

5. Environmental Impact Analysis

This Chapter focuses on evaluating the significant environmental effects of the proposed Project, which is described in Chapter 3.0, *Project Description*. This Chapter describes the existing physical environmental setting (also referred to as “baseline”) for each environmental topic, and the impacts that would result from implementation of proposed Project. Because existing federal, state, and local regulations will also shape how the proposed Project is implemented, and provide requirements for avoiding and reducing environmental impacts, a discussion of relevant regulations, plans, programs, and policies pertinent to each environmental issue addressed in each environmental topic section is provided. Additionally, as necessary, feasible mitigation measures are identified to reduce the significant impacts of proposed Project.

As described in Section 2.1, the General Plan Update Final EIR (GPU FEIR), State Clearinghouse (SCH) No. 2020029087 was certified by the City in 2022. The GPU FEIR included standard regulations and mitigation measures that apply to development projects within the City. The mitigation measures adopted as part of the GPU FEIR are related to: Air Quality, Biological Resources, Cultural Resources, Paleontological Resources, Greenhouse Gas Emissions, Noise, Public Services, Recreation, and Tribal Cultural Resources. Those that are related to the proposed Project are included in the discussion of each environmental topic area, in Table 1-2, *Summary of Impacts, Regulatory Requirements, Mitigation Measures, and Level of Significance*, and will be included in the Mitigation Monitoring and Reporting Program (MMRP) for the proposed Project.

Environmental Topics

The following sections in this chapter analyze the environmental topics listed below:

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|-------------------------------------|------------------------------------|
| 5.1 Air Quality | 5.9 Noise |
| 5.2 Cultural Resources | 5.10 Population and Housing |
| 5.3 Energy | 5.11 Public Services |
| 5.4 Geology and Soils | 5.12 Parks and Recreation |
| 5.5 Greenhouse Gas Emissions | 5.13 Transportation |
| 5.6 Hazards and Hazardous Materials | 5.14 Tribal Cultural Resources |
| 5.7 Hydrology and Water Quality | 5.15 Utilities and Service Systems |
| 5.8 Land Use and Planning | 5.16 Mandatory CEQA Findings |

This Supplemental EIR evaluates the direct and indirect impacts resulting from construction and ongoing operations of the proposed Project. Under CEQA, EIRs are intended to focus their discussion on significant environmental impacts of a project on the environment and may limit discussion of other impacts to a brief explanation of why the impacts are not significant. The Notice of Preparation (NOP) that was prepared for the proposed Project and the responses received were used to help determine the scope of the environmental issues to be addressed in this Supplemental EIR. Consistent with CEQA Guidelines Section 15128, issues considered Potentially Significant are addressed in this Supplemental EIR.

Issues areas that would not be potentially impacted by the proposed Project (including: aesthetics, agricultural and forest resources, biological resources, mineral resources, and wildfire), are not addressed beyond the discussion contained in Section 2.4, Supplemental EIR Scope and Content and Section 5.16, Mandatory CEQA Findings.

Format of Environmental Topic Sections

Each environmental topic section generally includes the following main subsections:

- **Regulatory Setting:** This subsection describes applicable federal, state, and local plans, policies, and regulations that the proposed Project must address, and will shape its implementation.
- **Existing Conditions:** This subsection describes the existing physical environmental conditions (environmental baseline) related to the environmental topic being analyzed.
- **Thresholds of Significance:** This subsection sets forth the thresholds of significance (significance criteria) used to determine whether impacts are “significant.”
- **Methodology:** This subsection provides a description of the methods used to analyze the impact and determine whether it would be significant or less than significant.
- **Environmental Impacts:** This subsection provides an analysis of the impact statements for each identified significance threshold. The analysis of each impact statement is organized as follows:
 - A statement of the CEQA threshold being analyzed.
 - The EIR’s conclusion as to the significance of the impact.
 - An impact assessment that evaluates the changes to the physical environment that would result from proposed Project.
 - An identification of significance comparing identified impacts of the proposed Project to the significance threshold with implementation of any existing regulations, prior to implementation of any required mitigation.
 - A discussion of potential cumulative impacts that could occur from implementation of the proposed Project and other cumulative projects.
 - A list of any existing regulations that reduce potential impacts.
 - For each impact determined to be potentially significant, feasible mitigation measure(s) to be implemented are provided. Mitigation measures include enforceable actions to:
 - avoid a significant impact;
 - minimize the severity of a significant impact;
 - rectify an impact by repairing, rehabilitating, or restoring the effected physical environment;
 - reduce or eliminate the impact over time through preservation and/or maintenance operations during the life of the proposed Project; and/or
 - compensating for the impact by replacing or providing substitute resources or environmental conditions.
 - Actions to be taken to ensure effective implementation of required mitigation measures.

Environmental Setting/Baseline

The environmental setting is normally existing conditions at the time the CEQA analysis begins (CEQA Guidelines Section 15125). In most cases, this forms the baseline that the impact analysis will use as its starting point. However, when the project is within the scope of a Program EIR (such as the GPU FEIR), the effective baseline is the previously approved and analyzed project for which the Program EIR was certified (*Sierra Club v. City of Orange* [2008] 163 Cal.App.4th 523). Here, the previous project is the General Plan Update; the GPU EIR which commenced in 2020 with the preparation of the NOP.

However, the current (2023) physical setting of the Project site and adjacent lands remain the same as those that existed in 2020. CEQA Guidelines Section 15125 states that “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, from both a local and regional perspective. The environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to gain an understanding of the significant effects of the proposed project and its alternatives.”

CEQA Guidelines and case law recognize that the date for establishing an environmental baseline cannot be rigid (see CEQA Guidelines Sections 15146, 15151, and 15204). In some instances, information is presented in the environmental setting that differs from the precise time of the NOP. This information is considered representative of baseline conditions. Furthermore, environmental conditions may vary from year to year, and in some cases, it is necessary to consider conditions over a range of time periods. The intent of this Draft Supplemental EIR is to provide a conservative analysis that identifies the reasonable maximum potential impact. Thus, this Draft Supplemental EIR provides both baseline conditions from the GP FEIR (and thus 2020) and current conditions for certain topics, such as the 2019-2021 ambient air quality conditions provided in Section 5.1, *Air Quality*, and the existing noise level measurements identified in Section 5.9, *Noise*.

A NOP was prepared for the proposed Project, and was distributed on March 17, 2023 for a 30-day public review and comment period that ended on April 17, 2023. The baseline conditions relevant to the environmental issues being analyzed are described within Section 4.0, *Environmental Setting*, and within each subsection of this section. In some cases, (such as in Section 5.9, *Noise*), discussion of baseline conditions is also provided in the impacts analyses to provide context for the impact in the most reader-friendly format and organization.

Thresholds of Significance/Significance Criteria

CEQA Guidelines Section 15382 defines a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.”

The “Thresholds of Significance” subsections provide the specific thresholds of significance by which impacts are judged to be significant or less than significant in this Supplemental EIR. These include identifiable quantitative or qualitative standards or sets of criteria pursuant to which the significance of each given environmental effect can be determined. Exceedance of a threshold of significance normally means the effect will be determined to be “significant” (CEQA Guidelines Section 15064.7(a)). However, an iron-clad definition of a “significant” effect is not always possible because the significance of an activity may vary with the setting (CEQA Guidelines Section 15064(b)). Therefore, a Lead Agency has the discretion to determine whether to classify an impact described in an EIR as “significant,” depending on the nature of the area affected. The thresholds of significance used to assess the significant of impacts are based on those provided in Appendix G of the CEQA Guidelines.

Impact Significance Classifications

The following classifications are used throughout the impact analysis in this Supplemental EIR to describe the level of significance of environmental impacts:

- **Significant Impact:** A significant impact is defined by Section 15382 of the CEQA Guidelines as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself “shall not be considered a significant effect on the environment ... [but] may be considered in determining whether the physical change is significant.” As defined in this EIR, a significant impact exceeds the defined significance criteria and therefore requires mitigation.
- **No Impact:** No adverse effect on the environment would occur, and mitigation measures are not required.
- **Less than Significant Impact:** The impact does not reach or exceed the defined threshold (criterion) of significance. Therefore, no mitigation is required.
- **Less than Significant Impact with Mitigation Incorporated:** The impact reaches or exceeds the defined threshold (criterion) of significance, and mitigation is therefore required. Feasible mitigation measures, including standard conditions of approval and applicable plans, programs, and policies, when implemented, will reduce the significant impact to a less-than-significant level.
- **Significant and Unavoidable Impact:** The impact reaches or exceeds the defined threshold (criterion) of significance, and mitigation is therefore required. However, application of all feasible mitigation measures, standard conditions of approval, and applicable plans, programs, and policies would not reduce the impact to a less-than-significant level, and a significant and unavoidable impact would remain.

While CEQA requires that an EIR identify all feasible mitigation to avoid or reduce the significant impacts of a project, it also permits public agencies to approve a project even though it would result in one or more significant unavoidable environmental effects. For a Lead Agency to approve a project with one or more significant unavoidable impacts, it must first prepare a statement of overriding considerations, which identifies the specific economic, legal, social, technological, or other benefits of the project, including region-wide or statewide environmental benefits, that outweigh its significant unavoidable effects, and thereby warrant its approval (Public Resources Code Section 21083; CEQA Guidelines Section 15093). The statement of overriding considerations must be supported by substantial evidence in the record (CEQA Guidelines Section 15093(a)).

Cumulative Impacts

Cumulative impacts refer to the combined effect of the proposed Project’s impacts with the impacts of other past, present, and reasonably foreseeable probable future projects. Both CEQA and the CEQA Guidelines require that cumulative impacts be analyzed in an EIR. As set forth in the CEQA Guidelines Section 15130(b), “the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone.” The CEQA Guidelines direct that the discussion should be guided by practicality and reasonableness and focus on the cumulative impacts that would result from the combination of the proposed Project and other projects, rather than the attributes of other projects which do not contribute to cumulative impacts. According to Section 15355 of the CEQA Guidelines, ‘cumulative impacts’ refer to two or more

individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- a) The individual effects may be changes resulting from a single project or a number of separate projects.
- b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Therefore, the cumulative discussion in this Supplemental EIR focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of impacts caused by other past, present, and reasonably foreseeable future projects.

Additionally, pursuant to the CEQA Guidelines Section 15130(a)(1), an EIR should not discuss cumulative impacts that do not result at least in part from the project being evaluated in the EIR. Thus, cumulative impact analysis is not provided for any environmental issue where the proposed Project would have no environmental impact. Analysis of cumulative impacts is, however, provided for all significant Project impacts that are evaluated within this Supplemental EIR.

CEQA Guidelines Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of the following, or a reasonable combination of the two:

- A list of past, present and probable future projects producing related or cumulative impacts, including those projects outside the control of the lead agency; or
- A summary of projections contained in an adopted local, regional or statewide plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

The cumulative analysis for air quality, greenhouse gas emissions, population and housing, public services, parks and recreation, transportation, and utilities and service systems relies on projections contained in adopted local, regional, or statewide plans or related planning documents, such as Southern California Regional Transportation Plan and relevant regional plans developed by the Southern California Association of Governments (SCAG). The cumulative analyses for other environmental issues use the list of projects approach, and identifies the list of past projects which have recently been constructed, present projects which have recently been approved and are under construction, and probable future projects that are under entitlement review that were known of at the time the NOP was published. As described previously, the cumulative project list is part of the environmental setting/baseline that includes past, present and probable future projects for which development applications were submitted to lead agencies prior to publishing of the NOP.

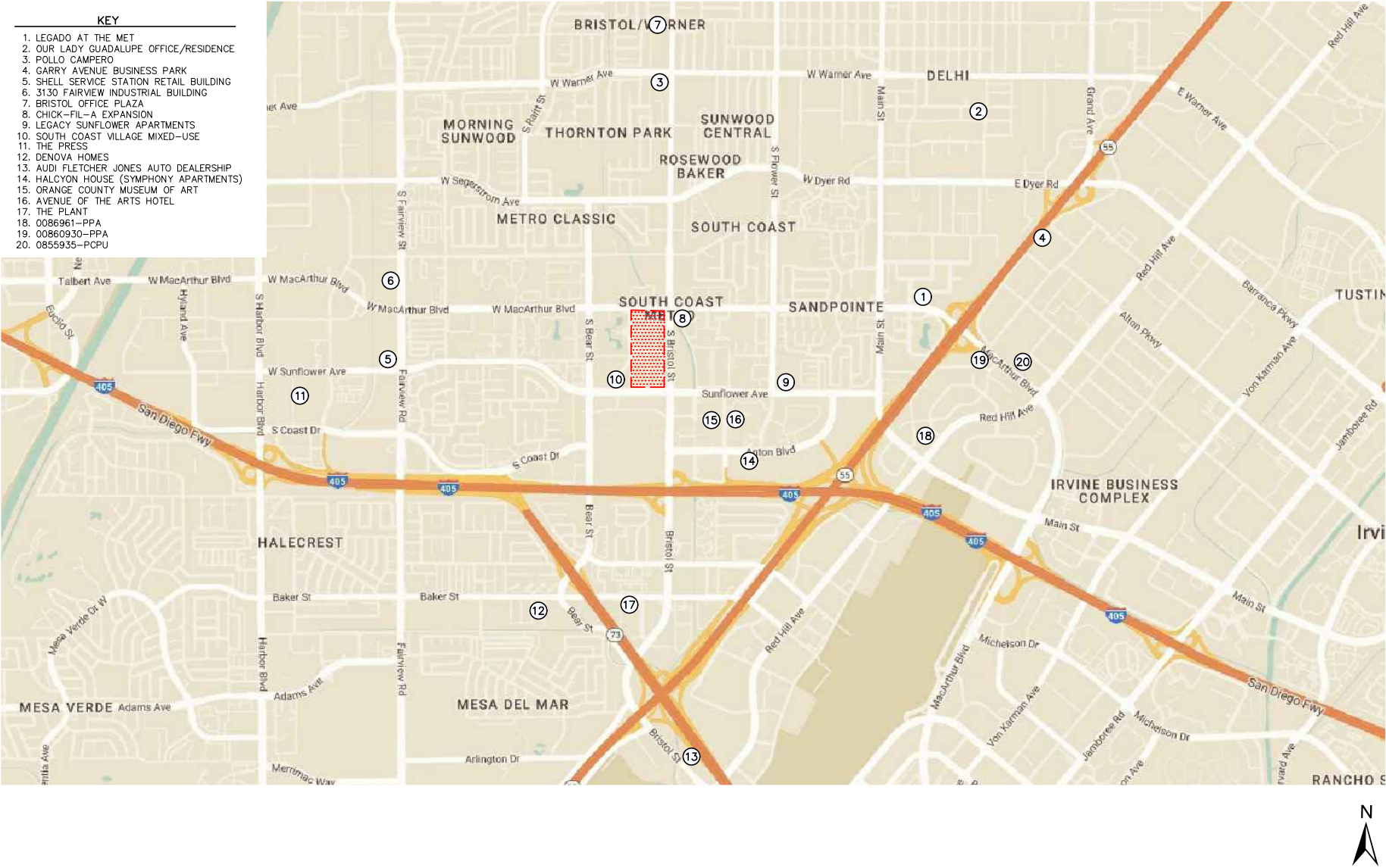
Different types of cumulative impacts occur over different geographic areas. For example, the geographic scope of the cumulative air quality analysis, where cumulative impacts occur over a large area, is different from the geographic scope considered for cumulative analysis of noise, for which cumulative impacts are limited to the distance of sound travel. Thus, in assessing noise impacts, only development within and immediately adjacent to the Project site would contribute to a cumulative increase in noise analyzed, whereas cumulative public service impacts are based upon all development within the area serviced. Because the geographic scope and other parameters of each cumulative analysis discussion can vary, the cumulative geographic scope, and the cumulative projects included in the geographic scope (when the list of projects approach is used), are described for each environmental topic. Table 5-1 provides a list of projects considered in this cumulative environmental analysis, which was compiled per information provided by surrounding cities and the City of Santa Ana, and Figure 5-1 shows the locations.

Table 5-1: Cumulative Project List

No.	Cumulative Project	Location/Address	Description	Project Status
City of Santa Ana				
1.	Legado at the Met	200 E. First American Way	278 DU residential apartments	Under Review
2.	Our Lady of Guadalupe Office/Residence	542 E. Central Avenue	2,395 SF rectory office/residential apartment	Under Construction
3.	Pollo Campero	2320 S. Bristol Street	2,756 SF fast-food restaurant with drive-thru	Under Review
4.	Garry Avenue Business Park	1700 E. Garry Avenue	91,500 SF distribution and warehousing	Under Review
5.	Shell Service Station Retail Building	3820 S. Fairview Street	12 pump and 1,600 SF gas station and convenience store	Completed
6.	3130 Fairview Industrial Building	3130 S. Fairview Street	82,241 SF industrial building	Under Review
7.	Bristol Office Plaza	1400 W. Saint Gertrude Place	7,500 SF commercial	Under Review
8.	Chick-Fil-A Expansion	3601 S. Bristol Street	630 SF expansion of fast-food restaurant with drive-thru	Under Review
9.	Legacy Sunflower Apartments	651 W. Sunflower Avenue	226 DU apartments	Under Construction
10.	South Coast Village Mixed-Use	NEC and NWC of Sunflower Avenue and S. Plaza Drive	<p><u>Phase 1:</u> Demolition of existing 46,843 SF retail, 47,301 SF furniture store, 38,290 SF quality restaurant, 4,560 SF high-turnover restaurant, and 24,000 SF office. Construction of 629 DU high-rise residential apartments, 18,000 SF supermarket, and 55,175 SF retail.</p> <p><u>Phase 2:</u> Construction of 690 DU high-rise residential apartments</p> <p><u>Phase 3:</u> Demolition of existing 18,362 SF movie theater. Construction of 300,000 SF office, 264 DU high-rise residential apartments, and 6,825 SF retail.</p>	Under Review
City of Costa Mesa				
11.	The Press	1375 Sunflower Street	453,950 SF office and 50,909 SF commercial	Under Construction
12.	DeNova Homes	929 Baker Street	56 DU single-family residential	Completed
13.	Audi Fletcher Jones Auto Dealership	1275 Bristol Street	50,971 SF automotive dealership and service center	Completed
14.	Halcyon House (Symphony Apartments)	585-595 Anton Boulevard	393 DU apartments and 4,104 SF retail	Completed
15.	Orange County Museum of Art	3333 Avenue of the Arts	66,750 SF art museum	Completed
16.	Avenue of the Arts Hotel	3350 Avenue of the Arts	150 room hotel expansion	Completed
17.	The Plant	2972 Century Place	62 DU apartments and 19,479 SF commercial spaces to include 5,230 SF retail, 3,000 SF restaurant, 2,315 SF food stalls, 6,364 SF live/work office use, and 2,570 SF office	Approved
City of Irvine				
18.	Palisades Irvine (0086961-PPA)	18011 Mitchell South	48,045 SF warehouse	Approved
19.	00860930-PPA	17731 Cowan	56,500 SF warehouse	Under Review
20.	0855935-PCPU	1340 Reynolds Avenue	3,636 SF escape room	Under Review

Sources: City of Santa Ana, City of Costa Mesa, and City of Irvine Planning Departments.

Location of Cumulative Projects



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