SU)
- **Impact 4.2-6** Operation of the proposed project would exceed South Coast Air Quality Management District standards for VOC, NO_X, CO, and PM_{10} and would result in a projected air quality violation.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.2-21** As individual components of the Transit Zoning Code (SD 84A and SD 84B) are implemented, an air quality impact analysis will be completed to determine their independent significance levels. Mitigation is to be incorporated at the individual component level to bring the individual components to less than significant on a site-by-site basis.
        - **MM4.2-22** Prior to issuance of a building permit, the applicant shall demonstrate that the design of the proposed buildings or structures exceeds current Title 24 requirements (Title 24, Part 6 of the California Code of Regulations; The Energy Commission adopted the 2008 Standards on April 23, 2008, and the Building Standards Commission approved them for publication on September 11, 2008. The 2008 Residential Compliance Manual was adopted by the Commission on December 17, 2008, and the 2008 Nonresidential Compliance Manual was adopted January 14, 2009.Energy Efficiency Standards for Residential and Non Residential Buildings, as amended November 1, 2005; Cool Roof Coatings performance standards as amended September 11, 2006) by a minimum of 20 percent, subject to review by the County Building Official. Documentation of compliance with this measure shall be provided to the Planning Department and Building Official for review and approval prior to issuance of the permit. Installation of the identified design features or equipment will be confirmed by the County Building Official prior to certificate of occupancy. Any combination of the following design features may be used to fulfill this mitigation provided that the total increase in efficiency meets or exceeds 20 percent:
            - Increase in insulation such that heat transfer and thermal bridging is minimized
            - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption
            - Incorporate dual-paned or other energy efficient windows
            - Incorporate energy efficient space heating and cooling equipment
            - Incorporate energy efficient light fixtures
            - Incorporate energy efficient appliances
            - Incorporate energy efficient domestic hot water systems
            - Incorporate solar panels into the electrical system
            - Incorporate cool roofs/light-colored roofing

- Or other measures that will increase the energy efficiency of building envelope in a manner that when combined with the other options listed above exceeds current Title 24 Standards (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended November 1, 2005; Cool Roof Coatings performance standards as amended September 11, 2006) by a minimum of 20 percent

- **MM4.2-23** Prior to issuance of a building permit, the applicant shall provide a landscape plan for the Project that includes shade trees around main buildings, particularly along southern elevations where practical, and will not interfere with loading dock locations or other operational constraints. Documentation of compliance with this measure shall be provided to the City Building Official for review and approval.
- **MM4.2-24** Prior to issuance of a building permit, the applicant shall demonstrate that the proposed building or structure designs incorporate exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas. Documentation of compliance with this measure shall be provided to the City Building Official for review and approval. Installation of the identified design features or equipment will be confirmed by the City Building Official prior to issuance of certificate of occupancy.
- **MM4.2-25** The applicant shall provide education and publicity about reducing waste and available recycling services to future tenants. The education and publicity materials shall be provided to the City for review and approval by the Planning Department.
- **MM4.2-26** All showerheads, lavatory faucets, and sink faucets within the residential units shall comply with the California Energy Conservation flow rate standards.
- **MM4.2-27** Low-flush toilets shall be installed within all commercial and residential (including Congregate Care) units as specified in California State Health and Safety Code Section 17921.3.
- **MM4.2-28** All commercial/industrial/common area irrigation areas shall be capable of being operated by a computerized irrigation system which includes an onsite weather station/ET gage capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain, and wind. In addition, the computerized irrigation system shall be equipped with flow-sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks, and eliminating over-watering and flooding due to pipe and/or head breaks.
- **MM4.2-29** Landscape designers shall ensure that Project landscaping of commercial/industrial/common areas uses drought-tolerant and smog-tolerant

trees, shrubs, and groundcover to ensure long-term viability and conserve water and energy.

- **MM4.2-30** Landscape designers shall ensure that the landscape plan includes drought resistant trees, shrubs, and groundcover within the parking lot and perimeter.
- **MM4.2-31** Project designers shall ensure that design features incorporate light-colored roofing materials that will deflect heat away from the building and conserve energy.
- **MM4.2-32** The Project designers shall ensure that designs include all illumination elements to have controls to allow selective use as an energy conservation measure.
- **MM4.2-33** Prior to issuance of a building permit, the applicant shall demonstrate that measures have been included to promote ride sharing programs such as, but not necessarily including, publishing ride sharing information for all of the tenants, designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a website or message board for coordinating rides. Documentation of compliance with this measure shall be provided to the City Building Official for review and approval. Installation of the identified design features or equipment will be confirmed by the City Building Official prior to issuance of certificate of occupancy.
- **MM4.2-34** Prior to issuance of a building permit, the applicant shall demonstrate that measures have been included to provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Documentation of compliance with this measure shall be provided to the City Building Official for review and approval. Installation of the identified design features or equipment will be confirmed by the City Building Official prior to issuance of certificate of occupancy.
- **MM4.2-35** Prior to issuance of any certificate of occupancy, the applicant shall demonstrate that all interior building lighting supports the use of compact fluorescent light bulbs or equivalently efficient lighting to the satisfaction of the City Building Official.
- **MM4.2-36** Tenants shall be responsible to ensure that preferential parking spaces are allocated to ultra-low emission vehicles and alternative fueled vehicles to encourage the use of alternative fuels and ultra-low emission vehicles.

  - Level of Significance After Mitigation: Significant and Unavoidable (SU)

- **Impact 4.2-7** Construction and operation of the proposed project could result in a cumulatively considerable net increase of criteria pollutants for which the proposed project region is in nonattainment under an applicable federal or state ambient air quality standard.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)
  - Transit Zoning Code Mitigation Measures
    - **MM4.2-2 through MM4.2-39** would also apply to this impact.
  - Level of Significance After Mitigation: Significant and Unavoidable (SU)

The following significant and unavoidable impacts were addressed in the adopted CEQA findings and statement of overriding considerations:

- **Impact 4.2-5** Construction activities associated with the construction of individual projects within the Transit Zoning Code area, including the Developer project, would contribute substantially to an existing or projected air quality violation for criteria air pollutants.
    - Evidence/Rationale Supporting Findings: The City believes that the construction would generate air pollutant emissions, including CO, NO_X, and PM_{10}, for which the Basin is currently in nonattainment. The City further believes that the implementation of MM4.2-7 through MM4.2-20 will reduce the emissions of these pollutants but not a less than significant level.
    - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR. Specifically, MM4.2-7 through MM4.2-20 will reduce project impacts from the emission of air pollutants, although impacts will remain significant.
    - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, no additional feasible mitigation measures exist that would avoid or substantially reduce this impact.
- **Impact 4.2-6** Operation of the proposed project would exceed South Coast Air Quality Management District standards for VOC, NO_X, CO, and PM_{10} and would result in a projected air quality violation.
    - Evidence/Rationale Supporting Findings: The City believes that the future operation of the proposed project would generate emissions that exceed the thresholds of significance recommended by the SCAQMD for CO, NO_X, ROG, and PM_{10}. Implementation of MM4.2-21through MM4.21-36 will reduce pollutant emissions but not below a level of significance. Said mitigation measures refer to stationary sources of pollution (through building energy efficiency). However, the substantial source of operational pollutants is emitted by mobile sources such as cars, truck, and delivery vehicles.
    - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR. Specifically, MM4.2-21through MM4.21-36 will reduce pollutant emissions, but not below a level of significance.
    - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. The majority of the operational impact results from mobile sources such as cars, trucks, and delivery vehicles. There are no trip reduction measures or advances in vehicle emission technology that could be implemented with effective and reliable results.
- **Impact 4.2-7** Construction and operation of the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the proposed project region is in nonattainment under an applicable federal or state ambient air quality standard.
    - Evidence/Rationale Supporting Findings: The City believes that both construction and operation of the proposed project would result in a cumulatively considerable net

increase of criteria pollutants for which the proposed project region is in nonattainment under an applicable federal or state ambient air quality standard. The City further believes that the implementation of MM4.2-2 through MM4.2-39 will reduce the emissions of these pollutants but not a less than significant level.

- **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. Since the region is in non-attainment for CO, NO_X, PM_{10}, and $PM_{2.5}$ and the project exceeds SCAQMD daily thresholds for VOC, NO_X, CO, and PM_{10} for construction and operation, it will make a cumulatively considerable impact.

3.3.2 Modified Project

The modified project would use diesel vehicles and equipment for excavation and off-site disposal of impacted soil and would generate dust and emissions, that are comparable to activities associated with development construction evaluated in the certified EIR. However, this would be a temporary impact, lasting approximately two weeks. To manage, mitigate and minimize potential adverse effects to air quality, the RAW includes compliance with applicable South Coast Air Quality Management District Rules, including Rule 403 for fugitive dust, Rule 1466 for control of particulate emissions from soils with toxic air contaminants, and Rule 1166 for volatile organic compound emissions from decontamination of soil.

A Dust Control and Monitoring Plan is included in the RAW (Appendix D) with fugitive dust control and monitoring procedures consistent with the requirements of South Coast Air Quality Management District (SCAQMD) Rule 403 for fugitive dust and Rule 1466 for control of particulate emissions from soils with toxic air contaminants. The objectives of the Dust Control Monitoring Plan include:

- Identification of regulatory requirements applicable to fugitive dust control and mitigation procedures.
- Identification of potential fugitive dust sources.
- Identification of a Dust Control Supervisor with the authority to observe and enforce sufficient fugitive dust suppression and mitigation measures by the excavation contractor.
- Identify a Certified Lead Supervisor with the authority to observe and enforce sufficient fugitive dust suppression and mitigation measures related to potential lead emissions by the excavation contractor.
- Provide guidance to excavation contractors for implementing fugitive dust suppression and mitigation procedures applicable to on-site operations.

The selected excavation contractor will need to obtain a SCAQMD Rule 1166 permit for potential VOC emissions because of the volatile nature of some of the COCs in the impacted soil.

The RAW also specifies that a grading permit will be obtained from the City of Santa Ana prior to start of excavation activities which will trigger implementation of Transit Zoning Code Mitigation Measures MM4.2-2 through MM4.2-17.

Compliance with requirements identified in the RAW, along with implementation of mitigation measures, the modified project would not result in any additional significant adverse air quality impacts or substantial increase in severity of impact identified in the certified EIR.

3.3.3 Conclusion

Wit implementation of mitigation measures, the modified project would not result in any additional significant adverse air quality impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.4 Biological Resources

3.4.1 Certified EIR

The certified EIR indicated the following impacts to Biological Resources:

- **Impact 4.3-1** Long-term cumulative development occurring pursuant to the Transit Zoning Code would not result in a potential reduction in nesting opportunities for resident and migratory avian species of special concern.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.3-1** To ensure that avian species of concern, protected migratory species (e.g., MBTA), or raptors species are not injured or disturbed by construction in the vicinity of nesting habitat, the project applicant shall implement the following measures:
            - Tree removal shall be restricted to the period between August 30 and February 15, to the extent feasible, to avoid the breeding season of any migratory species that could be using the area, and to discourage nesting in the vicinity of an upcoming construction area. If it is not feasible to remove trees outside this window then, prior to the beginning of mass grading, including grading for major infrastructure improvements, during the period between February 15 and August 30, all trees within 250 feet of any grading or earthmoving activity shall be surveyed for active nests by a qualified biologist no more than 30 days prior to disturbance. If active nests are found, and the site is within 250 feet of potential construction activity, a temporary fence shall be erected, where appropriate, around the tree(s) at a distance of up to 250 feet, depending on the species, from the edge of the canopy to prevent construction disturbance and intrusions on the nest area. The appropriate buffer shall be determined in consultation with the City of Santa Ana Park Naturalist or a designee.
            - No construction vehicles shall be permitted within restricted areas (i.e., protection zones), unless directly related to the management or protection of the legally protected species.
            - If a legally protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 30, or until the adults and young of the year are no longer dependent on the nest site as determined by a qualified biologist.

- Level of Significance After Mitigation: Less Than Significant (LTS)

3.4.2 Modified Project

The Project Site is currently vacant and will not include tree removal.

3.4.3 Conclusion

The modified project would not result in any additional significant adverse biological resources impacts or a substantial increase in the severity of the impacts identified in the certified Final Transit Zoning Code EIR.

3.5 Cultural Resources

3.5.1 Certified EIR

The certified EIR indicated the following impacts to Cultural Resources:

- **Impact 4.4-1** Long-term cumulative development occurring pursuant to the Transit Zoning Code could cause a substantial adverse change in the significance of an archaeological resource or disturb human remains.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)
  - Transit Zoning Code Mitigation Measures
    - **MM4.4-1 (a)** Prior to any earth-disturbing activities (e.g., excavation, trenching, grading) that could encounter undisturbed soils, the project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to determine if the project could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines or disturb human remains. The investigation shall include, as determined appropriate by the archaeologist and the City of Santa Ana, an updated records search of the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System (CHRIS), updated Native American consultation, and a pedestrian survey of the area proposed for development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any archaeological resources within the development area and includes recommendations and methods for eliminating or avoiding impacts on archaeological resources or human remains. The measures shall include, as appropriate, subsurface testing of archaeological resources and/or construction monitoring by a qualified professional and, if necessary, appropriate Native American monitors identified by the applicable tribe (e.g., the Gabrieliño Tongva Nation) and/or the Native American Heritage Commission. The methods shall also include procedures for the unanticipated discovery of human remains, which shall be in accordance with Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. The technical report or memorandum shall be submitted to the City of Santa Ana for approval. As determined necessary by the City, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site shall reference or incorporate the findings

and recommendations of the technical report or memorandum. The project applicant shall be responsible for implementing methods for eliminating or avoiding impacts on archaeological resources identified in the technical report or memorandum. Projects that would not encounter undisturbed soils and would therefore not be required to retain an archaeologist shall demonstrate non-disturbance to the City through the appropriate construction plans or geotechnical studies prior to any earth-disturbing activities. Projects that would include any earth disturbance (disturbed or undisturbed soils) shall comply with MM4.4-2(b).

        - **MM4.4-1(b)** If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the find shall be halted and the City of Santa Ana shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the SCCIC.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.4-2** Long-term cumulative development occurring pursuant to the Transit Zoning Code has the potential to directly or indirectly destroy a unique paleontological resource or unique geologic feature.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.4-2(a)** Prior to any earth-disturbing activities (e.g., excavation, trenching, grading) that could encounter undisturbed soils, the project applicant shall retain a professional paleontologist to determine if the project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The investigation shall include, as determined appropriate by the paleontologist and the City of Santa Ana, a paleontology records check and a pedestrian survey of the area proposed for development. The results of the investigation shall be documented in a technical report or memorandum that identifies the paleontological sensitivity of the development area and includes recommendations and methods for eliminating or avoiding impacts on paleontological resources or unique geologic features. The technical report or memorandum shall be submitted to the City for approval. As determined necessary by the City, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site shall

reference or incorporate the findings and recommendations of the technical report or memorandum. The project applicant shall be responsible for implementing methods for eliminating or avoiding impacts on paleontological resources or unique geologic features identified in the technical report or memorandum. Projects that would not encounter undisturbed soils and would therefore not be required to retain a paleontologist shall demonstrate non-disturbance to the City through the appropriate construction plans or geotechnical studies prior to any earth-disturbing activities. Projects that would include any earth disturbance (disturbed or undisturbed soils) shall comply with MM4.4-3(b).

- **MM4.4-2(b)** Should paleontological resources (i.e., fossil remains) be identified at a particular site during project construction, the construction foreman shall cease construction within 100 feet of the find until a qualified professional can provide an evaluation. Mitigation of resource impacts shall be implemented and funded by the project applicant and shall be conducted as follows:
    - Identify and evaluate paleontological resources by intense field survey where impacts are considered high
    - Assess effects on identified sites
    - Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted
    - Obtain comments from the researchers
    - Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible

  In considering any suggested mitigation proposed by the consulting paleontologist, the City of Santa Ana staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, applicable policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

  - Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.4-3** The adoption of the Transit Zoning Code (SD 84A and SD 84B) could result in substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)
  - Transit Zoning Code Mitigation Measures
    - **MM4.4-3** Prior to development activities that would demolish or otherwise physically affect buildings or structures 50 years old or older or affect their historic setting, the project applicant shall retain a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the project would cause a substantial adverse change in the significance of a historical resource as defined in Section

15064.5 of the CEQA Guidelines. The investigation shall include, as determined appropriate by the cultural resource professional and the City of Santa Ana, the appropriate archival research, including, if necessary, an updated records search of the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System (CHRIS) and a pedestrian survey of the proposed development area to determine if any significant historic-period resources would be adversely affected by the proposed development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any historical resources within the development area and includes recommendations and methods for eliminating or reducing impacts on historical resources. The technical report or memorandum shall be submitted to the City Santa Ana for approval. As determined necessary by the City, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site shall reference or incorporate the findings and recommendations of the technical report or memorandum. The project applicant shall be responsible for implementing methods for eliminating or reducing impacts on historical resources identified in the technical report or memorandum. Such methods could include, but not be limited to, written and photographic recordation of the resource in accordance with the level of Historic American Building Survey (HABS) documentation that is appropriate to the significance (local, state, national) of the resource.

- Level of Significance After Mitigation: Significant and Unavoidable (SU)

The following significant and unavoidable impacts were addressed in the adopted CEQA findings and statement of overriding considerations:

- **Impact the 4.4-3** The adoption of Transit Zoning Code (SD 84A and SD 84B) would result in substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines.
  - Evidence/Rationale Supporting Findings: Summary: CEQA Guidelines Section 15064.5(b) states that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Adoption of the Transit Zoning Code would enable new development that would result in demolition, relocation, or alteration of historical resources, including resources listed on the SARHP and within the Santa Ana Downtown Historic District. This impact is considered significant.
    Implementation of MM4.4-3 would require that if future development activities would require the potential demolition of a structure 50 years old or greater, the applicant will retain a professional architectural historian to document the structure and prepare a memorandum for submittal to the City, determining if the structure is considered historical per 15064.5 of the CEQA Guidelines.
    However, because neither existing City policies nor the proposed Transit Zoning Code require identification of potentially significant historical resources within areas proposed for development, and do not explicitly prohibit demolition of significant

historical resources, it is possible that development activities resulting from implementation of the proposed Transit Zoning Code would cause a substantial adverse change in the significance of a known or previously undocumented historical resource. Despite existing City policies and the provisions within the Transit Zoning Code design and development standards requiring architectural compatibility, significant historical resources would be adversely impacted by future development plans that would require demolition of historic-age buildings and structures. Therefore, impacts are considered significant and unavoidable. Discussion is provided on pages 4.4-22 through 26 of the FEIR (Volume I). In addition, Appendix D provides further evidence supporting this impact and its associated findings.

  - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, there is no additional mitigation available to reduce this impact to below the level of significance.

- **Cumulative Paleontological Impacts**
  - Evidence/Rationale Supporting Findings: Summary: Because all cultural resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base.
  - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR. Specifically, MM4.4-1(a), MM4.4-1(b), and MM4.4-3, which would require the Project Applicant to cease construction and consult with a qualified professional in the event a fossil or other cultural resource is found during construction would reduce adverse impacts. However, the loss of any one paleontological site affects all others in a region because these resources are best understood in the context of the entirety of the ancient ecologic system of which they formed a part. The boundaries of paleontologically important sites are not limited by property boundaries. In addition, since historic features in their context are finite resources, the loss of one structure diminishes resources from the given context.
  - **Finding 3** Therefore, construction of the Proposed Project despite mitigation, along with other projects in the area could inadvertently impact previously unknown or undiscovered cultural resources. Therefore, this cumulative impact would remain significant and unavoidable. The City finds that specific economic, social, or other considerations make infeasible additional mitigation.

3.5.2 Modified Project

The modified project involves ground disturbing activities comparable to ground disturbance associated with development construction evaluated in the certified EIR. As part of the certified EIR, a search of the Native American Heritage Commission (NAHC) sacred lands file (SLF) was requested to determine if any Native American cultural resources are present within or in the vicinity of the proposed project. The NAHC response letter determined that the SLF did not indicate the presence of Native American cultural resources in the project area or within a one half-mile radius. The NAHC letter included a list of Native American organizations and individuals who may have knowledge of cultural resources in the project

area. As requested by the NAHC, a letter that included a brief description of the project and a project map were sent to each of the NAHC-provided contacts. There was no response from Native American organizations and individuals for the certified EIR. DTSC, as a Responsible Agency will incorporate the Native American outreach as conducted by the City of Santa Ana.

3.5.3 Conclusion

The modified project would not result in any additional significant adverse cultural resource impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.6 Hazards and Hazardous Materials

3.6.1 Certified EIR

The certified EIR indicated the following impacts to Hazards and Hazardous Materials:

- **Impact 4.5-1** Long-term cumulative development occurring pursuant to the Transit Zoning Code could involve the transportation, use, storage, and/or disposal of hazardous materials, such as diesel exhaust.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.5-2** Construction activities associated with implementation of the proposed Transit Zoning Code (SD 84A and SD 84B) could result in the release of hazardous materials to the environment through reasonably foreseeable upset and accident conditions.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.5-1** When sites that are listed in the EDR Report initiate project development, the project applicant shall prepare a Phase I ESA for the proposed site. The Phase I ESA shall be prepared in accordance with ASTM E-1527-05 ―Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process‖ (November 1, 2006). The purpose of a Phase I ESA is to identify environmental conditions at a proposed project site that may suggest environmental contamination. The Phase I ESA report shall be prepared by a CA EPA Registered Environmental Assessor or similarly qualified individual prior to initiating any construction activities at the site.
          If recommended in the Phase I ESA, the project sponsor shall undertake (or require the responsible party to undertake) a Phase II ESA soil sampling plan; or if any environmental contamination is identified by the Phase I ESA, the project sponsor shall implement (or require the responsible party to implement) the recommendations of the report to further investigate and to remove any soil contamination.
        - **MM4.5-2** In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction in the Transit Zoning Code (SD 84A and SD 84B) area, construction activities in the immediate vicinity of the contamination shall cease immediately. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that (1) identifies the

contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., Santa Ana Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.

        - **MM4.5-3** Prior to the demolition of structures that were constructed before 1980, a thorough investigation shall be completed to determine if asbestos, lead, or PCBs exist on the site. All demolition that could result in the release of lead and/or asbestos must be conducted according to Cal/OSHA standards.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.5-3** Construction activities associated with the implementation of the Transit Zoning Code could result in the handling of hazardous materials, substances, or waste within one-quarter mile of an existing school.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.5-1** and **MM4.5-2** would apply to this impact.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.5-4** The Transit Zoning Code (SD 84A and SD 84B) includes sites which are included on a list of hazardous materials sites and as a result, could create a significant hazard to the public or environment.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.5-1** and **MM4.5-2** would apply to this impact.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.5-5** Construction activities associated with the implementation of the Transit Zoning Code could result in a safety hazard for people residing or working in the project area.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.5-4** For development of structures that exceed 200 feet in height above ground level at a development site, applicants shall file a Notice of Proposed Construction or Alteration with the FAA (FAA Form 7460-1). Following the FAA's aeronautical evaluation of the project, projects must comply with conditions of approval imposed or recommended by the FAA. Subsequent to the FAA findings, the project shall be reviewed by the ALUC for consistency analysis.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.5-6** The Transit Zoning Code could impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan resulting in a significant impact.

- Level of Significance Prior to Mitigation: Potentially Significant (PS)
- Transit Zoning Code Mitigation Measures
  - **MM4.5-5** Prior to initiation of construction activities, any development within the Transit Zoning Code (SD 84A and SD 84B) Area shall have a completed traffic control plan, prepared by the project proponent that will be implemented during construction activities. This may include, but is not limited to, the maintenance of at least one unobstructed lane in both directions on surrounding roadways. At any time if only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway segment, the developer shall provide appropriate signage indicating alternative routes.
  - **MM4.5-6** The City Public Works Department shall consult with the Santa Ana Police Department and the Santa Ana Fire Department to disclose temporary closures and alternative travel routes in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary land or roadway closures.
  - **MM4.5-7** The Santa Ana Fire Department, in consultation with other applicable City Departments (e.g., Police), shall update their Emergency Preparedness Plan prior to occupancy of the first project developed under the Transit Zoning Code (SD 84A and SD 84B), to address the potential for the accidental release of hazardous materials that may be used, stored, and/or transported in association with operation of project implementation.
  - **MM4.5-8** Project applicants shall submit evacuation plans on a project by project basis that shall be reviewed and approved by the City Police and Fire Departments.
- Level of Significance After Mitigation: Less Than Significant (LTS)

3.6.2 Modified Project

The modified project is located at 1126 and 1146 East Washington Avenue in Santa Ana, California, and is identified as Map ID 6 (1126 E Washington Ave, Santa Ana, CA 92701) on pages 19-23 (of 325, PDF pages 22-24) in the EDR Report included in Appendix E of the certified Final Transit Zoning Code EIR. As such, Transit Zoning Code Mitigation Measures MM4.5-1 and MM4.5-2 apply.

The RAW is intended to reduce the threat of contamination to human health and the environment and provide a permanent solution that reduces the toxicity, mobility, and volume of impacted soils. This includes the following activities:

- Excavation and off-site disposal of impacted soils that exceed the following human health risk criteria:
  - Arsenic – 12 milligrams per kilogram (mg/kg) (background level for Southern California)
  - Lead – 80 mg/kg (residential DTSC screening level)
  - Total petroleum hydrocarbons, diesel range – 260 mg/kg (residential San Francisco Bay Regional Water Quality Control Board Environmental Screening Level)
  - Hexavalent chromium – 0.3 mg/kg (residential DTSC Screening Level)

- Recording a LUC with the County of Orange to restrict construction over the area of soil vapor impacted with PCE, exceeding the following human health risk criteria, beneath the western portion of the North Parcel that is planned for development as a paved parking lot.
    - PCE – 460 micrograms per cubic meter (residential DTSC Attenuation Factor Screening Level; AF=0.001)

Development planned for the western portion of the North Parcel is a paved parking lot. Although PCE concentrations in soil vapor, beneath a limited area of the planned paved parking lot, exceed the residential DTSC screening level of 460 micrograms per cubic meter, active soil vapor mitigation is not necessary based on planned development; however, institutional controls will be implemented to safeguard future land use and future receptors. Prior to site certification, a LUC between the property owner and DTSC is required to be recorded with the County of Orange. The LUC will specify that the western portion of the North Parcel (including an appropriate buffer zone) with PCE in soil vapor that exceeds the residential DTSC Screening Level (defined by legal description and exhibit) cannot be developed into structures for human occupancy without additional investigation or remedy.

The modified project involves excavation, stockpiling, transportation and disposal of soil contaminated with hazardous substances. The RAW proposes this alternative to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous substance at the Project Site. All removal, transportation, and disposal will be performed in accordance with applicable federal, state, and local laws, regulations, and ordinances, and best management practices (BMPs). Therefore, the modified project would not result in any additional significant adverse hazardous materials impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.6.3 Conclusion

The potential impacts of the modified project related to hazards and hazardous materials would remain less than significant.

3.7 Hydrology and Water Quality

3.7.1 Certified EIR

The certified EIR indicated the following impacts to Hydrology and Water Quality:

- **Impact 4.6-1** Implementation of the Transit Zoning Code would not violate water quality standards, waste discharge, or otherwise substantially degrade water quality.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.6-1** In order to comply with the current version of the DAMP, future development projects in the Transit Zoning Code (SD 84A and SD 84B) area shall prepare Storm Drain Plans, Stormwater Pollution Prevention Plans (SWPPP), and Water Quality Management Plans (WQMP) conforming to the current National Pollutant Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or Environmental Engineer, shall be submitted to the Public Works Agency for review and approval.
            - A SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of the development. The plan shall incorporate all necessary Best

Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows, and for nuisance flows during construction. The SWPPP may include, but would not necessarily be limited to, the following applicable measures:

- Minimum required pavement widths for residential streets needed to comply with all zoning and applicable ordinances
- Use permeable materials for private sidewalks, driveways, parking lots, or interior roadway surfaces
- Reduce the overall imperviousness associated with parking lots by using pervious materials in spillover parking areas
- Direct rooftop runoff to pervious areas and avoid routing rooftop runoff to the roadway or the stormwater conveyance system
- Biofilters including vegetated swales and strips
- Extended/dry detention basins
- Infiltration basin
- Infiltration trenches or vaults
- Catch basin inserts
- Continuous flow deflection/separation systems
- Storm drain inserts
- Media filtration
- Foundation planting
- Catch basin screens
- Normal flow storage/separation systems
- Clarifiers
- Filtration systems
- Primary waste water treatment systems
- Dry Wells
- Cistern

- A WQMP shall be prepared, maintained, and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall incorporate water quality measures for all improved phases of the project.

  - Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.6-2** Long-term cumulative development occurring pursuant to the Transit Zoning Code (SD 84A and SD 84B) would not interfere substantially with groundwater recharge.
  - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
  - No mitigation required.
  - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.6-3** Development under the Transit Zoning Code (SD 84A and SD 84B) could alter the existing drainage pattern of the area and potentially result in erosion and siltation.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)

    - Transit Zoning Code Mitigation Measures
        - **MM4.6-1** would apply to this impact.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.6-4** Future development in the Transit Zoning Code (SD 84A and SD 84B) could alter the existing drainage pattern and potentially result in increased downstream flooding through the addition of impervious surfaces, or exceeding the capacity of existing or planned stormwater drainage systems.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.6-1** would apply to this impact.
        - **MM4.6-2** Prior to issuance of grading permits for future development projects in the Transit Zoning Code (SD 84A and SD 84B) area, applicants shall submit site-specific Hydrology and Hydraulic Studies to the Public Works Department for review and approval. If existing facilities are not adequate to handle runoff that may be generated by the proposed development, then the applicant shall propose feasible remedies to assure that adequate drainage facilities will be available prior to issuance of occupancy permits. The applicant may propose storm drain improvements to be constructed in order to meet project needs. If necessary storm drain upgrades cannot be implemented prior to issuance of occupancy permits, on site detention facilities or other methods acceptable to the City shall be included with new development projects to ensure that post-construction runoff does not exceed pre-development quantities.
        - **MM4.6-3** During the design of individual projects, applicants shall minimize impervious area by incorporating landscaped areas over substantial portions of a proposed project area. Furthermore, impervious areas shall be directly connected to landscaped areas or bioretention facilities to promote filtration and infiltration of stormwater.
        - **MM4.6-4** During the design of individual projects, applicants shall control structural source through storm drain stenciling and signage, coverage of trash area to minimize direct precipitation, efficient irrigation to minimize runoff into stormwater conveyance system, slope and channel protection to decrease potentials for erosions of slopes, and use of deep-rooted, drought tolerant plant species for erosion control.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

3.7.2 Modified Project

The modified project would involve excavation, stockpiling of soil, and comparable to activities associated with development construction evaluated in the certified EIR. However, this would be a temporary impact, lasting approximately two weeks.

The RAW states that if rainfall occurs during excavation and prior to backfilling, a stormwater management plan should be followed and a cover material such as trench plates, plywood, or other impermeable material will be used to prevent infiltration into the excavated areas. If water accumulates in any excavated area, water must be pumped out or removed using other methods; water must be containerized for characterization and disposal.

The RAW also specifies that a grading permit will be obtained from the City of Santa Ana prior to start of excavation activities which will trigger implementation of Transit Zoning Code Mitigation Measures MM4.6-1. The City of Santa Ana is a co-permittee of the Orange County Drainage Area Master Plan (DAMP), which requires appropriate actions to reduce discharges of pollutants and runoff during each of the three major phases of urban development, planning, construction, and operation. Examples of BMPs for erosion control include: soil binders, straw mulch, earth dikes and drainage swales, and velocity dissipation devices. Examples of sediment control include: silt fences, sediment traps, fiber rolls, gravel bag berms, and sandbag barriers.

With implementation of mitigation measures, the modified project would not result in any additional significant adverse hydrology or water quality impacts or substantial increase in severity of impact identified in the certified EIR.

3.7.3 Conclusion

With implementation of mitigation measures, the modified project would not result in any additional significant adverse impacts related to hydrology or water quality or a substantial increase in the severity of the impacts identified in the certified EIR.

3.8 Land Use and Planning

3.8.1 Certified EIR

The certified EIR indicated the following impacts to Land Use:

- **Impact 4.7-1** The Transit Zoning Code (SD 84A and SD 84B) would not result in conflicts of use.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.7-2** The proposed Transit Zoning Code (SD 84A and SD 84B) would not physically divide an established community.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.7-3** The proposed Transit Zoning Code (SD 84A and SD 84B) would conflict with the Santa Ana General Plan by adopting standards and land uses not currently allowed within the proposed Transit Zoning Code (SD 84A and SD 84B) area; however, as part of the proposed project, the General Plan would be amended to incorporate the proposed land uses and development standards.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

3.8.2 Modified Project

The modified project does not include changes to land use.

3.8.3 Conclusion

The modified project would not result in any additional significant adverse land use or planning impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.9 Noise

3.9.1 Certified EIR

The certified EIR indicated the following impacts to Noise:

- **Impact 4.8-1** Construction activities associated with the proposed project would generate noise levels that exceed the noise standards established by the City of Santa Ana Municipal Code.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.8-1** All construction activity within the City shall be conducted in accordance with Section 18-314(e) of the City of Santa Ana Municipal Code.
        - **MM4.8-2** Each project applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:
            - Two weeks prior to the commencement of construction, notification must be provided to property owners within 300 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period
            - Ensure that construction equipment is properly muffled according to industry standards and be in good working condition
            - Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible
            - Schedule high noise-producing activities between the hours of 8:00 A.M. and 5:00 P.M. to minimize disruption on sensitive uses
            - Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources
            - Use electric air compressors and similar power tools rather than diesel equipment, where feasible
            - Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes
            - Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

          Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

        - **MM4.8-3** Each project applicant shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment

within the project area would be located as far away from vibration and noise sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

        - **MM4.8-4** Each project applicant shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.8-2** Operation of the proposed project could expose noise-sensitive land uses to noise levels that exceed the standards established by the City of Santa Ana General Plan.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.8-5** When residential uses would be located in areas with noise levels in excess of 60 dBA CNEL (either through conversion of use/structure or new construction), the project applicant shall provide noise barriers around private open space areas, including patios and balconies, as necessary. The height and density of the barriers shall be sufficient to reduce the exterior noise levels within private open space areas to a CNEL of 65 dBA or less.
        - **MM4.8-6** Prior to issuance of building permits, building plans shall specify the STC rating of windows and doors for all residential land uses. Window and door ratings shall be sufficient to reduce the interior noise level to a CNEL of 45 dBA or less, and shall be determined by a qualified acoustical consultant as part of the final engineering design of the project.
        - **MM4.8-7** Each project applicant shall provide proper shielding for all new HVAC systems used by the proposed residential and mixed use buildings to achieve an attenuation of 15 dBA at 50 feet from the equipment.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.8-3** Operation of the proposed project would not generate and expose sensitive receptors on site or off site to excessive groundborne vibration or groundborne noise levels.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.8-4** Operation of the Southern California Regional Rail Authority's rail line would not generate and expose sensitive receptors located within the Transit Zoning Code (SD 84A and SD 84B) area to excessive groundborne vibration or groundborne noise levels.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.8-5** Construction activities associated with the proposed project would result in a substantial temporary or periodic increase in ambient noise levels. However, the project's construction noise impacts would be temporary, would not occur during recognized sleep hours,

and would be consistent with the exemption for construction noise that exists in the Municipal Code.

- Level of Significance Prior to Mitigation: Less Than Significant (LTS)
- No mitigation is required.
- Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.8-6** Operation of the proposed project would not result in temporary or periodic increases in ambient noise levels. There would not be a substantial temporary or periodic increase.
  - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
  - No mitigation is required.
  - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.8-7** Operation of the proposed project would not generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in the project vicinity.
  - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
  - No mitigation is required.
  - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.8-8** Operation of the Southern California Regional Rail Authority's (SCRRA) rail line would potentially expose noise-sensitive land uses located within the Transit Zoning Code (SD 84A and SD 84B) area to noise levels that exceed the standards established by the City of Santa Ana General Plan.
  - Level of Significance Prior to Mitigation: Significant and Unavoidable (SU)
  - Transit Zoning Code Mitigation Measures
    - **MM4.8-8** The City shall provide a written statement to each applicant for projects located within 400 feet of the SCRRA tracks that shall be provided for each residential unit and resident, notifying them of potential noise and vibration issues associated with the railroad tracks, including the following:

      Notice of Disclosure

      Each owner's [or renter's] interest is subject to the fact that trains operate at different times of the day and night on the railway tracks immediately adjacent to a project site; and that by accepting the conveyance of an interest [or lease agreement] in that project, owner [or renter] accepts all impacts generated by the trains.

      Posting of Notice of Disclosure in each residential unit

      Prior to offering the first residential unit for purchase, lease, or rent, the property owner or developer shall post a copy of the Notice of Disclosure in every unit in a conspicuous location. Also, a copy of the Notice of Disclosure shall be included in all materials distributed for the Project, including but not limited to: the prospectus, informational literature, and residential lease and rental agreements.
  - Level of Significance After Mitigation: Significant and Unavoidable (SU)
- **Impact 4.8-9** Construction activities associated with the proposed project could generate or expose persons or structures to excessive groundborne vibration.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)

- Transit Zoning Code Mitigation Measures
  - **MM4.8-1 through MM4.8-4** would apply to this impact.
- Level of Significance After Mitigation: Significant and Unavoidable (SU)

The following significant and unavoidable impacts were addressed in the adopted CEQA findings and statement of overriding considerations:

- **Impact 4.8-8** Operation of the Southern California Regional Rail Authority's (SCRRA) rail line would potentially expose noise-sensitive land uses located within the Transit Zoning Code (SD 84A and SD 84B) area to noise levels that exceed the standards established by the City of Santa Ana General Plan.
  - Evidence/Rationale Supporting Findings: Under the Transit zoning Code, sensitive uses, primarily residential structures would be located in close proximity to the SCRRA rail line. Operation of the SCRRA rail line would expose noise-sensitive land uses located within the project area to noise levels that exceed the standards established by the City of Santa Ana General Plan. Implementation of mitigation measures MM4.8-5 and MM4.8-6 would reduce noise levels at sensitive receptors associated with interior and exterior communal and private spaces. Additionally, MM4.8-8 would also reduce noise impacts by disclosing to future residents the types and level of noise that can be expected. However, these measures would not reduce impacts below the levels established in the City's Municipal Code. The City is currently pursuing the establishment of Quiet Zone within the City which would further reduce this impact, by preventing trains from using their horns at at-grade crossings, however this has not yet occurred.
  - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, the City finds that no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. Proximity to the SCRRA rail line will have noise impacts. One of the main benefits of living in transit-oriented developments is the proximity to transit, in this case heavy rail. The lifestyle choice associated with living in a transit oriented area means accepting higher than normal, intermittent noise levels.
- **Impact 4.8-9** Construction activities associated with the proposed project would generate or expose persons or structures to excessive groundborne vibration.
  - Evidence/Rationale Supporting Findings: Temporary construction-related vibration associated with future development would potentially result in high levels of vibration resulting in human annoyance and groundborne vibration associated with construction equipment would potentially damage historic structures. This would expose sensitive receptors in the project area to vibration impacts above the applicable threshold. Implementation of mitigation measures MM4.8-1 through MM4.8-4 would help to reduce this impact through the use of BMPs, but not to a less-than-significant level.

    - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
    - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, the City finds that no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. The weight of construction equipment as well the specific work performed thereby cause temporary, unwanted vibration.
- **Cumulative Noise Impact**
    - Evidence/Rationale Supporting Findings: Vibration from future development would potentially combine with construction vibration of other projects to result in a potentially significant cumulative impact. Residential development associated with the proposed project and two related projects, located within close proximity to the SCCRA would expose residents to noise levels exceeding the "Desirable Maximum" standard. This is considered cumulatively considerable.
    - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
    - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, the City finds that no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. The noise from heavy rail, vehicular traffic, construction equipment would be cumulatively significant.

3.9.2 Modified Project

The modified project would use diesel vehicles and equipment for excavation and off-site disposal of impacted soil and would generate noise comparable to activities associated with development construction evaluated in the certified EIR. However, this would be a temporary impact, lasting approximately two weeks.

The RAW also specifies that a grading permit will be obtained from the City of Santa Ana prior to start of excavation activities which will trigger implementation of Transit Zoning Code Mitigation Measures MM4.8-1 through MM4.8-4. With implementation of mitigation measures, the modified project would not result in any additional significant adverse noise impacts or substantial increase in severity of impact identified in the certified EIR.

3.9.3 Conclusion

The modified project would not result in any additional significant adverse noise impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.10 Population and Housing

3.10.1 Certified EIR

The certified EIR indicated the following impacts to Population and Housing:

- **Impact 4.9-1** Implementation of the proposed project would accommodate projected population and housing growth.

    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.9-2** Construction of development projects pursuant to the Transit Zoning Code (SD 84A and SD 84B) could displace existing people or housing. However, this displacement would not necessitate the construction of additional replacement housing elsewhere.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

3.10.2 Modified Project

The modified project will not have any effects related to accommodating projected population and housing growth or displacement of existing people or housing.

3.10.3 Conclusion

The potential impacts of the modified project related to population and housing would remain less than significant.

3.11 Public Services

3.11.1 Certified EIR

The certified EIR indicated the following impacts to Public Services:

- **Impact 4.10-1** Construction of new projects pursuant to the Transit Zoning Code (SD 84A and SD 84B) would increase the demand for fire protection services, but it would not require the construction of new or physically altered facilities to accommodate the increased demand or maintain acceptable response times.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.10-1** Prior to an issuance of a building permit, individual projects in the Transit Zoning Code (SD 84A and SD 84B) area shall perform a water supply, fire flow test and fire protection system design analysis to ensure that proposed projects are in accordance to meet standard fire protection design requirements.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.10-2** Operation of the proposed project would increase the demand for police services,
- thereby requiring additional staffing, although it would not require the construction of new or
- physically altered facilities or personnel to accommodate the increased demand.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.10-2** Any development that would exceed two stories in height shall submit site-specific security plans to the SAPD for review prior to issuance of a building permit.
        - **MM4.10-3** No developer within the Transit Zoning Code (SD 84A and SD 84B) boundaries shall utilize a frequency of 800 MHz, which is reserved for emergency services.

    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.10-3** Construction of new residential units within the project area would generate new students that could require the addition of new classroom facilities, thereby requiring new or physically altered facilities to accommodate additional students in Santa Ana Unified School District (SAUSD) schools.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.10-4** Individual project developers shall pay school impact fees prior to the issuance of occupancy permits.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.10-4** Construction of new residential units within the project area would generate new library users that could require the addition of new library facilities, thereby resulting in the need for new or physically altered library facilities in order to maintain acceptable service ratios.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.10-5** Were all properties identified as having new development potential to be built out pursuant to the provisions of the Transit Zoning Code (SD 84A and SD 84B) these new projects would generate a need for new or physically altered park facilities in order to maintain acceptable service ratios.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.10-5** Prior to issuance of a building permit for a residential development project, or change of use from non-residential to residential within the Transit Zoning Code (SD 84A and SD 84B) area, project applicants shall pay to the City of Santa Ana the Park Acquisition and Development Fee.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

3.11.2 Modified Project

The modified project would not increase the demand for public services. Therefore, the modified project would not result in any additional significant adverse impacts or increase in the severity of the impacts identified in the certified EIR.

3.11.3 Conclusion

The potential impacts of the modified project to public services would remain less than significant.

3.12 Transportation

3.12.1 Certified EIR

The certified EIR indicated the following impacts to Transportation/Traffic:

- **Impact 4.11-1** Operation of the proposed project could result in impacts related to neighborhood traffic in the adjacent residential areas to the Transit Zoning Code (SD 84A and SD 84B) area.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures

        - **MM4.11-1** The City of Santa Ana shall, during any roadway improvement within the Transit Zoning Code boundaries, evaluate, consider, and implement as appropriate the traffic calming measure(s), including but not limited to the following:
            - Curb extensions at local intersections
            - Short medians at entries to wide streets
            - Traffic circles at oversized intersections
            - Speed humps
            - Turn restrictions
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-2** Long-term cumulative development pursuant to the implementation of the Transit Zoning Code would exceed standards established by the Orange County Transportation Authority within the study area.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-3** Development projects constructed pursuant to the standards contained within the Transit Zoning Code would not result in a change in air traffic patterns.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-4** Development projects constructed pursuant to the Transit Zoning Code would not increase hazards due to a design future or incompatible uses.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-5** Development projects constructed pursuant to the Transit Zoning Code could result in inadequate emergency access.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-6** Long-term cumulative development under the implementation of the Transit Zoning Code would not result in inadequate parking capacity.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-7** The Transit Zoning Code would not conflict with adopted policies, plans, or programs supporting alternative transportation.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.11-2** As part of the project, the City of Santa Ana and the project sponsors shall work with the transit providers to implement various transit-related measures to improve and expand bus system service within the Transit Zoning

Code (SD 84A and SD 84B) area to increase ridership and/or decrease daily vehicle trips. These measures may include, but are not limited to, the following:

- Adding bus stops to the Transit Zoning Code (SD 84A and SD 84B) area along existing roadways
- Changing bus service headways to respond to increased demand
- Changing bus service destinations to respond to changing demand
- Adding local shuttle service for employees and patrons of the Transit Zoning Code (SD 84A and SD 84B) area

The details of bus service improvements shall be determined in coordination with OCTA. The following options may be used to encourage public transit patronage for project-related trips:

- Bus Stop Locations—Relocation of existing bus stops and the provision of additional bus stops should be considered to accommodate transit users at convenient locations.
- Days of Operation—Work with OCTA to consider changes to route times to serve nighttime and weekend project visitors and employees.
- Headway—Work with OCTA to review route headways to determine if it would be appropriate to reduce them to accommodate transit riders within the Transit Zoning Code (SD 84A and SD 84B) area.

  - Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.11-8** Long-term cumulative development under implementation of the Transit Zoning Code would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.
  - Level of Significance Prior to Mitigation: Potentially Significant (PS)
  - Transit Zoning Code Mitigation Measures
    - **MM4.11-3** The City of Santa Ana Public Works Agency shall monitor the traffic signals within the Transit Zoning Code study area once every five years to ensure that traffic signal timing is optimized.
    - **MM4.11-4** The City of Santa Ana shall institute a program for systematic mitigation of impacts as development proceeds within the Transit Zoning Code to ensure mitigation of the individual improvements. The program shall prescribe the method of participation in the mitigation program by individual projects and guide the timely implementation of the mitigation measures. The program shall include the following elements:
      - A funding and improvement program should be established to identify financial resources adequate to construct all identified mitigation measures in a timely basis.
      - All properties that redevelop within the Transit Zoning Code should participate in the program on a fair share per new development trip basis. The fair share should be based upon the total cost of all identified mitigation measures, divided by the peak hour trip generation increase forecast. This rate per peak hour trip should be imposed upon the incremental traffic growth for any new development within the Transit Zoning Code.

- The program should raise funds from full development of the Transit Zoning Code to fund all identified mitigation measures.
- The program should monitor phasing development of the Transit Zoning Code and defer or eliminate improvements if the densities permitted in the Transit Zoning Code are not occurring.
- Program phasing should be monitored through preparation of specific project traffic impact studies for any project that is expected to include more than 100 dwelling units or 100,000 sf of non-residential development. Traffic impact studies should use traffic generation rates that are deemed to be most appropriate for the actual development proposed.
- Properties within Santa Ana and within one-half mile of the Transit Zoning Code that redevelop to result in higher traffic generation should also participate in the program to insure equity.
- The City may elect to implement appropriate mitigation measures as a condition of approval of the proposed developments, where appropriate. All or part of the costs of these improvements may be considered to be a negotiated credit toward the program, however the program must be administered in a manner that assures that it can fund necessary improvements to maintain adequate level of service at all intersections within this study. If funding of priority improvements cannot be assured, credit for construction of lower priority improvements may not be assured or may be postponed until more program funds are available.

The following mitigation measure would be implemented in conformance with mitigation measure **MM4.11-4**, above.

- **MM4.11-5** Main Street at First Street—Install a second northbound and southbound left-turn lanes and a dedicated northbound right-turn lane for 2030 and 2035 conditions.
- **MM4.11-6** Lacy Street at Santa Ana Boulevard—Install a traffic signal and provide exclusive left-turn lane for both northbound and southbound directions for both 2030 and 2035 conditions.
- **MM4.11-7** Lacy Street at First Street—Install a traffic signal for both 2030 and 2035 conditions, a traffic signal, and provide exclusive left-turn lane for both northbound and southbound directions for both 2030 and 2035 conditions.
- **MM4.11-8** Santiago Street at Washington Avenue—Install a traffic signal and provide one exclusive left-turn lane for both eastbound and westbound traffic for 2035 conditions only.
- **MM4.11-9** Santiago Street at Civic Center Drive—Install a traffic signal and provide: one exclusive left-turn lane, one through lane, and one shared through and right-turn lane on northbound and southbound approaches; and one exclusive left-turn lane and one shared through and right lane on eastbound and westbound approaches. The improvement is only needed for 2035 conditions.

        - **MM4.11-10** Santiago Street at Santa Ana Drive—Construct a second outhbound left-turn lane for 2035 conditions. The improvement is only needed for 2035 conditions.
        - **MM4.11-11** Santiago Street a Fourth Street—Install a traffic signal. The lane configuration for the signal is recommended as 1 Left, 1 Through, 1 Through+ Right for all approaches.
        - **MM4.11-12** Standard Street at First Street—Construct third eastbound and westbound shared through-right lanes for 2035 conditions. The improvement is only needed for 2035 conditions.
        - **MM4.11-13** Grand Avenue at Santa Ana Boulevard—Construct a third southbound through lane and eastbound right-turn overlap signal phasing.
        - **MM4.11-14** Grand Avenue at First Street—Construct a third eastbound shared through/right-turn lane, a third westbound shared through/right-turn lane, and a third northbound through lane with dedicated northbound right-turn lane for 2035 conditions. The improvement is only needed for 2035 conditions.
        - **MM4.11-15** Grand Avenue at I-5 Northbound Ramps—Construct a second westbound right-turn lane and for the I-5 northbound off ramp under both 2030 and 2035 conditions.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.11-9** Long-term cumulative development under implementation of the Transit Zoning Code could result in impacts related to freeway ramps in the vicinity of the Transit Zoning Code area.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.11-16** I-5 at Santa Ana Blvd.—Northbound Off-Ramp—The City of Santa Ana Department of Public Works shall coordinate with Caltrans for the installation of a second ramp lane for the I-5 northbound off ramp. The improvement shall be implemented to mitigate 2035 conditions.
    - Level of Significance After Mitigation: Significant and Unavoidable (SU)

The following significant and unavoidable impacts were addressed in the adopted CEQA findings and statement of overriding considerations:

- **Impact 4.11-9** Long-term cumulative development under implementation of the Transit Zoning Code would result in impacts related to freeway ramps in the vicinity of the Transit Zoning Code area.
    - Evidence/Rationale Supporting Findings: Under the full build-out scenario of the proposed project the northbound off-ramp at the I-5 Santa Ana Boulevard interchange would operate at an unacceptable level of service during 2035 PM peak hour. With implementation of mitigation measure MM4.11-16, the presence of two ramp lanes would improve the level of service of the northbound off-ramp to LOS C or better and result in a less than significant impact. However, the City, as the lead agency for this project, has no control over major freeway improvements. As such, unless permission is given from Caltrans, this traffic impact would remain unmitigated.

- **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- **Finding 2** The City finds that such changes or alterations are within the responsibility and jurisdiction of another public agency (Caltrans District 12) and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- **Cumulative Traffic Impact**
  - Evidence/Rationale Supporting Findings: The traffic analysis for the Proposed Project used a cumulative analysis to look at 2030 and 2035 traffic levels. The Proposed Project identified specific intersections that would require traffic improvements in order to reduce cumulative traffic impacts. All impacts would be reduced to a less than significant with implementation of mitigation measure proposed as part of the project, with the exception of the northbound off-ramp at the I-5 Santa Ana Boulevard interchange. As explained above, implementation of mitigation measure MM4.11-16, the presence of two ramp lanes would improve the level of service of the northbound off-ramp to LOS C or better and result in a less than significant impact. However, the City, as the lead agency for this project, has no control over major freeway improvements. As such, unless permission is given from Caltrans, this traffic impact would remain unmitigated.
  - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  - **Finding 2** The City finds that such changes or alterations are within the responsibility and jurisdiction of another public agency (Caltrans District 12) and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3.12.2 Modified Project

The modified project will result in approximately 128 truckloads of soil for off-site disposal over approximately two weeks. Prior to loading or unloading at the Project Site, all trucks will be staged on-site as much as possible to avoid impacts on local streets. The proposed routes will be selected to minimize truck travel time on surface streets and provide the shortest distance traveled. The number of daily truckloads during implementation is not expected to cause a disruption in local traffic or cause damage to surface streets. Given the limited number of truck trips and duration of the removal action, the modified project would not result in any additional significant adverse traffic impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.12.3 Conclusion

The modified project would not result in any additional significant adverse traffic impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.13 Utilities and Service Systems

3.13.1 Certified EIR

The certified EIR indicated the following impacts to Utilities and Services Systems:

- **Impact 4.12-1** Long-term cumulative development pursuant to the Transit Zoning Code (SD 84A and SD 84B) would generate an additional demand for water, but would not require water supplies in excess of existing entitlements and resources or result in the need for new or expanded entitlements.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.12-2** Long-term cumulative development pursuant to the Transit Zoning Code (SD 84A and SD 84B) would not require or result in the construction of new or expanded water treatment facilities, the construction of which could cause significant environmental effects.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.12-3** Long-term cumulative development pursuant to the Transit Zoning Code (SD 84A and SD 84B) would not exceed wastewater treatment requirements of the Orange County Sanitation District.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.12-4** Long-term cumulative pursuant to the Transit Zoning Code (SD 84A and SD 84B) could require the construction of new or expanded wastewater conveyance systems, the construction of which would not cause significant environmental effects.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.12-1** Individual project applicants shall prepare site-specific sewer evaluations, including flow monitoring and modeling, during the project design to determine the adequacy of the existing sewer pipe capacity in the affected project area lines. The evaluation shall be submitted to the City of Santa Ana or OCSD, as appropriate, for review and approval prior to issuance of building permits. Any recommendations made in the site-specific sewer evaluations shall be incorporated into the design of each individual project.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.12-5** Long-term cumulative development pursuant to the Transit Zoning Code (SD 84A and SD 84B) would not increase wastewater generation such that treatment facilities would be inadequate to serve the project's projected demand in addition to the provider's existing commitments.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)
- **Impact 4.12-6** Long-term cumulative development pursuant to the Transit Zoning Code would not generate solid waste that exceeds the permitted capacity of landfills serving the area.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

- **Impact 4.12-7** Long-term cumulative development under the implementation of the Transit Zoning Code (SD 84A and SD 84B) would comply with all applicable federal, state, and local statutes and regulations related to solid waste.
    - Level of Significance Prior to Mitigation: Less Than Significant (LTS)
    - No mitigation is required.
- **Impact 4.12-8** Long-term cumulative development pursuant to the Transit Zoning Code (SD 84A and SD 84B) could increase the demand for electricity and gas, but would not require or result in the construction of new energy production or transmission facilities.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures
        - **MM4.12-2** Individual non-residential project applicants are encouraged to apply for Southern California Edison's "Savings By Design" program. The program is aimed at generating an overall reduction in energy use through design methods and incentive programs by maintaining a 15% or greater exceedance of Title 24.
        - **MM4.12-3** Individual development projects within the boundaries of the Transit Zoning Code (SD 84A and SD 84B) shall implement energy conservation measures (such as energy-efficient lighting and microprocessor controlled HVAC equipment) to reduce the demand for electricity and natural gas as part of the project design. The energy conservation measures shall be subject to modification as new technologies are developed, or if current technology becomes obsolete, through replacement and shall be reviewed by the Planning and Building Agency prior to issuance of a building permit.
    - Level of Significance After Mitigation: Less Than Significant (LTS)

3.13.2 Modified Project

The modified project would result in a minor increase in demand for solid waste disposal at the Project Site. Impacted soil disposal will be performed in accordance with applicable federal, state and local laws, regulations, and ordinances, and best management practices (BMPs). The modified project, therefore, would not result in any changes to the conclusion of the certified EIR that potential impacts related to utilities and services would be less than significant.

3.13.3 Conclusion

The potential impacts for the modified project related to utilities and services would remain less than significant.

3.14 Climate Change

3.14.1 Certified EIR

The certified EIR indicated the following impacts to Climate Change:

- **Impact 4.13-1** Long-term cumulative development pursuant to the Transit Zoning Code at full build-out would result in significant localized air quality impacts for operational level emissions. As a whole, this impact is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - Transit Zoning Code Mitigation Measures

- **MM4.13-1** All diesel fueled construction equipment shall be classified EPA Tier II or better emission efficiencies.
- **MM4.13-2** All construction equipment shall be shut off when not in use and shall not idle for more than five minutes, unless actively engaged in construction activities.
- **MM4.13-3** Queuing of trucks on- and offsite shall be limited to periods when absolutely necessitated by grading or construction activities.
- **MM4.13-4** All on-road construction trucks and other vehicles greater than 10,000 pounds shall be shut off when not in use and shall not idle for more than 5 minutes.
- **MM4.13-5** To the extent feasible, all diesel- and gasoline-powered construction equipment shall be replaced with equivalent electric equipment.
- **MM4.13-6** Project plans and specifications shall include policies and procedures for the reuse and recycling of construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- **MM4.13-7** Project plans and specifications shall include education for construction workers about reducing waste and using available recycling services.
- **MM4.13-8** Prior to issuance of a building permit, the applicant shall demonstrate that the design of the proposed buildings or structures meets or exceeds the most recent Title 24 requirements (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings; Cool Roof Coatings performance standards), subject to review by the City Building Official. Documentation of compliance with this measure shall be provided to the Planning and Building Agency and Building Official for review and approval prior to issuance of the permit. Installation of the identified design features or equipment will be confirmed by the City Building Official prior to certificate of occupancy. The following design features should be considered by the applicant as a way to achieve Title 24 compliance in excess of the minimum requirement:
    - Increase in insulation such that heat transfer and thermal bridging is minimized
    - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption
    - Incorporate dual-paned or other energy efficient windows
    - Incorporate energy efficient space heating and cooling equipment
    - Incorporate energy efficient light fixtures
    - Incorporate energy efficient appliances
    - Incorporate energy efficient domestic hot water systems
    - Incorporate solar panels into the electrical system
    - Incorporate cool roofs/light-colored roofing
    - Or other measures that will increase the energy efficiency of building envelope in a manner that when combined with the other options listed above exceeds current Title 24 Standards (Title 24, Part 6 of the

California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended September 11, 2008; Cool Roof Coatings performance standards as amended September 11, 2006) by a minimum of 20 percent

- **MM4.13-9** Prior to issuance of a building permit, applicants for individual projects shall provide a landscape plan that includes shade trees around main buildings, particularly along southern elevations where practical, and will not interfere with loading dock locations or other operational constraints. Documentation of compliance with this measure shall be provided to the Planning and Building Agency for review and approval.
- **MM4.13-10** All showerheads, lavatory faucets, and sink faucets within the residential units, and where feasible within non-residential developments, shall comply with the California Energy Conservation flow rate standards.
- **MM4.13-11** Low-flush toilets shall be installed within all Congregate Care units as specified in California State Health and Safety Code Section 17921.3.
- **MM4.13-12** Project designers should consider design features to incorporate light-colored roofing materials that will deflect heat away from the building and conserve energy.
- **MM4.13-13** Landscape designers shall ensure that landscaping of common areas for Industrial/Commercial projects uses drought-tolerant and smog-tolerant trees, shrubs, and groundcover to ensure long-term viability and conserve water and energy.
- **MM4.13-14** Landscape designers shall ensure that the landscape plan for Industrial/Commercial projects includes drought resistant trees, shrubs, and groundcover within the parking lot and perimeter.
- **MM4.13-15** Individual project applicants shall ensure that designs for Industrial/Commercial projects include all illumination elements to have controls to allow selective use as an energy conservation measure.
- **MM4.13-16** The applicant for Industrial/Commercial projects should promote ride sharing programs such as, but not necessarily including, publishing ride sharing information for all of the tenants, designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a website or message board for coordinating rides. Prior to issuance of a building permit, the applicant shall demonstrate that measures have been included to provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience pursuant to SAMC Chapter 41 regarding bicycle parking standards and Chapter 16 of the Santa Ana Citywide Design Guidelines regarding Bikeway Support Facilities Guidelines. Documentation of compliance with this measure shall be provided to the City Building Official for review and approval. Installation of the identified design features or equipment will be confirmed by the City Building Official prior to issuance of certificate of occupancy.

- **MM4.13-17** Prior to issuance of any certificate of occupancy, the applicant shall demonstrate that all Multifamily/ Industrial/Commercial projects' interior building lighting supports the use of compact fluorescent light bulbs or equivalently efficient lighting to the satisfaction of the Building Official.
- **MM4.13-18** Applicants for Multi-family/Industrial/Commercial projects shall consider providing preferential parking spaces for ultra-low emission vehicles and alternative fueled vehicles to encourage the use of alternative fuels and ultra-low emission vehicles.
- **MM4.13-19** Prior to issuance of a building permit, the applicant shall demonstrate that the proposed Multifamily/Industrial/Commercial uses building or structure designs incorporate exterior storage areas for recyclables and green waste and adequate recycling containers located in public/common areas pursuant to the adopted standards. Documentation of compliance with this measure shall be provided to the Planning and Building Agency for review and approval. Installation of the identified design features or equipment will be confirmed by the City Building Official prior to issuance of certificate of occupancy.
- **MM4.13-20** All common area irrigation areas for Multi-family/Industrial/ Commercial projects shall consider systems that are capable of being operated by a computerized irrigation system which includes an onsite weather station/ET gage capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain, and wind. In addition, the computerized irrigation system shall also consider the ability to be equipped with flow-sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks, and eliminating over-watering and flooding due to pipe and/or head breaks.
- **MM4.13-21** Consideration of installation of solar roofs on homes and businesses to offset the increasing demand for energy and natural gas.
- **MM4.13-22** Project applicants shall, where feasible, incorporate passive solar design features into the buildings, which may include roof overhangs or canopies that block summer shade, but that allow winter sun, from penetrating south facing windows.
- **MM4.13-23** Use Energy Efficient Roofing Materials. All roofing materials used in commercial/retail buildings at the Mixed-Use Retail Development shall be Energy Star® certified. All roof products shall also be certified to meet American Society for Testing and Materials (ASTM) high emissivity requirements.
- **MM4.13-24** All commercial/industrial projects shall, where feasible, include up to 10% renewable energy sources within the project.

o Level of Significance After Mitigation: Significant and Unavoidable (SU)

- **Impact 4.13-2** Long-term cumulative development pursuant to the Transit Zoning Code at full build-out has the potential to conflict with AB 32. The Project as a whole is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area.
    - Level of Significance Prior to Mitigation: Potentially Significant (PS)
    - No feasible mitigation is available.
    - Level of Significance After Mitigation: Significant and Unavoidable (SU)

The following significant and unavoidable impacts were addressed in the adopted CEQA findings and statement of overriding considerations:

- **Impact 4.13-1** Long-term cumulative development pursuant to the Transit Zoning Code at full build-out would result in significant localized air quality impacts for operational level emissions. As a whole, this impact is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area.
    - Evidence/Rationale Supporting Findings: The project will generate emissions from carbon dioxide, methane and nitrous oxide. Long-term cumulative development, and attendant construction activity, pursuant to the Transit Zoning Code at full build-out would generate GHG emissions during the construction period from operation of construction equipment. Long-term cumulative development pursuant to the Transit Zoning Code at full build-out would result in significant air quality impacts for operational level emissions. While implementation of mitigation measures MM4.13-1 through MM4.13-7 would reduce construction-related and operational emissions, they may not reduce these emissions to levels below the SCAQMD thresholds as the amount of emissions generated for each project would vary. Under these conditions, no further feasible mitigation measures are available and this impact would be considered significant and unavoidable.
    - **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
    - **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, the City finds that no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. Technology does not yet exist in an economical fashion that would allow common use of zero emission vehicles or combustible fuels that generate substantially fewer carbon atoms or other greenhouse gas-causing substances.
- **Impact 4.13-2** Long-term cumulative development pursuant to the Transit Zoning Code at full build-out has the potential to conflict with AB 32. The Project as a whole is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area.
    - Evidence/Rationale Supporting Findings: Based on a threshold of 30% reduction in greenhouse gas emissions over “business as usual,” the Project as a whole had significant impacts for operational emissions due to the size of the Transit Zoning Code area. While implementation of mitigation measures MM4.13-1 through MM4.13-7 would reduce construction-related and operational emissions on a project level basis, in the long-term cumulative basis would exceed thresholds.

- **Finding 1** The City finds that changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- **Finding 3** The City finds that specific economic, social, or other considerations make infeasible additional mitigation. Specifically, the City finds that no additional feasible mitigation measures exist that would avoid or substantially reduce this impact. Technology does not yet exist in an economical fashion that would allow common use of zero emission vehicles or combustible fuels that generate substantially fewer carbon atoms or other greenhouse gas-causing substances.

3.14.2 Modified Project

The modified project would use diesel vehicles and equipment for excavation and off-site disposal of impacted soil and would generate emissions comparable to activities associated with development construction evaluated in the certified EIR. However, this would be a temporary impact, lasting approximately two weeks.

The RAW also specifies that a grading permit will be obtained from the City of Santa Ana prior to start of excavation activities which will trigger implementation of Transit Zoning Code Mitigation Measures MM4.13-1 through MM4.13-7.

Long-term cumulative development pursuant to the Transit Zoning Code at full build-out would result in significant localized air quality impacts for operational level emissions (Impact 4.13-1). As a whole, this impact is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area. The addition of short duration excavation activities (approximately two weeks) and 128 truck trips for soil removal will not change this conclusion.

With implementation of mitigation measures, the modified project would not result in any additional significant adverse air quality impacts or substantial increase in severity of impact identified in the certified EIR.

3.14.3 Conclusion

The modified project would not result in any additional significant adverse climate change impacts or a substantial increase in the severity of the impacts identified in the certified EIR.

3.15 Mandatory Findings of Significance/Significant and Unavoidable Impacts

3.15.1 Certified EIR

The Findings of Fact/Statement of Overriding Considerations, adopted by the City of Santa Ana in conjunction with EIR certification, determined that even with mitigation measures, the following significant impacts were determined to be unavoidable because no feasible mitigation is available to further reduce the impacts to a less-than-significant level.

- **AESTHETICS**
  - **Impact 4.1-5** Long-term cumulative development occurring pursuant to the Transit Zoning Code (SD 84A and SD 84B) would result in a substantial increase in shade/shadows over sensitive uses.
  - **Cumulative** As noted in the discussion for Impact 4.1-5, new sources of increased shade would likely result from new development under the proposed Transit Zoning Code (SD

84A and SD 84B). Since there is typically no feasible mitigation available to reduce to less than significant or eliminate shading impacts, significant and unavoidable shading impacts would result from the proposed Transit Zoning Code (SD 84A and SD 84B). Cumulative development of additional medium- and high-rise buildings would lead to additional shade impacts to various shade sensitive uses throughout the City. Therefore, cumulative shading impacts from future projects in the Transit Village (TV) and Downtown (DT) Zones constructed pursuant to the Transit Zoning Code would make a considerable contribution to this significant cumulative impact.

- **AIR QUALITY**
  - **Impact 4.2-5** Construction activities associated with the construction of individual projects within the Transit Zoning Code area, including the Developer project, would contribute substantially to an existing or projected air quality violation for criteria air pollutants.
  - **Impact 4.2-6** Operation of the proposed project would exceed South Coast Air Quality Management District standards for VOC, NO_X, CO, and PM_{10} and would result in a projected air quality violation.
  - **Impact 4.2-7** Construction and operation of the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the proposed project region is in nonattainment under an applicable federal or state ambient air quality standard.
  - **Cumulative** As the Basin is currently in nonattainment for ozone, CO, NO_X, PM_{10}, and $PM_{2.5}$, cumulative development would violate an air quality standard or contribute to an existing or projected air quality violation. Therefore, this is considered to be a significant cumulative impact within the Basin. Construction under the proposed project would make a cumulatively considerable contribution to this significant impact. In addition, as discussed in Impact 4.2-6, operation at full buildout of the proposed project would result in quantities of air emissions that exceed the SCAQMD thresholds for VOC, NO_X, CO, and PM_{10}, and would create a cumulatively considerable contribution to this significant impact.
- **CULTURAL RESOURCES**
  - **Impact 4.4-3** The adoption of the Transit Zoning Code (SD 84A and SD 84B) would result in substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines.
  - **Cumulative** The cumulative analysis for impacts on cultural and paleontological resources considers a broad regional system of which the resources are a part. The cumulative context for the cultural and paleontological resources analysis is Orange County as a whole. While the project impact analysis for cultural resources necessarily includes separate analyses for historic-period resources and archaeological resources, the cumulative analysis combines these resources into a single, non-renewable resource base and considers the additive effect of project specific impacts to significant regional impacts on cultural resources. Because all cultural resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. Federal, state, and local laws protect cultural resources in most instances. Even so, it is not always feasible to protect cultural resources,

particularly when preservation in place would frustrate implementation of projects. For this reason, the cumulative effects of development in the Orange County region are considered significant. However, because it is currently infeasible to determine whether future development under the proposed Transit Zoning Code would result in demolition or removal of historical resources within the project boundaries, the project's incremental contribution to these cumulative effects would be cumulatively considerable (i.e., the project would contribute to the loss of historical resources in Orange County).

- **NOISE**
    - **Impact 7.8-8** Operation of the Southern California Regional Rail Authority's (SCRRA) rail line would potentially expose noise-sensitive land uses located within the Transit Zoning Code (SD 84A and SD 84B) area to noise levels that exceed the standards established by the City of Santa Ana General Plan.
    - **Impact 4.8-9** Construction activities associated with the proposed project would generate or expose persons or structures to excessive ground borne vibration.
    - **Cumulative** Construction of individual projects pursuant to the Transit Zoning Code would produce temporary vibration impacts. As discussed in Impact 4.8-9, the construction vibration impact would be significant and unavoidable. As individual development projects under the Transit Zoning Code (SD 84A and SD 84B) area may be constructed concurrently with each other or other related projects, it is possible that intense construction from two or more projects would simultaneously occur at distances of 50 feet or less from existing nearby receptors. Therefore, vibration from future development would potentially combine with construction vibration of other projects to result in a potentially significant cumulative impact.
    - **Cumulative** The proposed project is located within close proximity to the Southern California Regional Rail Authority's (SCRRA) rail line. Sensitive receptors, including residential uses with exterior uses such as communal areas consisting of pocket parks or pedestrian walkways and private balconies, may or may not be shielded from noise generated by railroad operations. As a result, noise levels within these areas may exceed the 65 dBA CNEL "Desirable Maximum" standard.
- **TRANSPORTATION**
    - **Impact 4.11-9** Long-term cumulative development under implementation of the Transit Zoning Code would result in impacts related to freeway ramps in the vicinity of the Transit Zoning Code area.
    - **Cumulative** As identified in Impact 4.11-8, because implementation of the proposed project would contribute to significant impacts at the study area intersections, and because implementation of the potential improvement measures cannot be guaranteed, the long-term cumulative development pursuant to the Transit Zoning Code would have a considerable contribution to cumulative impacts.
- **CLIMATE CHANGE**
    - **Impact 4.13-1** Long-term cumulative development pursuant to the Transit Zoning Code at full build-out would result in significant localized air quality impacts for operational level emissions. As a whole, this impact is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area.

- **Impact 4.13-2** Long-term cumulative development pursuant to the Transit Zoning Code at full build-out has the potential to conflict with AB 32. The Project as a whole is significant for operational emissions due to the size of the Transit Zoning Code (SD 84A and SD 84B) area.

3.15.2 Modified Project

As indicated by the prior analysis in Section 3 of this EIR Addendum, the modified project would not result in any additional significant adverse environmental impacts, additional substantial adverse impacts on human beings, or a substantial increase in the severity of the impacts identified in the certified EIR. Furthermore, the cumulative impacts associated with the RAW project were found to be less than significant in all environmental impact areas. Since the foregoing analysis in each of the subject areas in this EIR Addendum indicates that none of these impacts would be substantially increased due to the modified project, the proposal would not result in an increase in cumulative impacts.

3.15.3 Conclusion

The modified project would not result in significant adverse impacts in addition to those specified in the adopted Findings of Fact/Statement of Overriding Considerations or a substantial increase in the severity of the impacts identified in the certified EIR.

3.16 Environmental Finding

Based on the foregoing analysis, DTSC has determined that the potential environmental impacts associated with the modified project have been analyzed and addressed in the previously prepared EIR and this EIR Addendum and would not result in conditions outlined in State CEQA Guidelines Section 15162 that would require preparation of a subsequent EIR. A Notice of Determination for this Addendum to the EIR will be filed with the California State Clearinghouse/Office of Planning and Research.

Certification

DTSC hereby certifies that the statements furnished above present the data and the required analysis for this evaluation.

A. Edward Morelan

March 28, 2022

A. Edward Morelan, PG, CEG
Chief, Cypress Cleanup Branch
Site Mitigation and Restoration Program
Department of Toxic Substances Control
California Environmental Protection Agency

Date

4.0 References

City of Santa Ana, 2010. "Transit Zoning Code (SD 84A and 84B), Environmental Impact Report, SCH No. 200607110, Final EIR," May (https://www.santa-ana.org/transit-zoning-code-environmental-impact-report)

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City of Santa Ana Planning & Building Agency, 2010. "Specific Development No. 84, Amendment Application 05-09, NS-2803, City Council Action," June 21 (https://www.santa-ana.org/sites/default/files/Documents/SD84.NS-2803.TransitZoningCode.pdf).

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