

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS
FOR THE HARBOR BOULEVARD MIXED USE TRANSIT CORRIDOR PLAN
FINAL ENVIRONMENTAL IMPACT REPORT
SANTA ANA, CALIFORNIA**

STATE CLEARINGHOUSE NO. 2013061027

1. INTRODUCTION

The California Environmental Quality Act, Public Resources Code Section 21081, and the State CEQA Guidelines, 14 California Code of Regulations, Section 15091 (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. The State CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

State CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the Draft Environmental Impact Report (Draft EIR) and the Final Environmental Impact Report (Final EIR) for the Harbor Boulevard Mixed Use Transit Corridor Plan project, SCH No. 2013061027 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) are hereby adopted by the City of Santa Ana (City) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the City for the development of the project. These actions include the approval and/or certification of the following:

- the Harbor Boulevard Mixed Use Transit Corridor Plan (HCP);
- Environmental Impact Report No. (SCH#2013061027);
- Zoning Ordinance Amendment to replace development standards from the adopted North Harbor Specific Plan (NHSP) to the HCP;
- Zoning Map Amendment to replace zoning district designations with the new HCP zoning districts; and

- Zone Change to replace the NHSP land use designations with conventional zoning designations to match existing land uses.

These actions are collectively referred to herein as the “project”.

A. DOCUMENT FORMAT

These Findings have been organized into the following sections:

- (1) Section 1 provides an introduction to these Findings.
- (2) Section 2 provides a summary of the project, overview of the discretionary actions required for approval of the project, and a statement of the project’s objectives.
- (3) Section 3 provides a summary of public participation in the environmental review for the project.
- (4) Section 4 sets forth findings regarding the environmental impacts that were determined to be—as a result of the Initial Study, consideration of comments received during the Notice of Preparation (NOP) comment period, and analysis in the EIR—either not relevant to the project or less than significant without mitigation.
- (5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the EIR.

These impacts include those that the City has determined are either not significant or can feasibly be mitigated to a less than significant level through the imposition of existing regulations, standard conditions and/or mitigation measures. In order to ensure compliance and implementation, all mitigation measures will be included in the Mitigation Monitoring and Reporting Program (MMRP) for the project and adopted as conditions of the project by the Lead Agency.

Section 5 also includes findings regarding those significant or potentially significant environmental impacts identified in the EIR that will or may result from the project and which the City has determined cannot feasibly be mitigated to a less than significant level.

- (6) Section 6 sets forth findings regarding alternatives to the proposed project.

B. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City’s actions related to the project are at the City of Santa Ana, Planning and Building Agency, 20 Civic Center, Room M-20, Santa Ana, California 92701. The City of Santa Ana is the custodian of the Administrative Record for the project.

2. PROJECT SUMMARY

A. PROJECT LOCATION

The project area comprises approximately 425 acres oriented to Harbor Boulevard in Santa Ana in central Orange County. The project area generally includes parcels adjacent to Harbor Boulevard between Westminster Avenue and Lilac Way and parcels along Westminster Avenue, 1st Street, and 5th Street one-half mile east of Harbor Boulevard. The corridor's northern and southern ends are adjacent to the city boundaries of Garden Grove and Fountain Valley, respectively. The project areas consists of two areas 1) an approximately 305-acre portion that directly fronts Harbor Boulevard or perpendicular arterial streets and 2) 120 acres consisting of the Willowick Golf Course and Campesino Park, residential properties along Jackson Street, and commercial properties along 5th Street. The 120-acre portion of the project area is east of the Harbor Boulevard corridor and abuts the Santa Ana River to the east.

B. PROJECT DESCRIPTION

The Harbor Boulevard Mixed Use Transit Corridor Plan would replace the existing 425-acre NHSP. The plan would change the boundaries of the NHSP so that the project would consist of two separate areas: 1) 305 acres within the boundaries of the existing 425-acre NHSP generally along Harbor Boulevard ("Harbor Corridor Plan" or "Specific Plan"), and 2) 120 acres within the existing NHSP in the Willowick Golf Course area (or "Conventional Zoning Area"). Both of these areas constitute the "project" for purposes of CEQA, but are described separately below.

Harbor Corridor Plan

Specific Plan Land Uses

The Harbor Corridor Plan introduces land use and circulation changes to approximately 305 acres of land within the boundaries of the existing 425-acre NHSP, including approximately 50 acres of right-of-way outside of parcels. The Harbor Corridor Plan lays the foundation for a more livable and sustainable corridor by creating zoning to allow for new housing and mixed-use development opportunities, providing development flexibility to meet market demands, using a multimodal approach to circulation, and creating a stronger identity for the area. The Harbor Corridor Plan creates a land use and development framework to support from 1,700 to 4,600 residential units and 2 million square feet of commercial and employment space. The project area may attract a variety of new retail stores, restaurants, office buildings, hotels, museums, and housing options in a more walkable, safe, and attractive environment.

Land use changes under the Harbor Corridor Plan would involve replacing the NHSP's zoning districts with four Harbor Corridor Plan land use districts: Transit Node, Corridor, Neighborhood Transitional, and Open Space (described below). Each district has its own development standards, preferred building and frontage types, and strategies promoting integration between new development and the existing neighborhood. Circulation improvements introduced by the Harbor Corridor Plan emphasize a multimodal approach to circulation and a dynamic relationship between the transportation corridor and

adjacent land uses. Development of the Harbor Corridor Plan was guided by the following five principles:

- 1) Expanded development opportunities that respond to transit investments
- 2) A variety of safe and efficient travel choices
- 3) Economic vitality and new opportunities for businesses and residents
- 4) A sense of place
- 5) Community health and wellness

The four Harbor Corridor Plan land use districts are described below:

- **Transit Node (TN).** The Transit Node district is intended to provide standards for compact, transit- supportive mixed-use and residential development with a focus on creating pedestrian activity at the street. This district offers the most significant opportunities to respond to the regional and local transit investments, with direct access to three existing BRT stations and proximity to one or more future fixed guideway stations.

The district allows for a wide range of building types, including mixed-use flex blocks, liners, stacked flats, courtyard housing, and live-work units. The district accommodates shops, restaurants, and active commercial uses at street level, with office and residential uses permitted on upper floors.

- **Corridor (CDR).** The Corridor district is applied to properties along Harbor Boulevard between BRT stations and is intended to provide housing options and neighborhood serving uses within walking distance of a transit node. The district also identifies areas set aside exclusively for moderate- and high-density residential projects to facilitate a range of affordable housing options. Building types include lined block, stacked flats, courtyard housing, live-work, rowhouses, and tuck-under units. Mixed-use and nonresidential projects are centered on key intersections, while residential and public/quasi-public uses infill at midblock locations.

- **Neighborhood Transitional (NT).** The Neighborhood Transitional district provides standards for development that acts as a transition between the single-family neighborhoods to the north and south of 1st and 5th streets and the Corridor and Transit Node districts.

Designated for the lowest scale and the lowest intensity of uses in the Harbor Corridor Plan, development in this district is limited to residential, live-work, or neighborhood-serving commercial uses. These uses may combine commercial on the ground floor with residential above or in freestanding single-use buildings on the same site at between two and three stories in height.

- **Open Space (OS).** The Open Space and Recreation district identifies areas reserved for community parks and other open spaces. Allowable structures in this district are limited to those necessary to support the specific open space and

recreation purposes, such as sport-court enclosures, multipurpose buildings, and trails. Additional open space will be required as new development occurs or close to the Specific Plan area.

Harbor Corridor Plan Buildout

Buildout of the Harbor Corridor Plan could generate an additional 3,884 additional dwelling units, 15,327 residents, 13,721 square feet of commercial space, and approximately 173 employees in the plan area. Table 1 outlines the proposed zoning designations and summarizes maximum buildout projections.

**Table 1
Land Use Districts and Buildout Projections for the Harbor Corridor Plan**

Harbor Corridor Plan Land Use Districts	Acres	Dwelling Units	Population	Commercial Building, Square Feet	Employees
Transit Node (TN)	125	2,029	8,114	1,836,155	1,463
Corridor (CDR)	108	2,416	9,751	131,827	96
Neighborhood Transitional (NT)	15	178	714	-	-
Open Space & Recreation (OS)	4	-	-	-	-
ROW	53	-	-	-	-
Subtotal	305	4,623	18,579	1,967,982	1,559
Existing Land Uses	-	739	3,252	1,954,261	1,386
Difference Compared to Existing Land Uses	-	3,884	15,327	13,721	173

Development Standards/Design Guidelines

New development within the project area will need to comply with the development standards within the specific plan. The development standards detail the allowable building type and form for each district, including lot size, maximum building height, maximum stories, frontage type, building placement (setback requirements), and parking standards. In addition, there are open space, public right-of-way, and landscaping standards.

The Harbor Corridor Plan also includes design guidelines. The design guidelines are intended to promote quality design, consistent with the overall vision, while providing a level of flexibility to encourage creative design. The guidelines direct the physical design of building sites, architecture, and landscape elements within the specific plan boundary. This comprehensive approach represents a more understandable and predictable way to shape the physical future by emphasizing building form and landscape design that reinforce urban and transit-oriented development patterns.

Mobility

Implementation of the Harbor Corridor Plan would also include improvements to Harbor Boulevard and its cross-streets: 5th Street, 1st Street, McFadden Avenue, and Westminster Avenue. These improvements are designed to create a robust multimodal corridor that accommodates the movement of vehicular traffic through the City and region as well as other modes of travel. Proposed improvements include the enlargement of sidewalk and parkway areas to facilitate safe bicycle and pedestrian travel along Harbor Boulevard and efficient connections to the regional bicycle network. The improvements would maintain the same rights-of-way and number of travel lanes on the affected roadways.

Phasing

The project will be developed in multiple phases over the next 20+ years. Development of the project area and time frames would be controlled by both City decisions on public improvements to streets and infrastructure as well as landowner decisions on the development of privately owned properties. Implementation of the specific plan will require collaborative efforts among local businesses, institutions, residents, the City, and developers.

A variety of funding sources beyond City General Fund resources can be used to implement the Harbor Corridor Plan. District-based and contractual assessment tools are options that would allow areas in this plan to benefit from the funding they collect. Developer contributions, impact fees, and standard agreements can all be used by the City to initiate public right-of-way improvements. Regional, state, and federal grants as well as City funds such as the capital improvement program are also potential funding sources.

Flexibility in project implementation is also required to respond to changing economic conditions and trends, which may require that the City revisit and reprioritize the specific plan's implementation steps. For purposes of evaluating environmental impacts, buildout of the specific plan is anticipated to occur by 2035.

Conventional Zoning Area

The remaining 120 acres of land within the existing NHSP is proposed to be extracted from the NHSP and converted to conventional zoning. This area would not be included in the proposed Harbor Corridor Plan. Land uses in the area consist of the Willowick Golf Course and Cesar Chavez/Campesino Park, residential properties along Jackson Street, and commercial properties along 5th Street. Zoning designations for the parcels in question were determined based on existing conditions and would be adopted upon repeal of the NHSP. Willowick Golf Course, Cesar Chavez/Campesino Park, and the properties in between would be zoned Open Space Area (O), and residential properties along Jackson Street would be zoned Two Family Residential (R2).

Conventional Zoning Area Buildout

Conventional zoning designations were chosen to be consistent with the existing land uses. No new development is intended for this area. The R2 designation was chosen for

existing residential uses because it is consistent with the established character of the neighborhood. There is one exception of two parcels along 5th Street (2.5 acres total). Based on the City’s OS zone, these parcels could be developed for commercial recreation/entertainment and public/quasi-public facilities. However, the existing intensity of development is not expected to change. Therefore, buildout projections for NHSP areas proposed for conversion to conventional zoning assume no change in numbers of dwelling units or population. Buildout projections for the parcels proposed for conversion to conventional zoning are shown in Table 2.

**Table 2
Buildout Projections for Parcels Proposed to Be Converted to Conventional Zoning**

	Existing Land Uses	Buildout of Proposed Project	Difference
Dwelling Units	92	92 ¹	-
Population	405	405 ¹	-
Commercial Building, Square Feet	3,700	3,700 ¹	-
Employees	3	3	-

¹ Assumes no change from existing conditions.

Zoning Amendment

A Zoning Ordinance Amendment is required to replace the NHSP zoning designations with the new Harbor Corridor Plan zoning districts. An amendment to the Zoning Map will also be required to reflect the new specific plan zone.

Zone Change

A Zone Change is required to replace the NHSP zoning designations within the Conventional Zoning Area to conventional zoning consisting of Open Space Area (O) and Two Family Residential (R2).

General Plan Amendment

A General Plan Amendment would provide consistency between the City of Santa Ana General Plan and the proposed Harbor Corridor Plan. Although the Harbor Corridor Plan is consistent with the objectives and policies in the General Plan, new land uses are proposed. Therefore, the project will require an amendment to the land use element to update the land use map to include the boundaries of the Harbor Corridor Plan with a land use designation allowing both residential and commercial uses.

C. DISCRETIONARY ACTIONS

Implementation of the project will require several actions by the City, including:

- **Certification of the Harbor Boulevard Mixed Use Transit Corridor Plan Final Environmental Impact Report (SCH#2013061027).** An Environmental Impact Report (EIR) to evaluate the environmental impacts resulting from the proposed project, in accordance with the California Environmental Quality Act of 1970 (CEQA),

as amended (Public Resources Code Sections 21000 et seq.), and the State CEQA Guidelines for Implementation of CEQA (California Code of Regulations, Title 14, Sections 15000 et seq.).

- **Adoption of the Harbor Corridor Plan (“Specific Plan”)**
- **General Plan Amendment to the Land Use Element**
- **Zoning Ordinance Amendment.** Amendment to replace development standards from NHSP with those in the HCP.
- **Zoning Map Amendment.** Amendment to replace zoning district designations with the new HCP zoning districts
- **Zone Change.** Replace NHSP land use designations with conventional zoning designations to match existing land uses

The Final EIR would also provide environmental information to responsible agencies, trustee agencies, and other public agencies that may be required to grant approvals and permits or coordinate with the City of Santa Ana as a part of project implementation. These agencies include, but are not limited to:

- **Regional Water Quality Control Board, Santa Ana Region.** Issuance of National Pollutant Discharge Elimination System Permits, as necessary.
- **South Coast Air Quality Management District (SCAQMD).** Issuance of any air quality permits required to implement the project consistent with SCAQMD Rules 201, 403, and 1403.

D. STATEMENT OF PROJECT OBJECTIVES

The statement of objectives sought by the project and set forth in the Final EIR is provided as follows:

- Provide for the development of the site consistent with City’s General Plan.
- Provide for new housing and mixed-use development opportunities.
- Expand development opportunities that respond to transit investments.
- Create economic vitality by providing new opportunities for businesses and residents.
- Provide a variety of safe and efficient travel choices and access to multi-modal transportation.
- Create a sense of place.

- Enhance community health and wellness by creating safer street design for multiple modes of travel, increase walkability and encourage live/work along the corridor.

3. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The Final EIR includes the Draft Environmental Impact Report (Draft EIR) dated April 2014, written comments on the Draft EIR that were received during the 45-day public review period, and written responses to those comments and clarifications/changes to the EIR. In conformance with CEQA and the State CEQA Guidelines, the City conducted an extensive environmental review of the Harbor Corridor Plan project:

- Completion of the Notice of Preparation (NOP), which was released for a 30-day public review period from June 13, 2013 through July 15, 2013. The NOP for the Draft EIR was published in the June 15, 2013 edition of the Orange County Register, a newspaper of general circulation. The NOP was sent to all responsible agencies, trustee agencies, and the Office of Planning Research and posted at the Orange County Clerk-Recorder's office and on the City's website on June 11, 2013.
- During the NOP review period, a Scoping Meeting was held to solicit additional suggestions on the content of the Harbor Boulevard Mixed Use Transit Corridor Plan EIR. Attendees were provided an opportunity to identify verbally or in writing the issues they felt should be addressed in the EIR. The scoping meeting was held on Tuesday, June 25, 2013, at 6:00 pm at Santa Ana Union Hall, 3904 West First Street, Santa Ana, CA 92701. The notice of the public scoping meeting was included in the NOP.
- Preparation of a Draft EIR by the City that was made available for a 45-day public review period (April 18, 2014, to June 2, 2014). The Draft EIR consisted of analysis of the Harbor Boulevard Mixed Use Transit Corridor Plan project and appendices used to prepare that analysis. Appendices included the Initial Study and Notice of Preparation, NOP comment letters, and technical appendices. The Notice of Availability (NOA) for the Draft EIR was distributed April 18, 2014. The NOA was sent to all interested persons, agencies and organizations. The Notice of Completion (NOC) was sent to the State Clearinghouse in Sacramento for distribution to public agencies. The NOA was posted at the Orange County Clerk-Recorder's office on April 18, 2014. Copies of the Draft EIR were made available for public review at the City of Santa Ana Planning Counter (20 Civic Center Plaza) and the Santa Ana Public Library (26 Civic Center Plaza). The Draft EIR was available for download via the City's website: <http://www.ci.santa-ana.ca.us/harborplan/>.
- The Planning Commission held a public hearing on May 12, 2014 to receive public input on the Draft EIR during the 45-day public review period. The hearing was held at the Santa Ana City Council Chambers at 22 Civic Center Plaza, Santa Ana, California, 92701. Notices of time, place, and purpose of the aforesaid meeting was provided in accordance with CEQA and the City's Municipal Code. Oral testimony was presented by the public this this hearing. Notice for the May 14, 2014 meeting was published along with the NOA. Additionally, the item appeared on the agenda for these meetings, which was posted at City Hall and on the City website.
- Preparation of a Draft Final EIR including Draft EIR, comments on the Draft EIR, responses to those comments, clarifications/revisions to the Draft EIR, Mitigation

Monitoring and Reporting Program and appended documents. The Draft Final EIR was made available for download via the City's website: <http://www.ci.santa-ana.ca.us/harborplan/> on April 17, 2014. Responses to commenters were sent on August 14, 2014.

- The Planning Commission held public hearings for the EIR on August, 25, 2014 and May 12, 2013 in the Santa Ana City Council Chambers at 22 Civic Center Plaza, Santa Ana, California, 92701. Notices of time, place, and purpose of the aforesaid meetings were provided in accordance with CEQA and the City's Municipal Code. The Draft EIR, staff report, and evidence, both written and oral, were presented to and considered by the Planning Commission at these hearings. Notice for the August 25, 2014 meeting was published along with the NOA. Additionally, the item appeared on the agenda for these meetings, which was posted at City Hall and on the City website.
- In compliance with Section 15088(b) of Title 14 of the California Code of Regulations (State CEQA Guidelines), the City has met its obligation to provide written Responses to Comments to public agencies, at least 10 days prior to certifying the Final EIR.
- The City Council public hearing on the EIR is tentatively scheduled for to be held on September 16, 2014, in the Santa Ana City Council Chambers at 22 Civic Center Plaza, Santa Ana, California, 92701. A notice of the time, place and purpose of the aforesaid meeting was provided in accordance with CEQA and the City's Municipal Code. The Final EIR, staff report, and evidence, both written and oral, were presented to and considered by the City Council at this hearing.
- The City held several public meetings and hearings on the project from December, 2010 to May, 2014, including the following:
 - 8 neighborhood meetings;
 - 2 open house events, including the Harbor Corridor Idea Fair in September 2011;
 - 2 community workshops;
 - 3 Planning Commission study sessions; and
 - 2 City Council meetings.

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- All information collected by City and its representatives relating to the project and/or the Final EIR, including but not limited to the Harbor Boulevard Mixed Use Transit Corridor Plan;
- NOP and all other public notices issued by the City in conjunction with the proposed project;
- The Scoping Meeting notes held during the 30-day NOP period;
- The Final EIR, including the Draft EIR and all appendices, the Responses to Comments, Revisions to the Draft EIR, Mitigation Monitoring and Reporting Program (MMRP) and all supporting materials referenced therein. All documents, studies,

EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR. The reports and technical memoranda included or referenced in the Response to Comments of the Final EIR;

- All written comments submitted by agencies and members of the public during the 45-day public review comment period on the Draft EIR and testimony provided at the May 12, 2014 Planning Commission public hearing;
- All responses to written comments submitted by agencies and members of the public;
- All testimony provided by agencies and members of the public at the City Council public hearings tentative scheduled on September 15, 2014,
- All final City Staff Reports relating to the Draft EIR, Final EIR, and the project;
- All other public reports, documents, studies, memoranda, maps, or other planning documents relating to the project, the Draft EIR, and the Final EIR prepared by the City, consultants to the City, or Responsible or Trustee Agencies.
- The Mitigation Monitoring and Reporting Program (MMRP) adopted by the City for the project; the Ordinances and Resolutions adopted by the City in connection with the proposed project; and all documents incorporated by reference therein;
- These Findings of Fact and Overriding Considerations adopted by the City for the project, any documents expressly cited in these Findings of Fact;
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other material that constitute the record of proceedings on which these findings are based are located at the City of Santa Ana Planning and Building Agency. The custodian for these documents is the City of Santa Ana. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code Regulations Section 15091(e).

4. ENVIRONMENTAL ISSUES THAT WERE DETERMINED TO BE LESS THAN SIGNIFICANT

Impacts Determined Less than Significant in the Initial Study

As a result of the Notice of Preparation circulated by the City on June 11, 2013, in connection with preparation of the EIR, the City determined, based upon the threshold criteria for significance, (Appendix G of the CEQA Guidelines) that the project would have no impact or a less than significant impact on the following potential environmental issues, and therefore, determined that these potential environmental issues would not be addressed in the Draft EIR. Based upon the environmental analysis presented in the EIR, and the comments received by the public on the Draft EIR, no substantial evidence was submitted or identified by the City which indicated that the project would have an impact on the following environmental areas:

1. Aesthetics.

- a. Development allowed under the project would not have the potential to obstruct or otherwise impact public views of scenic vistas.
- b. There are no scenic resources onsite and the project area does not include a state scenic highway.

2. Agriculture and Forest Resources.

- a. There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in or near the project area.
- b. No portion of the project area conflicts with existing zoning for agricultural use or is covered by a Williamson Act Contract.
- c. The project area does not include forest land, timberland, or timberland zoned for Timberland Production.
- d. The project does not result in the loss of forest land or conversion of forest land to non-forest use.
- e. The project does not result in changes in the existing environment that could result in the conversion of farmland to non-agricultural use or forest land to non-forest land use.

3. Air Quality.

- a. Land uses allowed in the project area are not expected to generate objectionable odors. During construction of future projects allowed under the Harbor Corridor Plan, emissions of odors may occur. However, these would be temporary and are not expected to be highly objectionable.

4. Biological Resources.

- a. Although there are vacant parcels in the project area, these parcels are graded, disturbed land and do not feature native habitat. The area is surrounded by urban land uses and isolated from areas supporting suitable habitat for sensitive species.
- b. No riparian habitat or other sensitive natural communities occur in the project area. The project area is not included in any local or regional plans, policies, or regulations that identify riparian habitat or any other sensitive natural community.
- c. The U.S. Fish and Wildlife Service designates one waterway in the project area as a riverine wetland. However, this waterway, which drains into the East Garden Grove-Wintersburg Channel, consists of a fenced, man-made concrete channel with limited vegetation. The channel would not be altered by development built pursuant to the proposed project. The channelized Santa Ana River, approximately 1,000 feet east of the project area, is also designated a riverine wetland area. However, the river is adjacent to the Willowick Golf Course, which would not be available for redevelopment under the Open Area (O) zoning designation proposed for the course. Project implementation would not involve direct removal, filling, hydrological interruption, or other direct or indirect impact to these drainages or other wetlands under jurisdiction of regulatory agencies.

- d. The project area is almost entirely developed and is surrounded by developed urban uses. Thus, the project area is not available for overland wildlife movement or migration. The project area contains some trees, but these are primarily ornamental street trees and small groupings of other ornamental trees that do not provide suitable nesting habitat for migratory birds.
- e. Projects developed under the Harbor Corridor Plan may involve the removal of existing ornamental trees, including street trees. However, these projects would be required to comply with Chapter 33, Article VII of the Santa Ana Municipal Code, which regulates the planting, maintenance, and removal of trees in the city.
- f. The project area is in the plan area of the Orange County Transportation Authority Natural Community Conservation Plan Habitat Conservation Plan (OCTA NCCP/HCP), which will include the entirety of Orange County once adopted. However, the OCTA NCCP/HCP is still under development and will apply only to habitat restoration projects on land acquired to offset impacts to 13 freeway improvements funded through Measure M2, which was approved by voters in 2006 (OCTA 2012). The project area does not contain any lands that are being considered for habitat restoration.

5. Cultural Resources.

- a. The project area does not include historically important resources, is not within the City's three designated historic districts, and does not contain any of the historic resources listed in the Santa Ana Register of Historic Properties.
- b. There are no known human remains in the project area. The project area is not part of a formal cemetery and is not known to have been used for disposal of historic or prehistoric human remains. In addition, ground has been disturbed on almost all of the project area by construction of existing land uses. Thus, human remains are not expected to be encountered during construction of projects built pursuant to the proposed project. Implementation of the proposed project would comply with provisions of state law regarding discovery of human remains.

6. Geology and Soils.

- a. There are no Alquist-Priolo Earthquake Fault Zones in or near the project area; the nearest such zone is 2.9 miles southwest of the project area along the Newport-Inglewood Fault. The risk of surface rupture of a known fault in or near the project area is very low due to the lack of known active faults. Furthermore, future projects developed pursuant to the project would be required to comply with all applicable Building Safety Division requirements and impacts are less than significant.
- b. The project area is generally flat with no significant slopes on or adjacent to the project area and no impact related to landslides would result.
- c. The project area is in a highly urbanized, built-out portion of central Orange County and is largely flat; soils have already been disturbed by development. Although soils in the project area could experience erosion during construction of improvements to Harbor Boulevard and during development of individual projects pursuant to the Harbor Corridor Plan, implementation of the proposed project would not cause substantial soil erosion. Furthermore, future development within

the project area is required to comply with National Pollutant Discharge Elimination System regulations by preparing and implementing a Stormwater Pollution Prevention Plan specifying best management practices for minimizing pollution of stormwater with soil and sediment during project construction.

- d. The project would not involve the use of septic tanks or alternative wastewater disposal systems.

7. Hazards and Hazardous Materials.

- a. Industrial uses requiring the routine transport, use, or disposal of hazardous materials would be prohibited in the project area under the zoning designations identified for the site as part of the project. Land uses planned for the project area would only use limited amounts of hazardous materials for cleaning and maintenance purposes. Furthermore, individual projects built in accordance with the project would be required to adhere to the existing regulations of local, state, and federal agencies regarding the use and storage of hazardous substances and therefore, less than significant.
- b. The project area is not within the area covered by the John Wayne Airport land use plan, or that of any other airport.
- c. The project area is not in the vicinity of a private airstrip.
- d. Implementation of the project would not conflict with the City of Santa Ana or Orange County's emergency response or evacuation plans. Although construction of physical improvements to Harbor Boulevard may result in temporary rerouting of vehicular traffic—including emergency response vehicles—police and fire services could be provided without interruption. The proposed reconfiguration of and improvements to Harbor Boulevard would not decrease its number of travel lanes, ensuring continued access to the project area and surrounding areas by emergency access vehicles.
- e. The project area is in a highly urbanized, built-out portion of central Orange County outside of fire hazard severity zones designated by the California Department of Forestry and Fire Protection. No impacts would occur.

8. Hydrology and Water Quality.

- a. There are no inland water bodies near enough to the project area to pose a flood hazard to the site through a seiche. The project area is also approximately six miles from the Pacific Ocean, outside of the Tsunami Hazard Zone identified by the California Emergency Management Agency. Lastly, the project area is relatively flat and would not be susceptible to any mudflow.

9. Land Use and Planning.

- a. Land use changes proposed by the project would not divide an established community.
- b. The project does not conflict with the provisions of an adopted habitat conservation plan.

10. Mineral Resources.

- a. The project area is developed with commercial, residential, and other urban uses and is not available for mining.

- b. The project area and the surrounding vicinity are highly urbanized, and they are not in or near a mining or oil or gas field site identified by the City of Santa Ana General Plan. The project would not impact any locally important mineral resources.

11. Noise.

- a. The project area is not located in John Wayne Airport's land use plan area. The project would not expose people to excessive aircraft noise.
- b. The project area is not located in the vicinity of a private airstrip.

12. Population or Housing.

- a. Implementation of the project would gradually convert existing vacant land, auto-related businesses, and other land uses into a transit-oriented mixed-use district. The Harbor Corridor Plan would not convert existing residential areas to nonresidential areas. Additionally, buildout of the proposed Harbor Corridor Plan would result in an increase of 3,884 dwelling units in the project area. There are 739 dwelling units within the Harbor Corridor Plan area. Although these land uses may be redeveloped as the corridor is revitalized, the existing dwelling units would be allowed within the proposed zoning.
- b. Implementation of the Harbor Corridor Plan could result in the redevelopment of parcels containing existing housing. However, buildout of the Harbor Corridor Plan would result in a net increase of 3,884 dwelling units in the project area.

13. Transportation/Traffic.

- a. The project area is not within an airport land use plan or within two miles of a public airport or public use airport. Implementation of the project would not affect any airport facilities and would not cause a change in the directional patterns of aircraft.
- b. Improvements to Harbor Boulevard would improve pedestrian and bicycle mobility in the project area. The risk of hazards caused by traffic exiting onto Harbor Boulevard from driveways and local collector streets would be minimized by an expanded center median. Therefore, impacts are less than significant.
- c. The proposed reconfiguration of and improvements to Harbor Boulevard would not decrease its number of travel lanes, ensuring continued access to the project area and surrounding areas by emergency access vehicles. Therefore, impacts are less than significant.

14. Utilities and Service Systems.

- a. The project would not exceed wastewater treatment requirements of the California Regional Water Quality Control Board, Santa Ana Region (SARWQCB). The Harbor Corridor Plan would not allow land uses requiring treatment other than that provided at municipal wastewater treatment plants. Furthermore, individual projects developed pursuant to the Harbor Corridor Plan would be subject to an Orange County Sanitation District fee when they are hooked up to a sewer line and would be required to comply with SARWQCB requirements governing discharges to municipal storm drainage systems.

- b. As of 2011, which is most recent year for which data is available, the City of Santa Ana is not currently meeting its waste diversion rate prescribed. However, future development of the project would comply with laws and regulations governing solid waste, including AB 939, AB 32, and AB 341.

Impacts Determined to be Less than Significant in the DEIR

The following impacts were evaluated in the DEIR and determined to be less than significant through implementation of the Specific Plan, its development standards and design guidelines, and adherence with existing laws, codes, and statutes.

Based upon the environmental analysis presented in the EIR (which is incorporated herein by this reference), and the comments received by the public on the Draft EIR, no substantial evidence was submitted to or identified by the City indicating that the project would have a potentially significant impact on the following environmental areas:

1. Aesthetics.

- a. The proposed project would alter the visual appearance of the project area, however it would not deteriorate the existing visual character or conflict with any existing architectural characteristics specific to the area. [Threshold AE-3]
- b. The proposed project would generate additional light and glare, however, it would not affect day or nighttime views with the implementation of the Harbor Corridor Plan Design Guidelines. [Threshold AE-4]

2. Air Quality.

- a. Onsite operational-related emissions associated with the Harbor Boulevard Mixed Use Transit Corridor Plan would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-4]

3. Geology and Soils.

- a. Future development in accordance with the Harbor Boulevard Mixed Use Transit Corridor Plan would not subject people and structures to substantial adverse hazards from ground shaking. [Threshold G-1.ii]
- b. Future development in accordance with the Harbor Boulevard Mixed Use Transit Corridor Plan would not expose people and structures to substantial adverse hazards from liquefaction or other seismic-related ground failure. [Threshold G-1.iii]
- c. Project buildout would not expose people or structures to substantial hazards from ground subsidence, collapsible soils, and expansive soils. [Thresholds G-3 and G-4]

4. Greenhouse Gas Emissions.

- a. Development of the proposed land uses within the Harbor Boulevard Mixed Use Transit Corridor Plan would not result in a substantial increase of GHG emissions that would exceed the South Coast Air Quality Management District's proposed efficiency target of 4.8 MTCO_{2e}. [Threshold GHG-1]
- b. The Harbor Boulevard Mixed Use Transit Corridor Plan would not conflict with plans adopted with the purpose of reducing GHG emissions. [Threshold GHG-2]

5. Hydrology and Water Quality.

- a. Development pursuant to the Harbor Corridor Plan would not substantially change the amount of impervious surfaces in the project area and would therefore not substantially impact groundwater recharge. [Threshold HYD-2]
- b. Development pursuant to the Harbor Corridor Plan would not substantially alter the existing drainage pattern of the project area in a manner that would result in a substantial erosion or siltation on- or offsite. [Threshold HYD-3]
- c. Project implementation would introduce development in an area of the City that is within the dam inundation area of Prado Dam, however, it would not expose people and structures to a significant risk of loss, injury or death due to the low probability of a catastrophic event, continual surveillance and established emergency evacuation procedures. [Threshold HYD-9]

6. Land Use and Planning.

- a. Implementation of the Harbor Corridor Mixed Use Transit Corridor Plan would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]

7. Noise.

- a. Implementation of the Harbor Corridor Plan would not cause a substantial increase in noise related to additional vehicular traffic. [Thresholds N-1 and N-3]

8. Population and Housing.

- a. The proposed project would directly result in population growth in the project area, however, it would not result in a substantial impact on growth in the county or region and would improve the city's jobs-housing balance. [Threshold P-1]

9. Public Services.

- a. The proposed project would introduce new structures, residents, and workers into the OCFA's service boundaries, thereby increasing the requirement for fire protection equipment and personnel, but would not cause a significant environmental impact. [Threshold FP-1]
- b. The proposed project would introduce new structures, residents, and workers into the Santa Ana Police Department service boundaries. The Santa Ana Police Department could provide police protection to the project site at buildout of the Harbor Corridor Plan with existing levels of staff equipment, but would not cause a significant environmental impact. [Threshold PP-1]
- c. The proposed project would generate new students effecting the school enrollment capacities of GGUSD schools, but would not cause a significant environmental impact. [Threshold SS-1]
- d. The proposed project would generate additional population increasing the service needs for the local libraries, but would not cause a significant environmental impact. [Threshold LS-1]

10. Recreation:

- a. The proposed project would generate additional residents, which would increase the use of existing park and recreational facilities and result in the need for new or

expanded recreational facilities, but would not cause a significant environmental impact. [Thresholds R-1 and R-2]

11. Transportation and Traffic:

- a. Project-related trip generation in combination with existing and proposed cumulative development would not result in designated road and intersections exceeding County Congestion Management Agency service standards. [Threshold T-2]
- b. The proposed project complies with adopted policies, plans, and programs for alternative transportation. [Threshold T-6]

12. Utilities and Service Systems:

- a. Existing and/or proposed facilities would be able to accommodate project-generated solid waste and comply with related solid waste regulations. [Thresholds U-6 and U-7]
- b. Existing and/or proposed facilities would be able to accommodate project-generated utility demands. [No specific threshold]

5. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS

The following potentially significant environmental impacts were analyzed in the EIR, and the effects of the project were considered (the analyses and conclusions in the DEIR and FEIR are incorporated herein by reference to support the findings below). Because of the environmental analysis of the project; compliance with existing laws, codes, and statutes; and the identification of feasible mitigation measures, some potentially significant impacts have been determined by the City to be reduced to a level of less than significant, and the City has found—in accordance with CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a) (1)—that “Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. This is referred to herein as “Finding 1.” Where the City has determined—pursuant to CEQA Section 21081(a)(2) and State CEQA Guidelines Section 15091(a)(2)—that “Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,” the City’s finding is referred to herein as “Finding 2.”

Where, as a result of the environmental analysis of the project, the City has determined that either: (1) even with the compliance with existing laws, codes and statutes, and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (2) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the City has found in accordance with CEQA Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3) that “Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.” This is referred to herein as “Finding 3.”

A. AIR QUALITY

- (1) Potential Impact:** Construction activities associated with the Harbor Boulevard Mixed Use Transit Corridor Plan would generate short-term emissions that exceed the South Coast Air Quality Management District’s VOC and NOx regional thresholds

and would significantly contribute to the particulate matter (PM10 and PM2.5), ozone (O₃), and nitrogen dioxide (NO₂) nonattainment designations of the SoCAB.

Finding: 3. The City makes Finding 3 and determines that this impact is significant and unavoidable.

Facts in Support of Finding

Mitigation Measures 2-1 through 2-3 would reduce criteria air pollutants generated from project-related construction activities. Buildout of the Harbor Boulevard Mixed Use Transit Corridor Plan would occur over a period of approximately 20 years or longer. Construction time frames and equipment for individual site specific projects are not available. There is a potential for multiple developments to be constructed at any one time, resulting in significant construction related emissions. Therefore, despite adherence to Mitigation Measures 2-1 through 2-3, this impact would remain significant and unavoidable.

Mitigation Measures

MM 2-1 Applicants for new development projects within the Harbor Boulevard Mixed Use Transit Corridor Plan shall require the construction contractor to use equipment that meets the United States Environmental Protection Agency (EPA)-Certified emissions standards according to the following schedule.

- From the end of 2011 to December 31, 2014, all project-related off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emissions standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.
- After January 1, 2015, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 Final emission standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.

Prior to construction, the project engineer shall ensure that all demolition and grading plans clearly show the requirement for EPA Tier 3 or higher emissions standards for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the project site for verification by the Building Safety Division. The construction equipment list shall state the makes, models, and numbers of construction equipment onsite.

Equipment shall properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.

MM 2-2

Applicants for new development projects within the Harbor Boulevard Mixed Use Transit Corridor Plan shall require the construction contractor to prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM₁₀ and PM_{2.5} emissions. The Building Safety Division shall verify compliance that these measures have been implemented during normal construction site inspections.

- Following all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering.
- During all construction activities, the construction contractor shall sweep streets with Rule 1186-compliant, PM10-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other cover that achieves the same amount of protection.
- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.
- During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour.

MM 2-3

Applicants for new development projects within the Harbor Boulevard Mixed Use Transit Corridor Plan shall require the construction contractor to use coatings and solvents with a volatile organic compound (VOC) content lower than required under Rule 1113 (i.e., super compliant paints). All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application

efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency. The construction contractor shall also use pre-coated/natural colored building materials, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans and verified by the Building Safety Division during construction.

- (2) Potential Impact:** Long-term criteria air pollutant emissions associated with the Harbor Boulevard Mixed Use Transit Corridor Plan would exceed the South Coast Air Quality Management District's VOC, CO, PM₁₀, and PM_{2.5} regional significance thresholds and significantly contribute to the particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), and nitrogen dioxide (NO₂) nonattainment designations of the SoCAB.

Finding: 3. The City makes Finding 3 and determines that this impact is significant and unavoidable.

Facts in Support of Finding

Incorporation of Mitigation Measures 2-4 through 2-9 would reduce operation-related criteria air pollutants generated from stationary and mobile sources. Mitigation Measures 2-5 through 2-9 would encourage and accommodate use of alternative-fueled vehicles and non-motorized transportation. However, despite adherence to Mitigation Measures 2-4 through 2-9, this impact would remain significant and unavoidable.

Mitigation Measures

- MM 2-4** Applicants of residential developments which are designed to include shared community barbeques shall only install electric powered barbeque units. These units shall be specified on site and building plans and shall be verified by the Building Safety Division prior to issuance of a Certificate of Occupancy.

- MM 2-5** Applicant-provided appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Building Safety Division during plan check.

- MM 2-6** Applicants of residential developments which include garage and/or car port parking shall ensure that garage and/or car port parking are electrically wired to accommodate a Level 2 (240 volt) electric vehicle charging outlet per dwelling unit. The location of the electrical outlets shall be specified on building plans and proper installation shall be verified by the Building Safety Division prior to issuance of a Certificate of Occupancy.

- MM 2-7** Applicants of retail, commercial, office, and other non-residential development shall provide Level 2 vehicle charging stations for public use and where feasible, coordinate with the City of Santa

Ana to install Level 3 (480 volt or higher) charging stations. The location of the charging station(s) shall be specified on site and building plans and proper installation shall be verified by the Building Safety Division prior to issuance of a Certificate of Occupancy.

MM 2-8 Applicants for non-residential projects within the Harbor Boulevard Mixed Use Transit Corridor Plan, that employ 20 or more people—which is equivalent to 16,000 square feet of retail space or 10,000 square feet of office space—shall implement an employee commute trip reduction (CTR) program. The CTR program shall identify alternative modes of transportation to the project, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these programs shall be readily available to employees and clients. The project applicant or designee shall consider the following incentives for commuters as part of the CTR program:

- Ride-matching assistance (e.g., subsidized public transit passes)
- Vanpool assistance or employer-provided vanpool/shuttle
- Car-sharing program (e.g., Zipcar)
- Bicycle end-trip facilities, including bike parking and lockers.

MM 2-9 Applicants of commercial, office, retail, and other non-residential development within the specific plan area shall provide the following features to reduce project-related mobile-source air pollutant emissions:

- Preferential parking for carpools and vanpools.
- Preferential parking for alternative-fuel vehicles (e.g., compressed natural gas or hydrogen).
- Secure bicycle parking and storage facilities for visitors.
- Commuter information boards identifying bicycle paths and public transit routes and schedules.

(3) Potential Impact: Construction activities related to buildout of the Harbor Boulevard Mixed Use Transit Corridor Plan could expose sensitive receptors to substantial pollutant concentrations.

Finding: 3. The City makes Finding 3 and determines that this impact is significant and unavoidable.

Facts in Support of Finding

Mitigation Measures 2-1 and 2-2 would reduce the project's regional construction emissions and therefore also reduce the project's localized construction-related criteria air pollutant emissions to the extent feasible. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual projects have the potential to exceed SCAMQD's localized significance thresholds. Therefore, this impact would remain significant and unavoidable.

Mitigation Measures

Mitigation Measures 2-1 and 2-2 apply to this impact.

- (4) Potential Impact:** The Harbor Boulevard Mixed Use Transit Corridor Plan could site sensitive land uses in proximity to major air pollution sources.

Finding: 1. The City makes Finding 1 and determines that this impact is less than significant with the implementation of the proposed mitigation measure

Facts in Support of Finding

The proposed project would result in construction of up to 3,884 new residential units within the Harbor Boulevard Mixed Use Transit Corridor Plan boundaries at buildout. The exact locations of new sensitive land uses are not known at this time, although residential uses would be allowed near existing onsite light industrial land uses in the interim period until these industrial sites transition into new land uses. In addition, residential uses would also be allowed near existing offsite light industrial land uses. Light industrial land uses with sources of toxic air contaminants have the potential to affect new sensitive land uses within the Harbor Boulevard Mixed Use Transit Corridor Plan. Adherence to Mitigation Measure 2-10 would ensure that new residential land uses proximate to major sources of toxic air contaminants reduce risk by installing high-efficiency MERV filters to reduce indoor concentrations particulates (including diesel particulate matter, which comprises the majority of risk) below SCAQMD's threshold. With implementation of Mitigation Measure 2-10, this impact would be less than significant.

Mitigation Measures

- MM 2-10** Applicants for residential or residential mixed-use projects within:
- 1) 1,000 feet from the truck bays of an existing distribution centers that accommodate more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units, or where transport refrigeration unit operations exceed 300 hours per week;
 - or 2) 1,000 feet of an SCAQMD permitted facility, or an industrial facility which emits toxic air contaminants shall submit a health risk assessment (HRA) prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD).

The HRA shall be submitted to the Zoning Administrator prior to approval of any future discretionary residential or residential mixed-use project. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand (1.0E-05), PM concentrations would exceed 2.5 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the HRA shall identify the level of high-efficiency Minimum Efficiency Reporting Value (MERV) filter required to reduce indoor air concentrations of pollutants to achieve the cancer and/or noncancer threshold.

The Applicant shall be required to install high efficiency MERV filters in the intake of residential ventilation systems, consistent with the recommendations of the HRA. Heating, air conditioning and ventilation (HVAC) systems shall be installed with a fan unit power designed to force air through the MERV filter. To ensure long-term maintenance and replacement of the MERV filters in the individual units, the following shall occur:

- Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk for affected units.
- For rental units, the owner/property manager shall maintain and replace MERV filters in accordance with the manufacture's recommendations. The property owner shall inform renters of increased risk of exposure to diesel particulates when windows are open.
- For residential owned units, the Homeowner's Association (HOA) shall incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations. The HOA shall inform homeowners of increased risk of exposure to diesel particulates when windows are open.

(5) Potential Impact: The Harbor Boulevard Mixed Use Transit Corridor Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the South Coast Air Basin and would conflict with the assumptions of the applicable air quality management plan.

Finding: 3. The City makes Finding 3 and determines that this impact is significant and unavoidable.

Facts in Support of Finding

Mitigation Measures 2-1 through 2-5 would reduce the project's regional construction-related and operational phase criteria air pollutant emissions to the extent feasible. However, given the potential increase in growth and associated

increase in criteria air pollutant emissions, the project would continue to be potentially inconsistent with the assumptions in the AQMP. This impact would remain significant and unavoidable.

Mitigation Measures

Mitigation Measures 2-1 through 2-5 apply this impact.

B. CULTURAL RESOURCES

(1) Potential Impact: Future development that would be accommodated by the Harbor Boulevard Mixed Use Transit Corridor Plan could impact unknown archeological and/or paleontological resources during grading and construction activities.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

Facts in Support of Finding

Mitigation Measure 3-1 requires that project applicants in the plan area document that they have retained qualified professionals to be on call during ground-disturbing activities. Implementation of the measure also ensures that local, state, and federal regulations are followed in the event that cultural resources are discovered. Adherence to regulatory requirements and implementation of Mitigation Measure 3-1 would reduce the potential impacts to cultural resources to less than significant levels. Therefore, no significant unavoidable adverse impacts relating to cultural resources would result from project implementation.

Mitigation Measures

MM 3-1 Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depth, the project applicant for each development or redevelopment project considered for approval pursuant to the Harbor Boulevard Mixed Use Transit Corridor Plan shall provide letters to the City of Santa Ana from a qualified archaeologist and paleontologist (for excavations six feet below ground surface and deeper) who meet the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the project applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground-disturbing activities. In the event archeological or paleontological resources are discovered during ground-disturbing activities, the professional archeological or paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant cultural resources until they can be formally evaluated. Suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the archaeological or paleontological monitor, in coordination with the construction contractor, has evaluated discoveries to assess whether they are

significant cultural resources, pursuant to the California Environmental Quality Act (CEQA). If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; they shall be offered for curation or preservation to a repository with a retrievable collection system and an educational and research interest in the materials, such as the Los Angeles County Museum of Natural History or California State University, Fullerton, or other local museum or repository. If no museum or repository is willing to accept the resource, the resource shall be considered the property of the City, and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion.

C. HAZARDS AND HAZARDOUS MATERIALS

- (1) **Potential Impact:** Future development that would be accommodated under the Harbor Boulevard Mixed Use Transit Corridor could create significant hazards through accidental release of hazardous materials.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Construction of individual development projects that would be accommodated under the Harbor Boulevard Mixed Use Transit Corridor would involve the demolition of the existing buildings, structures, parking area and drive aisles, and other site improvements. Due to the age of many of the buildings and structures throughout the project area, it is likely that asbestos-containing materials (ACM) and lead-based paint were used in the construction of these structures. Demolition can cause encapsulated ACM to become friable and, once airborne, it is considered a carcinogen. Such releases could pose significant risks to persons living and working in and around the project site. Furthermore, exposure of contaminated soils to workers and the surrounding environment could result in a significant impact.

However, all demolition activities would be required to comply with the SCAQMD's Rule 1403, OSHA Rule 29 CFR Part 1926.62, and Sections 17920.10 and 105255 of the California Health and Safety Code. Implementation of Mitigation Measure 6-1 would also further prevent impacts related to the potential release of ACM or LBP in the project area by requiring that such materials are surveyed prior to demolition activities. Lastly, implementation of Mitigation Measure 6-2 would ensure that soil contaminants are properly identified and disposed of in accordance with applicable laws and regulations.

Compliance with regulatory requirements and implementation of mitigation measures 6-1 and 6-2 identified above would reduce potential impacts associated with accidental release of hazardous materials to a less than significant level. Therefore, no significant unavoidable adverse impacts would occur.

Mitigation Measures

MM 6-1

Prior to the issuance of demolition permits for any buildings or structures that would be demolished in conjunction with individual development projects that would be accommodated by the Harbor Boulevard Mixed Use Transit Corridor, the project applicant shall conduct the following inspections and assessments for all buildings and structures onsite and shall provide the City of Santa Ana's Community Development Agency with a copy of the report of each investigation or assessment.

- The project applicant shall retain a certified lead inspector/assessor to inspect buildings and structures onsite for lead-based paint (LBP). The inspector/assessor's report shall include requirements for abatement, containment, and disposal of LBP, if encountered, in accordance with the State of California Occupational Safety & Health Administration Rule 29 CFR Part 1926.
- The project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures onsite for asbestos-containing materials (ACM). The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with the South Coast Air Quality Management District's Rule 1403.

MM 6-2

Prior to the issuance of grading permits for new development within the Harbor Boulevard Mixed Use Transit Corridor, the project applicant shall submit a Phase I Environmental Site Assessment (ESA) to identify environmental conditions and determine whether contamination is present. The Phase I ESA shall be prepared by a Registered Professional Engineer and in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527.05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. If recognized environmental conditions related to soils are identified in the Phase I ESA, the project applicant shall perform soil sampling as a part of a Phase II ESA. If contamination is found at significant levels, the project applicant shall remediate all contaminated soils in accordance with state and local agency requirements (DTSC, RWQCB, Orange County Fire Authority, etc.). All contaminated soils and/or material encountered shall be disposed of at a regulated site and in accordance with applicable laws and regulations prior to the completion of grading. Prior to the issuance of building permits, a report documenting the completion, results, and any follow-up remediation on the recommendations, if any, shall be provided to the Building Official and the City of Santa Ana's Community

Development Agency evidencing that all site remediation activities have been completed.

- (2) Potential Impact:** Certain sites of the Harbor Boulevard Mixed Use Transit Corridor are included on a list of hazardous materials sites.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

Facts in Support of Finding

There are several hundred hazardous materials sites listed within the project area. Individual development projects that would be accommodated under the Harbor Boulevard Mixed Use Transit Corridor may be impacted by hazardous substance contamination remaining from historical operations on a particular site that may pose a significant health risk. However, hazardous substance contaminated properties are regulated at the federal, state, and local level, and are subject to compliance with stringent laws and regulations for investigation and remediation. This includes compliance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980; Resource Conservation and Recovery Act; California Code of Regulations, Title 22; and related requirements that would remedy any potential impacts caused by hazardous substance contamination. Future development would be required to comply with these existing laws and regulations.

In addition, implementation of Mitigation Measure 6-2 would ensure that previously identified soil contaminants are properly identified and disposed of in accordance with applicable laws and regulations. Therefore, impacts related to listed hazardous materials sites would be less than significant.

Mitigation Measures

Mitigation Measure 6-2 applies to this impact.

D. HYDROLOGY AND WATER QUALITY

- (1) Potential Impact:** Development pursuant to the Harbor Corridor Plan would increase the amount of impervious surfaces in the project area and would therefore increase surface water flows into drainage systems within the watershed.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

At project completion, the Harbor Corridor Plan area is estimated to generate 15 percent more runoff than in current conditions. The existing drainage system is deficient and unable to convey the current runoff volumes. Mitigation Measure 7-1 would reduce this impact by requiring that project applicants in the project area construct storm drain improvements necessary to serve new land uses. Implementation of Mitigation Measure 7-2 would further reduce runoff by requiring

project applicants to minimize impervious areas, aiding infiltration of stormwater. Upon compliance with these measures and the applicable provisions of the Santa Ana Municipal Code, impacts would be less than significant.

Mitigation Measures

MM 7-1 Prior to issuance of grading permits for future development projects in the Harbor Corridor Plan, applicants shall submit site-specific hydrology and hydraulic Studies to the Public Works Agency for review and approval. If existing facilities are not adequate to handle runoff generated by the proposed development, then the applicant shall construct storm drain improvements. If necessary storm drain upgrades cannot be implemented prior to issuance of occupancy permits, the applicant shall provide onsite detention facilities, or other methods to ensure that post-construction runoff does not exceed pre-development quantities.

MM 7-2 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.

(2) Potential Impact: During the construction phase of the individual development projects that would be accommodated by the Harbor Corridor Plan, adherence to the General Construction Activity Permit would reduce short-term pollutant concentrations from individual development sites.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Grading and construction activities of individual development projects that would be accommodated by the Harbor Corridor Plan could generate oil and grease, trash and debris, pesticides, other organic compounds such as solvents, degreasers, and compounds in coatings. This would result in short-term impacts on stormwater quality. However, project applicants for individual development projects would be required to comply with existing water quality standards and waste discharge requirements during all grading and construction activities. Implementation of Mitigation Measures 7-3 and 7-4 require compliance with such requirements, including those of the State Regional Water Quality Control Board and those requiring project applicants to prepare a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would specify BMPs that would protect water quality by eliminating and/or minimizing stormwater pollution prior to and during grading and construction.

Adherence to the BMPs in the SWPPP would reduce, prevent, minimize, and/or treat pollutants and prevent degradation of downstream receiving waters. Therefore, water quality and waste-discharge impacts from grading and construction activities associated with individual development projects that would be accommodated by the Harbor Corridor Plan would not occur. Upon implementation of the aforementioned mitigation measures, this impact would be less than significant.

Mitigation Measures

MM 7-3 **Notice of Intent (NOI).** Prior to the issuance of a grading permit for construction sites with a disturbed area of one or more acres, the project applicant shall provide the City Engineer with evidence that a NOI has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

MM 7-4 **Storm Water Pollution Prevention Plan (SWPPP).** Prior to the issuance of grading permits for construction sites with a disturbed area of one or more acres, the project applicant shall prepare a SWPPP that will:

- Require implementation of best management practices (BMPs) designed with a goal of preventing a net increase in sediment load in stormwater discharges relative to preconstruction levels;
- During the construction period, prohibit discharges of stormwater or non-storm water at levels which would cause or contribute to an exceedance of applicable water quality standards contained in the Basin Plan;
- Discuss in detail the BMPs planned for the project related to control of sediment and erosion, nonsediment pollutants, and potential pollutants in non-storm water discharges;
- Describe post-construction BMPs for the project;
- Explain the maintenance program for the project's BMPs;
- During construction, require reporting of violations to the Regional Board;
- List the parties responsible for SWPPP implementation and BMP maintenance during and after grading. The project proponent shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.

(3) Potential Impact: Operation of individual development projects would reduce or avoid contamination of stormwater through implementation of the Water Quality Management Plan consistent with the MS4 Permit.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of mitigation measure 7-5.

Facts in Support of Finding

Land use and development types allowed in the project area under the Harbor Corridor Plan would be expected to generate stormwater pollutants, including pollutants of concern as defined by the Environmental Protection Agency. However, priority development projects within the project area would be required to prepare and implement water quality management plans (WQMPs) specifying BMPs to minimize water pollution by the project. Adherence to the BMPs in the WQMP would reduce, prevent, minimize, and/or treat pollutants and prevent degradation of downstream receiving waters. BMPs identified in the WQMP would reduce or avoid contamination of stormwater with sediment and would also reduce or avoid contamination with other pollutants such as pathogens, heavy metals, nutrients, organic compounds, and sediment toxicity. Mitigation Measure 7-5 includes special provisions for WQMPs prepared for projects in the project area.

Upon implementation of regulatory requirements and Mitigation Measure 7-5, water quality and waste-discharge impacts from operation activities associated with individual development projects accommodated by the Harbor Corridor Plan would be less than significant.

Mitigation Measures

MM 7-5 Water Quality Management Plan (WQMP). Prior to the issuance of building permits, project-specific WQMPs shall be submitted for review and approved by the Building Department. The WQMP shall identify the best management practices (BMPs) that will be used on the site to control predictable pollutant runoff. More specifically, the WQMP shall:

- Describe the routine and special post-construction BMPs to be used at the proposed development site (including both structural and non-structural measures);
- Describe responsibility for the initial implementation and long-term maintenance of the BMPs;
- Provide narrative with the graphic materials as necessary to specify the locations of the structural BMPs;
- Certify that the project applicant will seek to have the WQMP carried out by all future successors or assigns to the property.

- (4) Potential Impact:** Development of projects pursuant to the Harbor Corridor Plan would place people and structures in a 100-year flood zone.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Much of the northern half of the project area is a 100-year flood zone. However, multiple flood control improvements have been completed, are under construction, or are planned, as part of the Santa Ana River Mainstem Project (SARMP). At completion of the SARMP, 100-year flood zones for flooding from the Santa Ana River are expected to be substantially smaller than they are at present, including the project area. Furthermore, hydrology studies for individual development projects that would be accommodated by the Harbor Corridor Plan would be required; the studies would have to include estimates of 100-year flood depth on each respective site from the Federal Emergency Management Agency (FEMA). Alternatively, individual development projects could request a Letter of Map Correction from FEMA if the respective project applicants provide substantial evidence that the lowest adjacent grade elevation is already above the 100-year flood elevation at that site. Implementation of Mitigation Measure 7-1 requires that project applicants comply with FEMA requirements regarding flood zones and requires that evidence of this compliance be supplied to the City. Upon compliance with regulatory requirements, and Mitigation Measures 7-1 and 7-6, this impact would be less than significant.

Mitigation Measures

Mitigation Measure 7-1 applies to this impact.

MM 7-6 Prior to the issuance of precise grading permit for any lot or parcel wholly or partially located within the 100-year floodplain, the applicant shall furnish to the City Engineer documentation required by FEMA for approval of the Conditional Letter of Map Revision/Letter of Map Revision (CLOMR/LOMR) process for revision to the FIRM and Flood Insurance Study (FIS). The applicant shall pay all preliminary and subsequent fees as required by FEMA.

E. NOISE

- (1) Potential Impact:** Noise levels at proposed residential areas would be above the 45 dBA community noise equivalent level (CNEL) interior and 65 dBA CNEL exterior noise standards.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

Facts in Support of Finding

Without mitigation, outdoor living areas at residential uses and parks in the project area would have the potential to be exposed to noise levels above the City's 65 dBA CNEL interior noise standard. Additionally, with standard construction, interior noise levels in residences could exceed the 45 dBA CNEL noise standard. Mitigation Measure 9-1 requires that project applicants incorporate architectural features that reduce interior noise levels into their projects and design features to reduce noise levels at outdoor living areas. Upon implementation of Mitigation Measure 9-1, this impact would be less than significant.

Mitigation Measures

MM 9-1 Prior to issuance of a building permit, applicants for new residential development in the Harbor Corridor Plan shall submit an acoustic report prepared to the satisfaction of the Building Official or their designee to ensure that noise levels at outdoor living areas such as private yards, balconies, and park picnic areas shall not exceed 65 dBA CNEL, and all residential habitable rooms would meet the 45 dBA CNEL interior noise standard. These noise studies would need to be submitted after the precise grading and architectural plans are prepared, but prior to issuance of building permits. The required exterior noise reduction can be accomplished with sound walls or berms, or by site plan/building layout design. The required interior noise reduction can be accomplished with enhanced construction design or materials such as upgraded dual-glazed windows and/or upgraded exterior wall assemblies. These features shall be shown on all building plans and incorporated into construction of the project. City inspectors shall verify compliance of the building with the acoustic report's recommendations prior to issuance of a Certificate of Occupancy.

(2) Potential Impact: Noise from the operation of commercial uses could cause the noise level at the property line of any adjacent residential property to exceed the City of Santa Ana noise standards.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

Facts in Support of Finding

The operation of proposed commercial, office, and retail uses next to residential uses would have the potential to introduce new stationary sources of noise, such as HVAC units, and noise from entertainment establishments such as live music, patrons voices, and speakerphones. These sources could have the potential to cause sporadic exceedances of the noise standards in the municipal code or to generate noise levels that would be readily perceptible (greater than 5 dBA over the ambient noise) at residential properties immediately adjacent to future commercial, office, and retail uses. The Harbor Corridor Plan would not necessarily introduce new sources of

stationary noise, but would increase the residential density in the area, which would have the potential to expose persons to stationary noise above the City's noise ordinance criteria.

No site-specific development is proposed at this time. Therefore, the specifications, design features, and/or location of these potential noise sources and the resulting effect of future development on nearby sensitive receptors cannot be quantified at this time. However, Mitigation Measure 9-2 would require project applicants to submit acoustic reports that demonstrate that operation of proposed land uses would not excessively increase noise levels. With implementation of Mitigation Measure 9-2, this impact would be less than significant.

Mitigation Measures

MM 9-2 Prior to issuance of a building permit, applicants for new commercial, office, or retail developments in the Harbor Corridor Plan shall submit an acoustic report prepared to the satisfaction of the Zoning Administrator and Building Official or their designee to ensure that the operation of stationary noise sources (i.e., HVAC units, truck deliveries) would not cause a noise increase of more than 5 dBA over the ambient noise levels at any adjacent property. These noise studies would need to be submitted after the precise grading and architectural plans are prepared, but prior to issuance of building permits. This requirement can be accomplished with selection of quieter equipment, judicious site layouts and equipment positioning, and/or equipment enclosures, sound screening, or parapet walls. These features shall be shown on all building plans and incorporated into the construction of the project. City inspectors shall verify compliance of the building with the acoustic report's recommendations prior to issuance of a Certificate of Occupancy.

(3) Potential Impact: Construction activities would generate high levels of ground-borne vibration.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

Facts in Support of Finding

The closest vibration-sensitive structures are existing and future residential uses in the project area. In addition, residential areas immediately adjacent to the boundaries of the project area are also considered vibration sensitive and would have the potential to be affected by construction activities during implementation of the Harbor Corridor Plan. However, implementation of Mitigation Measure 9-3 would ensure that project applicants minimize construction-related vibration related to their projects. The measure requires applicants to prepare a vibration report to the satisfaction of the City and use equipment that produces low levels of vibration. Upon implementation of Mitigation Measure 9-3, this impact would be less than significant.

Mitigation Measures

MM 9-3 Prior to issuance of a building permit, applicants for projects within the Harbor Corridor Plan that involve high-vibration construction activities, such as pile driving or vibratory rolling/compacting, shall be evaluated for potential vibration impacts to nearby sensitive receptors. The project developer shall submit a vibration report prepared to the satisfaction of the City of Santa Ana Building Official or their designee to determine if the use of pile driving and/or vibratory rolling/compacting equipment would exceed the Federal Transit Administration's (FTA's) vibration-annoyance criteria of 78 VdB during the daytime or FTA's vibration-induced architectural damage PPV criteria of 0.2 inches/second for wood-framed structures or 0.5 inches/second for reinforced masonry buildings. The construction contractor shall require the use of lower-vibration-producing equipment and techniques. Examples of lower-vibration equipment and techniques would include avoiding the use of vibratory rollers near sensitive areas and/or the use of drilled piles, sonic pile driving, or vibratory pile driving (as opposed to impact pile driving).

(4) Potential Impact: Construction activities would result in temporary noise increases in the vicinity of the proposed project.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Construction of individual developments associated with buildout of the Harbor Corridor Plan would temporarily increase the ambient noise environment at nearby existing and future residential areas, churches, and parks. At each individual receptor, the temporary increase would likely last for a few months. Even upon compliance with time-of-day constraints established in the City's Municipal Code, construction activities associated with any individual development may occur in close proximity to noise-sensitive receptors, and noise disturbances may occur for prolonged periods of time. The specific locations, duration, and equipment required for individual projects are unknown. Mitigation Measures 9-4 and 9-5 require that project applicants employ specific construction noise reduction strategies and prepare a construction management plan that requires implementation of additional noise reduction strategies. Compliance with these measures would reduce this impact to less than significant.

Mitigation Measures

MM 9-4 Prior to issuance of grading permits, the project applicant shall ensure the following notes are included on the grading plan cover sheet, and the construction contractor shall comply with these measures during the duration of all construction activities.

- Properly maintain and tune all construction equipment to minimize noise.
- Fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds, no less effective than as originally equipped by the manufacturer, to minimize noise emissions.
- Locate all stationary noise sources (e.g., generators, compressors, staging areas) as far from noise-sensitive receptors as possible.

Material delivery, soil haul trucks, and equipment servicing shall be restricted to the hours between 7:00 AM and 8:00 PM Mondays through Saturdays, and not at all on Sundays or federal holidays.

MM 9-5

Prior to the issuance of grading permits, each project applicant within the project area shall prepare a construction management plan that shall be approved by the City of Santa Ana Public Works. The construction management plan shall:

- Establish truck haul routes on the appropriate transportation facilities. Truck routes that avoid congested streets and sensitive land uses shall be considered.
- Provide Traffic Control Plans (for detours and temporary road closures) that meet the minimum City criteria. Traffic control plans shall determine if dedicated turn lanes for movement of construction truck and equipment on- and offsite are available.
- Minimize offsite road closures during the peak hours.
- Keep all construction-related traffic onsite at all times.
- Provide temporary traffic controls, such as a flag person, during all phases of construction to maintain smooth traffic flow.

F. TRANSPORTATION/TRAFFIC

(1) Potential Impact: Project-related trip generation would impact levels of service for the existing area roadway system.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Project-related trip generation would result in unacceptable levels of service at two intersections: Fairview Street and 17th Street and Fairview Street and 1st Street.

Mitigation Measure 13-2 would require the City to implement a traffic mitigation program that would identify and fund necessary improvements to the street network that serves the project area. Implementation of Mitigation Measures 13-1 and 13-2 would not require right-of-way acquisitions and are consistent with proposed buildout of the intersection per the City's Circulation Element Master Plan of Streets and Highways. Therefore, this impact would be less than significant.

Mitigation Measures

MM 13-1 Prior to the issuance of building permits, the project applicant shall evaluate the potential for any neighborhood cut through traffic. Neighborhood cut through traffic shall be minimized through implementation of traffic calming measures as approved by the Public Works Agency.

MM 13-2 The City of Santa Ana shall implement a program for traffic improvements in the Harbor Corridor Plan. The program shall prescribe the method of participation in the mitigation program in the mitigation program by individual projects and guide the timely implementation of 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 Harbor Corridor Plan should participate in the program on a fair share per new development trip basis. The fair share shall be based upon the total cost of all identified mitigation measures (see Mitigation Measure 13-3), 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 Harbor Corridor Plan.
- The project shall raise fund from full development of the Harbor Corridor Plan to fund all identified mitigation measures.
- The project shall monitor phasing development of the Harbor Corridor Plan and defer or eliminate improvements if the densities permitted in the Harbor Corridor Plan are not occurring.
- Program phasing shall be monitored through preparation of specific project traffic 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 Harbor Corridor Plan that redevelop to result in higher traffic generation should also participate in the program to ensure 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 the 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.

13-3

Prior to the issuance of building permits, the project applicant shall prepare a traffic study, subject to review and approval of the City. The traffic study will verify whether the project within the Harbor Corridor Plan impacts the intersection locations identified below. For those intersections, which are projected to exceed the City's adopted performance criteria, the project will be conditioned to construct or provide fair share funding toward those improvements. The improvements are as follows:

- Intersection #26: Fairview Street and 17th Street (Year 2035)
 - Improvements are to add a northbound through lane.
- Intersection #27: Fairview Street and 1st Street (Year 2035)
 - Improvements are to add a southbound right-turn lane.

G. UTILITIES AND SERVICE SYSTEMS

(1) Potential Impact: Project-generated wastewater could be adequately treated by the wastewater service provider for the project; however the existing sewer system is deficient and does not have adequate capacity to serve the project.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Buildout of the Harbor Corridor Plan would result in a net increase in wastewater generation of approximately 1,292 acre feet per year, or about 1.15 million gallons per day. No change in wastewater generation is anticipated to occur in the Conventional Zoning Area of the project area. Several existing city sewer segments in the project site are undersized based on Orange County Sanitation District

(OCSD) sizing requirements, particularly in 5th Street, Washington Avenue, Green Drive, and McFadden Avenue. Several segments that serve the project area would be further impacted by buildout of the Harbor Corridor Plan. These are each 10 or 12 inches in diameter, and are all recommended for upgrade to 15 inches in diameter.

Implementation of Mitigation Measures 14-1 and 14-2 would ensure that a development fee program is created to fund construction of necessary infrastructure requirements. Furthermore, Mitigation Measure 14-3 requires that project applicants supply the City with necessary information regarding the sizing and location of backbone facilities necessary to serve their proposed projects. Implementation of these measures would reduce this impact to less than significant.

Mitigation Measures

- MM 14-1** Prior to the first building permit pursuant to the proposed project, the City of Santa Ana shall prepare a “Nexus” Study that will serve as the basis for requiring development impact fees under AB 1600 legislation, as codified by California Code Government Section 66000 et seq. The established procedures under AB 1600 require that a “reasonable relationship” or nexus exist between the water and sewer infrastructure improvements and facilities required to mitigate the sewer impacts of new development pursuant to the proposed project. The sewer segment improvements shown on Table 5.14-11 of the DEIR are necessary to mitigate project impacts and shall be included, among other improvements, in the AB 1600 nexus study.
- MM 14-2** Prior to the issuance of the first building permit pursuant to the proposed project, the City of Santa Ana shall prepare a Development Fee program pursuant to the AB 1600 Nexus Study identified in Mitigation Measure 14-1, above. The Development Fee program would fund the Harbor Corridor Plan area-wide water and sewer infrastructure improvements. The fee program shall stipulate that fees are assessed when there is new construction or when there is an increase in square footage within an existing building or the conversion of existing square footage to a more intensive use. Fees are calculated by multiplying the proposed square footage or dwelling unit by the rate identified. The fees are included with any other applicable fees payable at the time the building permit is issued. The City will use the development fees to fund construction (or to recoup fees advanced to fund construction) of the infrastructure improvements identified in Mitigation Measure 14-1.
- MM 14-3** Prior to the issuance of a grading permit, the project applicant shall prepare water and sewer studies and identify the sizing and location of backbone facilities necessary to serve the proposed project, in accordance with City standards. The water and sewer plans shall be submitted to the City’s Public Works Agency for

review and approval. Design of facilities that serve the project shall be sufficient to meet the projected service demands.

- (2) Potential Impact:** Adequate water supply and delivery systems are adequate to meet project requirements; however the existing water system may not provide adequate capacity.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

The City of Santa Ana has indicated that while the existing water system adequately meets the current demand and flow requirements, future projects in the project area may require upgrades to the existing network. However, implementation of Mitigation Measures 14-1 and 14-2 would ensure that a development fee program is created to fund construction of necessary infrastructure requirements. Furthermore, Mitigation Measure 14-3 requires that project applicants supply the City with necessary information regarding the sizing and location of backbone facilities necessary to serve their proposed projects. Implementation of these measures would reduce this impact to less than significant.

Mitigation Measures

Mitigation Measures 14-1 through 14-3 apply to this impact.

- (3) Potential Impact:** Existing and/or proposed storm drainage systems are not adequate to serve the drainage requirements of the proposed project.

Finding: 1. The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

Facts in Support of Finding

At project completion, the Harbor Corridor Plan area is estimated to generate 15 percent more runoff than in current conditions. The existing drainage system is deficient and unable to convey the current runoffs. However, Mitigation Measure 7-1 would reduce this impact by requiring that project applicants in the project area construct storm drain improvements necessary to serve new land uses. Upon implementation of Mitigation Measure 7-1 and the applicable provisions of the Santa Ana Municipal Code, impacts would be less than significant.

Mitigation Measures

Mitigation Measure 7-1 applies to this project.

6. FINDINGS REGARDING ALTERNATIVES

A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

1. Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (Guidelines Sec. 15126[5][B][1]). In general, any development of the size and type proposed by the project would have substantially the same impacts on air quality, land use/planning, noise, population/housing, public services, recreation, transportation/traffic and utilities/service systems. Impacts related to aesthetics, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality and mineral resources would need a site specific analysis to determine if another location would reduce impacts. These impacts were found to be less than significant and less than significant with mitigation incorporated. Another location would not avoid or substantially lessen the effects of the project.

The purpose of the project is to create a transit corridor plan and would enhance an underutilized area and expand development opportunities that response to transit investments. The project area is served by a number of existing and future transit opportunities. A Bus Rapid Transit (BRT) route, Orange County Transportation Authority Route (OCTA) 543, began operating on Harbor Boulevard through the project site in June 2013. An intercounty express bus route, OCTA 722, is scheduled to begin operation in early 2014 and would serve the intersection of Harbor Boulevard and Westminster Avenue at the north end of the project site. A Santa Ana/Garden Grove Fixed Guideway transit project is planned that would pass just north of the north site boundary. A second BRT route is planned on Edinger Boulevard that would cross Harbor Boulevard 0.5 mile south of the project site (OCTA 2011). The recent and planned transit improvements along this segment of Harbor Boulevard help create an opportunity for redevelopment of this largely commercial corridor with mixed land uses. While the proposed transit improvements extend beyond the project site, the above-mentioned combination of transit improvements is unique to this segment of Harbor Boulevard. Since other sites would not meet the basic objectives of the project they were not considered.

2. Reduced Nonresidential Intensity Alternative

At buildout of the proposed project, nonresidential development intensity would only be approximately one percent greater than existing conditions. This change is not great enough to differentiate a reduced nonresidential project from the proposed project.

Furthermore, because the proposed project is intended to permit development of a mixed-use community on the project site, reducing permitted nonresidential intensity would be contrary to objectives of the proposed project, including those objectives that advocate for provision of new opportunities for mixed-use development and businesses. Therefore, a reduced nonresidential intensity alternative was considered but rejected.

B. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following three alternatives have been determined to represent a reasonable range of alternatives that could potentially attain most of the basic objectives of the project and have the potential to avoid or substantially lessen one or more of the significant effects of the project.

- No Project/NHSP Alternative
- Reduced Residential Intensity Alternative

1. Alternatives Comparison

a) *No Project/NHSP Alternative*

Description: The No Project/NHSP Alternative assumes that the Harbor Corridor Plan would not be adopted, the NHSP would remain in effect, the Conventional Zoning Area would remain within the NHSP, and the existing onsite buildings would remain. Pursuant to CEQA Guidelines Section 15126.6(e)(3)(A), where a project is the revision of an existing regulatory plan the “no project” alternative assumes continuation of the existing plan, policy or operation into the future. Therefore, this alternative assumes that new development and redevelopment would continue to occur in the project area consistent with the adopted NHSP land use designations, development standards and design guidelines. Buildout of the NHSP would allow for 320 residential units and 4,867,789 square feet of nonresidential land uses. Note that the NHSP results in a reduction of residential units compared to existing uses since some residential uses were existing in the area prior to adoption of the NHSP. As compared to the proposed project, buildout of the NHSP would result in a reduction of 4,395 residential units and an increase of 2,896,107 of commercial and other nonresidential square footage.

Environmental Effects: The No Project/NHSP Alternative would reduce impacts to air quality (operation), greenhouse gas emissions, noise (operation), public services, recreation, transportation and traffic, and utilities and service systems. This alternative would increase impacts to aesthetics, land use, and population and housing. Impacts of this alternative related to construction-related air quality and noise, cultural resources, geology and soils, and hydrology and water quality would be similar to the proposed project.

Ability to Achieve Project Objectives: This alternative would not achieve any of the following five project objectives: it would not provide for new housing and mixed-use development opportunities; create economic vitality by providing new opportunities for businesses and residents; provide access to multi-modal transportation; create a sense of place; or enhance community health and wellness. This alternative would achieve one project objective to provide for the development of the site consistent with City’s General

Plan. However, the Harbor Corridor Plan would change General Plan designations for the project site to provide consistency with the general plan and zoning.

Feasibility: Since the No Project/NHSP Alternative would allow the continuation of the adopted specific plan, the feasibility of this alternative would rely upon the feasibility of the allowed land uses. However, new development under the existing specific plan would be limited by the existing deficient stormwater, wastewater, and water infrastructure.

Finding: While the No Project/NHSP Alternative would lessen some of the environmental effects of the proposed project, it would not eliminate any significant and unavoidable impacts and would increase impacts to three environmental issue areas. For these reasons, the City rejects this alternative.

b) Reduced Residential Intensity Alternative

Description: The Reduced Residential Intensity Alternative would reduce permitted residential units by 25 percent in the Transit Node district and by 50 percent in the Corridor district; the permitted number of residential units in the Neighborhood Transition district would be the same as in the proposed project. Total permitted nonresidential development intensity in this alternative would remain the same as in the proposed project. The total number of residential units permitted by this alternative would be 2,908, or 37 percent less than that of the proposed project.

Environmental Effects: This alternative would reduce impacts to aesthetics, air quality, greenhouse gas emissions, hazards and hazardous materials, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. Impacts to cultural resources, geology and soils, hydrology and water quality, and land use and planning would be similar to the proposed project.

Ability to Achieve Project Objectives: This alternative would achieve most of the objectives of the proposed project. This alternative would achieve the following three objectives to a lesser degree due to the 37 percent reduction in residential units: provide for new housing and mixed-use development opportunities; create economic vitality by providing new opportunities for businesses and residents; and provide access to multi-modal transportation.

Feasibility: This alternative is considered physically feasible.

Finding: While the Reduced Residential Intensity Alternative would lessen some of the environmental effects of the proposed project, it would not eliminate the significant and unavoidable air quality impacts. For these reasons, the City rejects this alternative.

**STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE HARBOR BOULEVARD MIXED USE TRANSIT CORRIDOR PLAN
FINAL ENVIRONMENTAL IMPACT REPORT,
SANTA ANA, CALIFORNIA**

STATE CLEARINGHOUSE NO. 2013061027

1. INTRODUCTION

The City is the Lead Agency under CEQA for preparation, review, and certification of the Final EIR for the Harbor Boulevard Mixed Use Transit Corridor Plan. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed Project. In making this determination the City is guided by State CEQA Guidelines Section 15093 which provides as follows:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal (sic) project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record. If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

In addition, Public Resources Code Section 21081(b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Pursuant to Public Resources Code Section 21081(b) and the State CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed project against the following unavoidable adverse impacts associated with the proposed Project and has

adopted all feasible mitigation measures with respect to these impacts. The City also has examined alternatives to the proposed Project, none of which both meet the Project objectives and is environmentally preferable to the proposed project for the reasons discussed in the Findings and Facts in Support of Findings.

The Santa Ana City Council, the Lead Agency for this Project, having reviewed the Final EIR for the Harbor Boulevard Mixed Use Transit Corridor Plan, and reviewed all written materials within the City's public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts in reaching its decision to approve the Project.

2. SIGNIFICANT UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS

Although most potential project impacts have been substantially avoided or mitigated, as described in the Findings and Facts in Support of Findings, there remain some project impacts for which complete mitigation is not feasible. For some impacts, mitigation measures were identified and adopted by the Lead Agency, however, even with implementation of the measures, the City finds that the impact cannot be reduced to a level of less than significant. The impacts and alternatives are described below and were also addressed in the Findings.

The EIR identified the following unavoidable adverse impacts of the proposed project:

A. AIR QUALITY

- (1) Construction activities associated with the Harbor Boulevard Mixed Use Transit Corridor Plan would generate short-term emissions that exceed the South Coast Air Quality Management District's VOC and NO_x regional thresholds and would significantly contribute to the particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), and nitrogen dioxide (NO₂) nonattainment designations of the South Coast Air Basin.

Proposed mitigation measures would reduce criteria air pollutants generated from project-related construction activities. Buildout of the Harbor Boulevard Mixed Use Transit Corridor Plan would occur over a period of approximately 20 years or longer. Construction time frames and equipment for individual site specific projects are not available. However, there is a potential for multiple developments to be constructed at any one time, resulting in significant construction related emissions. Therefore, despite adherence to proposed mitigation, this impact would remain significant and unavoidable.

- (2) Long-term criteria air pollutant emissions associated with the Harbor Boulevard Mixed Use Transit Corridor Plan would exceed the South Coast Air Quality Management District's VOC, CO, PM₁₀, and PM_{2.5} regional significance thresholds and significantly contribute to the particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), and nitrogen dioxide (NO₂) nonattainment designations of the South Coast Air Basin.

Proposed mitigation measures would reduce operation-related criteria air pollutants generated from stationary and mobile sources. They would encourage and accommodate use of alternative-fueled vehicles and non-motorized transportation.

However, despite adherence to these measures, this impact would remain significant and unavoidable.

- (3) Construction activities related to buildout of the Harbor Boulevard Mixed Use Transit Corridor Plan could expose sensitive receptors to substantial pollutant concentrations.

Proposed mitigation measures would reduce the project's regional construction emissions and therefore also reduce the project's localized construction-related criteria air pollutant emissions to the extent feasible. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual project have the potential to exceed South Coast Air Quality Management District's localized significance thresholds. Despite reductions resulting feasible mitigation measures, this impact would remain significant and unavoidable.

- (4) The Harbor Boulevard Mixed Use Transit Corridor Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the South Coast Air Basin and would conflict with the assumptions of the applicable air quality management plan.

Proposed mitigation measures would reduce the project's regional construction-related and operational phase criteria air pollutant emissions to the extent feasible. However, given the potential increase in growth and associated increase in criteria air pollutant emissions, the project would continue to be potentially inconsistent with the assumptions in the Air Quality Management Plan. Upon implementation of proposed mitigation measures, this impact would remain significant and unavoidable.

B. ALTERNATIVES

The EIR evaluated two alternatives to the project and analyzed whether these alternatives could avoid or substantially lessen the unavoidable environmental impacts of the proposed project. The alternatives lessened some or all of the unavoidable air quality impacts of the proposed project.

The Reduced Residential Intensity Alternative was determined to be environmentally superior to the project and feasible. Although this alternative would reduce impacts to air quality, those impacts would remain significant and unavoidable. Furthermore, this alternative would not fully meet most of the project objectives.

3. CONSIDERATIONS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

The following section describes the benefits of the project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the Final EIR has indicated that there will be significant project impacts that are infeasible to mitigate.

A. IMPLEMENTS THE OBJECTIVES ESTABLISHED FOR THE PROJECT

The City established the following objectives for the Harbor Boulevard Mixed Use Transit Corridor Plan project to aid decision-makers in their review of the project and associated environmental impacts:

- Provide for the development of the site consistent with City's General Plan.
- Provide for new housing and mixed-use development opportunities.
- Expand development opportunities that respond to transit investments.
- Create economic vitality by providing new opportunities for businesses and residents.
- Provide a variety of safe and efficient travel choices and access to multi-modal transportation.
- Create a sense of place.
- Enhance community health and wellness by creating safer street design for multiple modes of travel, increase walkability and encourage live/work along the corridor.

Implementation of the project would meet all of these objectives.

B. IMPLEMENTS THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENT'S HIGH QUALITY TRANSIT AREAS

The Southern California Association of Governments (SCAG) is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized metropolitan planning organization for this region, which encompasses over 38,000 square miles. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. On April 4, 2012, SCAG adopted the 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS provides a blueprint for improving quality of life for residents by providing more choices for where they will live, work, and play and how they will move around.

With the adoption of the 2012 RTP/SCS, the areas previously known as 2% Strategy Opportunity Areas were updated by SCAG and replaced with what are now called high quality transit areas (HQTA), which are a part of and integrated into the SCS portion (Chapter 4) of the 2012 RTP/SCS. An HQTA is generally a walkable transit village or corridor that is within a half mile of a well-served transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours. The overall land use pattern of the 2012 RTP/SCS focuses jobs and housing in the region's designated HQTAs (SCAG 2012). The entire project site is identified as an HQTA in the 2012 RTP/SCS.

The Harbor Corridor Plan emphasizes a sustainable multimodal approach consistent with the City's Go Local Transit Vision, which aims to link downtown, employment centers, educational facilities, and expanded housing choices. The project proposes mixed-use and residential, pedestrian-oriented development at high densities that would support increased transit use—within the three transit nodes surrounding the intersections of Harbor Boulevard at 17th Street, 1st Street, and McFadden Avenue. A limited-stop bus route, Orange County Transportation Authority (OCTA) Route 543, began service on Harbor Boulevard between Fullerton and Santa Ana, through the project site, in June 2013. Route 543 has stops at each of the three proposed transit nodes. Development of a light-rail transit line on the Pacific Electric right-of-way that passes through the north end of the project site was recommended by an Alternatives Analysis completed by the Southern California Association of Governments in February 2013 (SCAG 2013). A fixed guideway transit project on the part of the Pacific Electric right-of-way in Santa Ana and Garden Grove is part of the Preferred Plan in OCTA's Long Range Transit Plan (OCTA 2011). Completion of a transit line on the portion of the right-of-way in Los Angeles County is scheduled for 2027 (Metro 2009).

In addition to providing jobs and housing near a major transportation corridor, the Harbor Corridor Plan continues to recognize the important role Harbor Boulevard plays in circulating vehicular traffic through the region by maintaining the number of traffic lanes. The Harbor Corridor Plan also encourages consolidated vehicular access points along the corridor.

The Harbor Corridor Plan proposes improved pedestrian and bicycle facilities and linkages by creating a pedestrian-friendly streetscape, encouraging a variety of building frontages and decreased setbacks. New street designs facilitate safe bicycle and pedestrian travel along Harbor Boulevard and efficient connections to the regional bicycle network, including the Santa Ana River Trail.

Although the Harbor Corridor Plan would result in substantial population growth, it would provide an overall benefit to the community by encouraging walkability and alternative transportation. The Harbor Corridor Plan is a sustainable multimodal plan that at buildout encourages the reduction of per-capita vehicle miles traveled for the region, which is one of the goals of SCAG's Compass Blueprint for HQTAs. By providing additional commercial square footage in the area, commuters would not need to travel outside the City to other areas of Orange County for employment.

C. THE HARBOR CORRIDOR PLAN IMPROVES THE JOBS-TO-HOUSING BALANCE IN THE CITY

Implementation of the project would improve Santa Ana's jobs-housing balance. Effects of Harbor Corridor Plan buildout on jobs-housing balance in the City are estimated by adding project-generated jobs and housing units to forecasts of employment and housing in the City of Santa Ana in 2035 (see Table 3). As shown in the table, Santa Ana's existing jobs-housing ratio is 1.87, or jobs-rich. The jobs-housing ratio is forecast to become slightly more jobs-rich (1.91) by 2035. Buildout of the Harbor Corridor plan would develop up to 4,623 housing units, a net increase of 3,884 units over the existing 739 units onsite; and would add an estimated net increase of 173 jobs to the site. The jobs-housing balance in Santa Ana with project buildout added to existing forecast would

be reduced to 1.82, slightly more housing-rich than the existing forecast, resulting in a more favorable jobs-housing balance.

**Table 3
Jobs-Housing Balance in Santa Ana, 2035, with Harbor Corridor Plan Buildout**

	Employment	Housing Units	Jobs-Housing Ratio
2010	143,987	76,918	1.87
2035 existing forecast	149,440	78,323	1.91
2035 with Harbor Corridor Plan Buildout	149,613	82,207	1.82

D. PROVISIONS OF THE HARBOR CORRIDOR PLAN WORK TO IMPROVE QUALITY OF LIFE, THE PHYSICAL ENVIRONMENT, AND DEFICIENT INFRASTRUCTURE

Although buildout of the project area would result in significant environmental impacts on related to air quality, the Harbor Corridor Plan encourages and promotes more environmentally sustainable development and reduced vehicle miles traveled than would otherwise result in the development of the area. The project would improve Harbor Boulevard and its cross-streets: 5th Street, 1st Street, McFadden Avenue, and Westminster Avenue in order to create a robust multimodal corridor that accommodates the movement of vehicular traffic through the City and region as well as other modes of travel. The project would encourage bicycle and pedestrian safety along the corridor by enlarging the sidewalk and parkway areas (planting new landscaping and trees) and creating efficient connections to the regional bicycle network. Infrastructure improvements would maintain the same rights-of-way and number of travel lanes on the affected roadways. These improvements would result due to the promotion of transit alternatives reducing vehicle miles traveled and encourage walkability by improving pedestrian safety.

The project area has identified existing deficiencies in its stormwater and wastewater conveyance system. Adoption of the specific plan would require the establishment of a nexus study and development fee program to fund water and wastewater infrastructure improvements. Future development within the Harbor Corridor Plan would be required to upgrade these facilities through physical improvements or payment of fees (see mitigation measures 7-1, 7-2, and 14-1 through 14-3). These upgrades would benefit the existing residences and businesses in the area.

E. THE HARBOR CORRIDOR PLAN SUPPORTS THE CITY'S REGIONAL HOUSING NEEDS ASSESSMENT (RHNA)

The Harbor Corridor Plan provides an opportunity to allow for affordable homes in the City, which can be counted towards the lower income RHNA requirement. The State of California Housing and Community Development Department (HCD) estimates the relative share of California's projected population growth that would occur in each county based on CDF population projections and historical growth trends. These figures are compiled by HCD in a Regional Housing Needs Assessment (RHNA) for each region of California. Where there is a regional council of governments, the HCD provides the

RHNA to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares gives cities and counties the opportunity to comment on the proposed allocations. The HCD oversees the process to ensure that the council of governments distributes its share of the state's projected housing need. The State of California Housing Element laws (Section 65580 to 65589 of the California Government Code) require that each city and county identify and analyze existing and projected housing needs within its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community, commensurate with local housing needs.

The City's recently adopted 2014-2021 Housing Element addressed the RHNA carryover balance of 201 lower income units from the last adopted housing element. These units would be accommodated through land rezoned in the Harbor corridor Plan area exclusively for residential development.

E. CONCLUSION

For the abovementioned reasons, implementation of the Harbor Corridor Plan would have environmental, economic, and social benefits that outweigh the unavoidable adverse environmental impacts of the project. The Harbor Corridor Plan would help reach regional goals for land use, transportation, and economic stability; improve the jobs-to-housing ratio; require more environmentally sustainable development; reduce regional VMT; improve deficient infrastructure, and provide a guiding framework for future development.