# Public Review Draft
# Initial Study/Mitigated Negative Declaration

## McDonald's at Santa Clara Avenue Project


Prepared for

City of Santa Ana
Planning and Building Division
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Santa Ana, California 92701
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January 2024

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## TABLES

## EXHIBITS



## APPENDICES

## ACRONYM LIST

| | |
|---|---|
| AAM | Annual Arithmetic Mean |
| AB | Assembly Bill |
| ACM | Asbestos Containing Material |
| ACCM | Asbestos Containing Construction Material |
| ADT | Average Daily Trips |
| APN | Orange County Assessor's Parcel Numbers |
| AQMP | Air Quality Management Plan |
| BMP | Best Management Practice |
| CAAQS | California Ambient Air Quality Standards |
| CalEEMod | California Emissions Estimator Model |
| CAL FIRE | California Department of Forestry and Fire Prevention |
| CalGEM | California Geologic Energy Management Division |
| CALGreen Code | California Green Building Standards Code |
| Caltrans | California Department of Transportation |
| CA MUTCD | California Manual on Uniform Traffic Control Devices |
| CAP | Santa Ana Climate Action Plan |
| CARB | California Air Resources Board |
| CBC | California Building Code |
| CCR | California Code of Regulations |
| CDFW | California Department of Fish and Wildlife |
| CEC | California Energy Commission |
| CEQA | California Environmental Quality Act |
| CF | cubic feet |
| CNEL | Community Noise Equivalent Level |
| CO | carbon monoxide |
| $CO_2$ | carbon dioxide |
| Cortese List | Hazardous Waste and Substances Site List |
| CUP | Conditional Use Permit |
| cy | cubic yards |
| dB | decibel |
| dBA | A-weighted decibel scale |
| DPM | diesel particulate matter |
| DTSC | Department of Toxic Substances Control |
| EIR | Environmental Impact Report |
| EMFAC | EMissions FACtor |
| EO | Executive Order |
| ESA | Environmental Site Assessment |
| EV | electric vehicle |
| FEMA | Federal Emergency Management Agency |
| FMMP | Farmland Mapping and Monitoring Program |
| ft | feet |
| FTA | Federal Transportation Administration |
| GC | General Commercial |
| GHG | greenhouse gas |
| HCP | Habitat Conservation Plan |

| | |
|---|---|
| HVAC | heating, ventilation, and air conditioning |
| I | Interstate |
| in/sec | inches per second |
| IS | Initial Study |
| kBTU | One thousand British Thermal Units |
| km | kilometer |
| LACM | Natural History Museum of Los Angeles County |
| LDN | day-night average sound level |
| $L_{eq}$ | energy average |
| $L_{eq}$ dBA | Equivalent Continuous Noise Level in A-weighted decibels |
| $L_{max}$ | maximum noise level |
| $L_{min}$ | minimum noise level |
| LID | Low Impact Development |
| LST | localized significance threshold |
| MBTA | Migratory Bird Treaty Act |
| MET | Metropolitan Water District of Southern California |
| mg | Million Gallons |
| mgd | million gallons of wastewater per day |
| $mg/m^3$ | milligrams per cubic meter |
| MM | Mitigation Measures |
| MND | Mitigated Negative Declaration |
| mph | miles per hour |
| MPO | metropolitan planning organization |
| MRZs | Mineral Resources Zones |
| MRZ-1 | Mineral Resource Zone-1 (an area with no significant mineral deposits) |
| MRZ-2 | Mineral Resource Zone-2 (an area with significant mineral deposits) |
| MRZ-3 | Mineral Resource Zone-3 (an area containing known mineral resources of undetermined significance) |
| msl | mean sea level |
| $MTCO_2e$ | metric tons of carbon dioxide equivalent |
| $MTCO_2e/yr$ | metric tons of carbon dioxide equivalent per year |
| NAAQS | National Ambient Air Quality Standards |
| NAHC | Native American Heritage Commission |
| NCCP | Natural Community Conservation Plan |
| NPDES | National Pollutant Discharge Elimination System |
| NO | nitric oxide |
| $NO_2$ | nitrogen dioxide |
| NOx | nitrogen oxide |
| $O_3$ | ozone |
| OCFA | Orange County Fire Authority |
| OCSD | Orange County Sanitation Districts |
| OCTA | Orange County Transportation Agency |
| OEHHA | Office of Environmental Health Hazard Assessment |
| OPR | Office of Planning and Research |

| | |
|---|---|
| OSHA | Federal Occupational Safety and Health Regulations |
| PEIR | Program Environmental Impact Report |
| PM2.5 | fine particulate matter with a diameter of 2.5 microns or less |
| PM10 | respirable particulate matter with a diameter of 10 microns or less |
| ppm | parts per million |
| ppv | peak particle velocity |
| RCP | Regional Comprehensive Plan |
| REC | recognized environmental condition |
| rms | root mean square |
| RR | Regulatory Requirements |
| RTP/SCS | Regional Transportation Plan/Sustainable Communities Strategy |
| SAMC | City of Santa Ana Municipal Code |
| SAPD | Santa Ana Police Department |
| SB | Senate Bill |
| SCAG | Southern California Association of Governments |
| SCAQMD | South Coast Air Quality Management District |
| SCCIC | South-Central Coastal Information Center |
| SCE | Southern California Edison |
| SCGC | Southern California Gas Company |
| SF | square feet |
| SIP | State Implementation Plan |
| SLF | Sacred Lands File |
| $SO_2$ | sulfur dioxide |
| SoCAB | South Coast Air Basin |
| SR | State Route |
| SWRCB | State Water Resources Control Board |
| TACs | toxic air contaminants |
| T-Bact | best available control technology for toxics |
| TCP | Traffic Control Plan |
| $\mu g/m^3$ | micrograms per cubic meter |
| Qyf | young alluvial deposit |
| USEPA | U.S. Environmental Protection Agency |
| USFWS | U.S. Fish and Wildlife Service |
| USGS | U.S. Geological Survey |
| UWMP | Urban Water Management Plan |
| VHFHSZ | Very High Fire Hazard Severity Zone |
| VMT | vehicle miles traveled |
| VOC | volatile organic compound |
| WQMP | Water Quality Management Plan |

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# 1.0 INTRODUCTION

## 1.1 PURPOSE OF THE INITIAL STUDY

The purpose of this Initial Study (IS) is to (1) describe the proposed McDonald's at Santa Clara Avenue Project (hereinafter referred to as the "Project"), to be constructed in the City of Santa Ana and (2) provide an evaluation of potential environmental impacts associated with the Project's construction and operation. If potentially significant impacts are identified, mitigation measures are recommended to lessen or avoid impacts on the environment. The Project involves re-development of a 0.82-acre site with a McDonald's restaurant building and drive-thru. This IS was prepared pursuant to the California Environmental Quality Act (CEQA), as amended (Section 21000 et. seq. of the *Public Resources Code*) and in accordance with the State CEQA Guidelines (Title 14, Section 15000 et. seq. of the *California Code of Regulations*).

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Santa Ana (hereinafter referred to as the "City") is the lead agency for the Project. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment. The City, as the lead agency, has the authority for Project approval and certification of the accompanying environmental documentation. In addition to addressing the potential environmental impacts that would result from the proposed Project, this IS/Mitigated Negative Declaration (MND) serves as the primary environmental document for future activities associated with the Project, including discretionary approvals requested or required for Project implementation.

The City of Santa Ana, as the Lead Agency, has reviewed and revised, as necessary, all submitted drafts and technical studies and has commissioned the preparation of this IS/MND to reflect its independent judgment. This IS/MND evaluates the potential environmental impacts of Project implementation; includes significance determinations from the environmental analyses; identifies regulatory requirements (RRs) to be incorporated into the Project; and sets forth mitigation measures (MMs) that will lessen or avoid potentially significant Project impacts on the environment.

## 1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

In accordance with CEQA and the State CEQA Guidelines, an IS has been prepared for the proposed Project and its associated discretionary approvals. The IS indicates that the Project would have less than significant impacts with MMs required, and therefore, the Project requires the preparation of an IS/MND.

This IS/MND serves as the environmental document that presents the analysis of Project impacts on each of the environmental issue areas in the CEQA Environmental Checklist provided in Section 4.0. This document will serve to inform City decision makers, representatives of affected trustee and responsible agencies, and other interested parties of the potential environmental effects that may occur with approval and implementation of the proposed Project.

# 1.3 PROJECT SUMMARY

## 1.3.1 LOCATION

The approximate 0.82-acre Project site is located in the City of Santa Ana, in Orange County, California. The City of Santa Ana encompasses approximately 27.4 square miles in the northwestern area of Orange County, California. Adjacent cities include the City of Tustin to the east; the cities of Fountain Valley and Westminster to the west; the cities of Orange and Garden Grove to the north; and the cities of Irvine and Costa Mesa to the south. Refer to Exhibit 1, Regional Location and Local Vicinity.

The Project site is associated with the Orange County Assessor's Parcel Numbers (APN) 396-261-26, -37, and -38 located at 2101 and 2109 East Santa Clara Avenue (collectively referred to as 2101 East Santa Clara Avenue). The lots were legally merged per Voluntary Lot Merger No. 2023-02, dated June 20, 2023. The Project site is located north of East Santa Clara Avenue, east of the California Highway Patrol Office, south of commercial buildings and west of North Tustin Avenue. Refer to Exhibit 2, Aerial Photograph, Existing Site and Area Characteristics.

## 1.3.2 PROJECT PROPONENT

Donald Ellis
Stream Realty Partners, LP
3161 Michelson Drive, Suite 100
Irvine, CA 92612
(949) 203-3030

## 1.3.3 EXISTING GENERAL PLAN AND ZONING

**General Plan Land Use Designation:** General Commercial (GC)

**Zoning Classification: General** Agricultural (A1)

## 1.3.4 EXISTING SETTING

### Project Site

The square shaped Project site is currently developed with two single-story residential houses, two one-story detached garages, a pool, dirt areas and associated asphalt concrete paving along East Santa Clara Avenue. The eastern residence is approximately 3,000 square feet (SF) and the western residence is approximately 1,800 SF in size. Both existing residences on-site, including 2101 East Santa Clara Avenue and 2109 East Santa Clara Avenue, are currently vacant. The site is surrounded by an existing brick wall along the north, east, and west site boundaries. There are two existing driveways located along East Santa Clara Avenue, which provide individual access to each residential building and its associated garage. The site is fully developed and contains scattered ornamental trees, grasses, and


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# Regional Location and Local Vicinity

Exhibit 1

*McDonald's at Santa Clara Avenue Project*

N W E S

2,000 1,000 0 2,000 Feet

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# Aerial Photograph

Exhibit 2

*McDonald's at Santa Clara Avenue Project*

N W E S

200 100 0 200 Feet

PSOMAS

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shrubs. Existing landscaped area equates to 18,970 SF, and no areas with native vegetation or habitat are observed on the site.

### Surrounding Land Uses

The Project site is located within a highly urbanized portion of the City of Santa Ana, which primarily includes a mix of commercial/retail and low-density residential uses. The Project site is bound by East Santa Clara Avenue to the south; a California Highway Patrol Office to the west; commercial businesses (Stater Brothers and Pizza Hut) to the north; and a commercial business (Del Taco) and North Tustin Avenue to the east. Other dominant land uses within the Project vicinity include multi-family apartments located north and south of the site; East Santa Ana Cemetery located to the west; commercial buildings located to the east; and the Plumfield Preschool and Kindergarten located to the south.

## 1.3.5 PROPOSED DEVELOPMENT

The Project involves demolition and removal of the existing residential structures and associated improvements, including the associated pool, asphalt concrete paving, and vegetation, to accommodate the proposed development. The Project proposes to construct a 3,975 SF one-story McDonald's restaurant and associated drive-thru, surface parking lot and landscaping. The Project would request a Conditional Use Permit (CUP), required to allow a drive-thru eating establishment and a second CUP to allow for after-hours operations between 12 AM to 5 AM located within 150 feet of a residential property. The Project also includes an Amendment Application (i.e., Zone Change) to change the zoning classification to C5 (Arterial Commercial).

# 1.4 SUMMARY OF FINDINGS

Based on the environmental checklist form prepared for the Project and supporting environmental analysis (Section 4.0), the proposed Project would have no impact or less than significant impacts in all topics.

According to the State CEQA Guidelines, it is appropriate to prepare an IS/MND for the proposed Project because there are no impacts or the impacts are less than significant with mitigation incorporated.

# 1.5 INTENDED USES OF THIS DOCUMENT

This IS/MND has been prepared to determine the appropriate level of environmental documentation required for the proposed project pursuant to CEQA. This document will also serve as a basis for soliciting comments and input from members of the public and public agencies regarding the proposed project.

The Draft IS/MND will be circulated for a minimum 20 days, during which comments concerning the analysis should be sent to:

City of Santa Ana
Planning Division
Attention: Pedro Gomez, AICP
Senior Planner
20 Civic Center Plaza, Ross Annex M-20
Santa Ana, CA 92701
PGomez@santa-ana.org

## 1.6 ORGANIZATION OF THE INITIAL STUDY

The IS/MND is organized into sections, as described below.

- **Section 1.0: Introduction.** This section provides an introduction, Project summary, and overview of the conclusions in the IS/MND.
- **Section 2.0: Project Location and Environmental Setting.** This section provides a brief description of the Project location, relevant background information, and a description of the existing conditions of the Project site and vicinity.
- **Section 3.0: Project Description.** This section provides a description of the proposed Project, a statement of purpose and need, and necessary discretionary approvals.
- **Section 4.0: Environmental Checklist.** The completed Environmental Checklist Form from the State CEQA Guidelines provides an overview of the potential impacts that may or may not result from Project implementation. The Environmental Checklist Form also includes "mandatory findings of significance", as required by CEQA.
- **Section 5.0**: **List of Preparers.** This section identifies the list of preparers for the IS/MND.
- **Section 6.0: References.** This section identifies the references used to prepare the IS/MND.

# 2.0 PROJECT LOCATION AND ENVIRONMENTAL SETTING

## 2.1 PROJECT LOCATION

The approximate 0.82-acre Project site is located in the City of Santa Ana, in Orange County, California. The City of Santa Ana encompasses approximately 27.4 square miles in the northwestern area of Orange County, California. Adjacent cities include the City of Tustin to the east; the cities of Fountain Valley and Westminster to the west; the cities of Orange and Garden Grove to the north; and the cities of Irvine and Costa Mesa to the south. Refer to Exhibit 1, Regional Location and Local Vicinity.

The Project site is associated with the Orange County Assessor's Parcel Numbers (APN) 396-261-26, -37, and -38 located at 2101 and 2109 East I Santa Clara Avenue (collectively referred to as 2101 East Santa Clara Avenue). The lots were legally merged per Voluntary Lot Merger No. 2023-02, dated June 20, 2023. The Project site is located north of East Santa Clara Avenue, east of the California Highway Patrol Office, south of commercial buildings and west of North (N) Tustin Avenue. Refer to Exhibit 2, Aerial Photograph, Existing Site and Area Characteristics.

### 2.1.1 SITE ACCESS

Vehicular access to the Project site is currently provided by two driveways located along East Santa Clara Avenue to the south and one driveway located along North Tustin Avenue to the east. Within a regional context, the Project site is located approximately 0.6 miles south of California State Route (SR) 22, 0.3 miles west of SR-55 and 1.5 miles northeast of Interstate (I) 5. Within a local context, the Project site is located on the northern side along East Santa Clara Avenue, which is classified as a Divided Collector Arterial, meaning a street with two travel lanes and a continuous center two-way left turn lane, but may be divided by raised median, with an expanded right-of-way to accommodate bike lanes. Additionally, the site is located approximately 0.04 miles west of North Tustin Avenue, which is classified as a Major Arterial, meaning a street with six travel lanes and a center median and typically includes bus transit, pedestrian sidewalks, and bicycle lanes.

### 2.1.2 EXISTING DEVELOPMENT CONDITIONS

The square shaped Project site is currently developed with two single-story residential houses both of which are currently vacant, two one-story detached garages, a pool, dirt areas and associated asphalt concrete paving along East Santa Clara Avenue. The eastern residence is approximately 3,000 square feet (SF) and the western residence is approximately 1,800 SF in size. The site is surrounded by an existing brick wall along the north, east, and west site boundaries. There are two existing driveways located along East Santa Clara Avenue, which provide individual access to each residential building and its associated garage. The site is fully developed and contains scattered ornamental trees, grasses, and shrubs. Existing ornamental landscaped area totals 18,970 SF, and no areas with native vegetation or habitat are observed on the site.

## 2.1.3 EXISTING PHYSICAL CONDITIONS

### Geology and Soils Condition

The Project site is situated in the southeastern portion of the Los Angeles Basin, which contains sedimentary rocks of Pliocene and Quaternary age that are between 5,000 to 13,000 feet thick. According to the United States Geological Survey (USGS) 7.5-Minute Santa Ana Quadrangle Map, the Project site is underlain by undifferentiated young alluvial deposit (Qyf) that typically consists of unconsolidated to slightly consolidated, undissected to slightly dissected boulders, cobbles, gravels, sands and silt deposits issued from a very confined valley or canyon. Based on the subsurface investigation conducted as a part of the Geotechnical Report, earth materials encountered are consistent with the Santa Ana Quadrangle Map, and the site consists of fill overlaying young alluvial fan deposits. In general, the soil consists of light brown to brown, dry to damp, medium dense to very dense, clayey and silty sands. The site slopes gently to the southwest and has an elevation of 188 feet above mean sea level (msl) (Universal Engineering Sciences 2021).

### Hydrology and Drainage Condition

The Project site is within the Newport Bay Watershed. The Project does not have an existing stormwater system and all surface runoff sheet flows east toward a public inlet at the intersection of East Santa Clara Avenue and North Tustin Avenue, which discharges to Peters Canyon Wash and ultimately to Newport Bay (Kimley-Horn and Associates, Inc 2023).

## 2.1.4 SURROUNDING LAND USES AND DEVELOPMENT

The Project site is located within a highly urbanized portion of the City of Santa Ana, which primarily includes a mix of commercial/retail and low-density residential uses. The Project site is bound by East Santa Clara Avenue to the south; a California Highway Patrol Office to the west; commercial businesses (Stater Brothers and Pizza Hut) to the north; and a commercial business (Del Taco) and North Tustin Avenue to the east. Other dominant land uses within the Project vicinity include multi-family apartments located north and south of the site; the Santa Ana Cemetery located to the west; commercial buildings located to the east; and the Plumfield Preschool and Kindergarten located to the south.

# 2.2 PLANNING CONTEXT

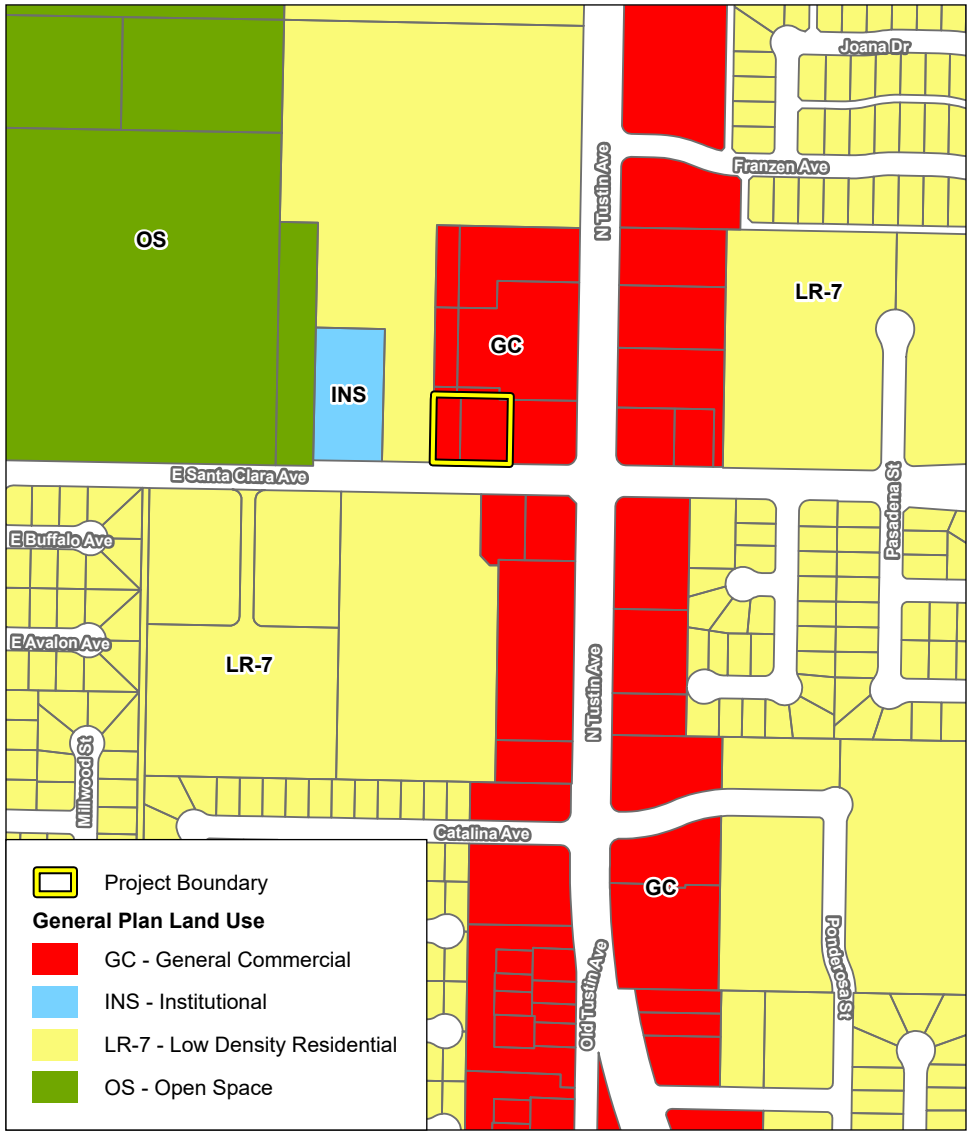
## 2.2.1 GENERAL PLAN DESIGNATION

The Project site currently has a General Plan land use designation of General Commercial (GC), which allows for retail and service establishments; recreational, cultural and entertainment uses; business and professional offices; and vocational schools (City of Santa Ana 2021e). The land use designations adjacent to the Project site include General Commercial to the north, east, and south and Low Density Residential (LR-7) to the north and south. The Santa Ana Cemetery located to the west of the Project site is zoned Open

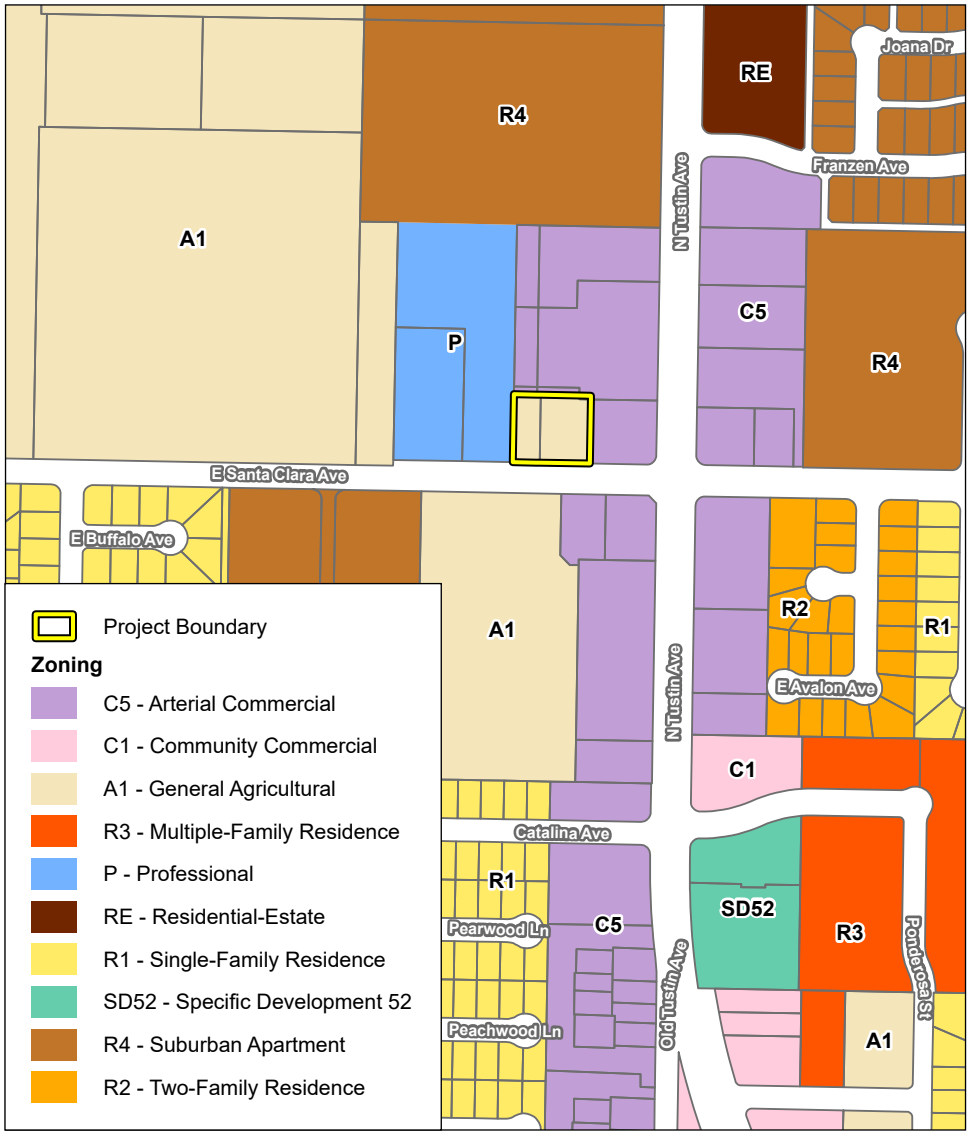
Space (OS) and the California Highway Patrol, also located to the west, is designated as Institutional (INS). Please refer to Exhibit 3, General Plan Designation and Zoning.

### 2.2.2 ZONING DESIGNATION

The Project site is currently zoned A1 (General Agricultural), which permits farming, parks, accessory buildings, temporary sale stands and one-family dwellings (City of Santa Ana 2023b). Adjacent zoning designations include C5 (Arterial Commercial) to the north, east, and south; A1 to the south; and P (Professional) to the west. The multi-family housing located to the north and south of the site are designated as R4 (Suburban Apartment). Please refer to Exhibit 3, General Plan Designation and Zoning.




General Plan Land Use Designation




Zoning Designation

General Plan Source: City of Santa Ana, 2023
Zoning Source: City of Santa Ana, 2023
Parcels Source: Orange County, 2023

# General Plan Land Use and Zoning Designation

Exhibit 3

*McDonald's at Santa Clara Avenue Project*

N W E S

500 250 0 500 Feet

PSOMAS

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# 3.0 PROJECT DESCRIPTION

## 3.1 PROPOSED PROJECT

The Project involves demolition and removal of the existing residential structures and associated improvements, including the associated pool, asphalt concrete paving, and vegetation, to accommodate the proposed development. The Project proposes to construct a 3,975 SF one-story McDonald's restaurant and associated drive-thru, surface parking lot, and landscaping. Please refer to Exhibit 4, Site Plan.

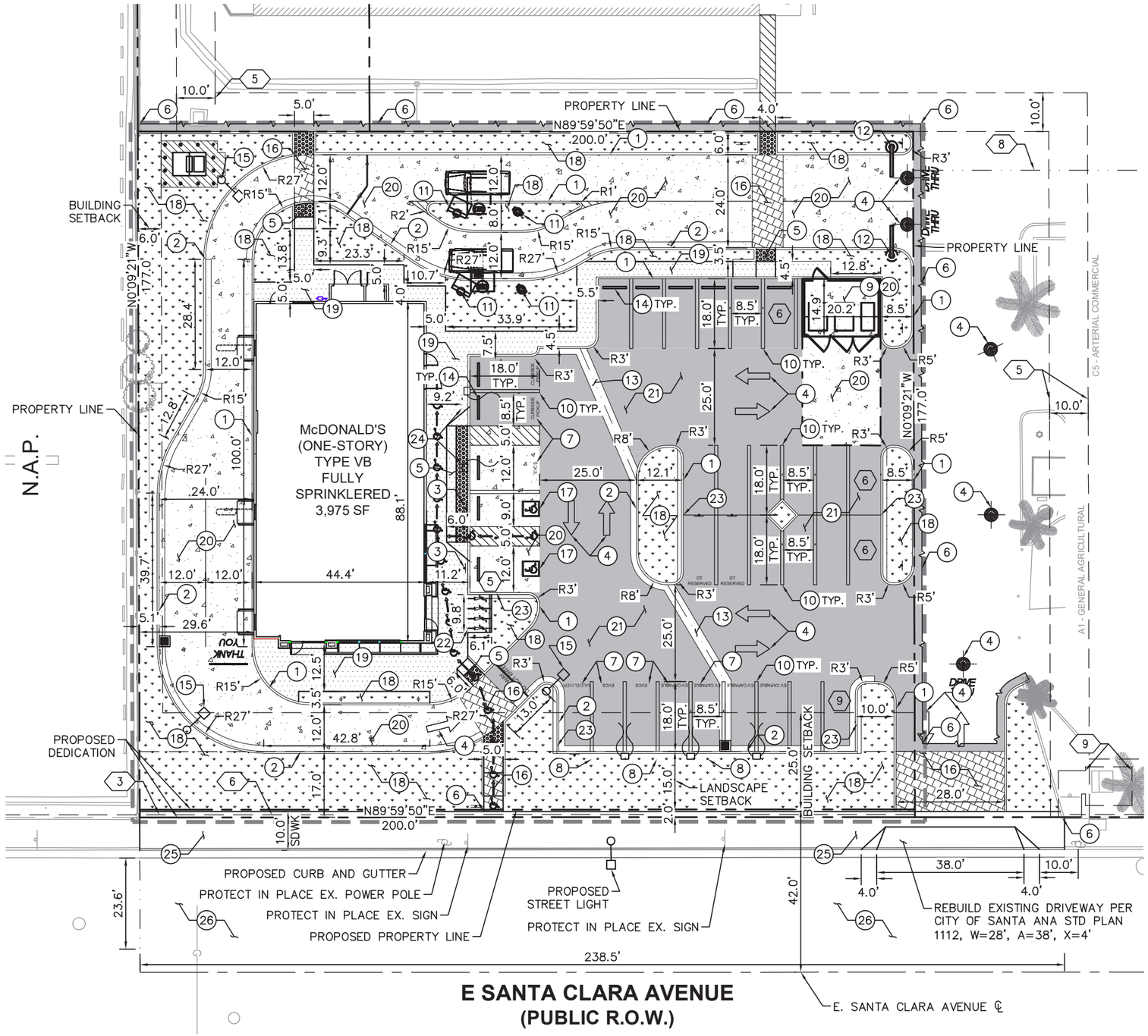
Overall, the Project would develop the entire 0.82-acre site, which involves building area, other impervious surfaces, and landscaping. The square footage breakdown of the site is summarized in Table 1, Lot Coverage Breakdown, below.

**TABLE 1**
**LOT COVERAGE BREAKDOWN**

| Site Area | Area (SF) | Acreage |
|---|---|---|
| **Building Area** | 3,975 | 0.09 acre |
| **Impervious Area** | 23,245 | 0.54 acre |
| **Landscape Area** | 8,180 | 0.19 acre |
| ***Total Area*** | 35,400 | 0.82 acre |
| Source: City of Santa Ana Public Works Agency 2023. | | |

## 3.2 ASSOCIATED IMPROVEMENTS

The Project would also construct a covered trash enclosure and recycling bin storage located on the northeastern corner of the surface parking lot area. Streetlights would be installed along East Santa Clara Avenue per City standards, which require a separate permit and plan, and off-site photometric analysis. A three-foot-wide gutter would be developed along East Santa Clara Avenue. The Project would remove the existing 8-foot sidewalk and replace it with a 10-foot sidewalk per City of Santa Ana Standard Plan 1104, which would connect to and provide continuation of the existing sidewalk areas along East Santa Clara Avenue. The Project would remove the western most driveway along East Santa Clara and replace it with sidewalk, and rebuild the eastern most existing driveway located along East Santa Clara Avenue per City of Santa Ana Standard Plan 1112. In addition, the Project would improve the existing driveway located on North Tustin Avenue with enhanced decorative paving. Additionally, all mechanical equipment, including three rooftop Heating, Ventilation, and Air Conditioning (HVAC) units and four exhaust fans would be placed on the roof and screened from view to the extent possible.




**E SANTA CLARA AVENUE**
**(PUBLIC R.O.W.)**

## LEGEND:

- CENTER LINE
- PROPERTY LINE
- DEDICATION LINE
- EASEMENT LINE / SETBACK LINE
- APPROXIMATE LIMIT OF WORK LINE
- STANDARD DUTY CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- LANDSCAPE/PLANTER AREA
- HEAVY DUTY ASPHALT PAVEMENT
- GRIND AND RECAPPING OF 2"-3" RUBBERIZED ASPHALT CONCRETE
- DETECTABLE WARNING SYSTEM
- ENHANCED DECORATIVE PAVING
- ACCESSIBLE ROUTE (LOCATION PURPOSES ONLY, DO NOT PAINT)
- SIGN POST
- ACCESSIBLE PARKING SPACE
- (X) NUMBER OF PARKING SPACES

## CONSTRUCTION NOTES:

1. CONCRETE CURB
2. CONCRETE CURB AND GUTTER
3. ACCESSIBLE PARKING STALL SIGN
4. DIRECTIONAL MARKING PER PLAN
5. ACCESSIBLE RAMP WITH DETECTABLE WARNING (TRUNCATED DOMES)
6. JOIN EXISTING CURB, CURB & GUTTER, SIDEWALK, PAVEMENT.
7. "CLEAN AIR/VAN POOL/EV" IN 12" HIGH WHITE LETTERS AT THE END OF PARKING STALL
8. FUTURE E/V CHARGING STATION. CONDUIT TO BE RAN TO STALL FOR FUTURE CONNECTION.
9. COVERED TRASH ENCLOSURE AND RECYCLING BIN STORAGE
10. STANDARD 90° PARKING STALL STRIPING.
11. DRIVE-THRU EQUIPMENT PER ARCHITECTURAL PLANS
12. HEIGHT DETECTOR POLE
13. 3.0' WIDE VALLEY GUTTER
14. INSTALL WHEELSTOPS FOR PARKING SPACES ADJACENT TO WALKWAYS
15. SITE LIGHTING
16. ENHANCED DECORATIVE PAVING.
17. ACCESSIBLE PARKING STALL STRIPING
18. LANDSCAPE/PLANTER AREA
19. PORTLAND CEMENT CONCRETE PAVEMENT
20. HEAVY DUTY CONCRETE PAVEMENT
21. HEAVY DUTY ASPHALT CONCRETE PAVEMENT
22. BIKE RACK PER ARCHITECTURAL PLANS
23. 18" WALK-OFF CURB
24. PROPOSED E/V CHARGING STATION.
25. PROPOSED SIDEWALK PER CITY OF SANTA ANA STD PLAN 1104.
26. GRIND AND RECAP 2"-3" OF RUBBERIZED ASPHALT CONCRETE.

**PROPOSED IMPROVEMENTS :**
ALL IMPROVEMENTS AS SHOWN HEREON TO BE CONSTRUCTED AND INSTALLED BY DEVELOPER AND/OR THE DEVELOPER EXPENSE IN ACCORDANCE WITH THE CITY DESIGN STANDARDS AND SPECIFICATIONS, THE SANTA ANA MUNICIPAL CODE, AND THE APPROVED STREET IMPROVEMENT PLANS.

ANY WORK IN THE PUBLIC RIGHT-OF-WAY REQUIRES THE SUBMITTAL OF STREET IMPROVEMENT PLANS AND OBTAINING A STREET WORK PERMIT FROM THE PUBLIC WORKS AGENCY (PWA).

STREET TREE REMOVAL WITHIN THE PUBLIC RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY THE ENVIRONMENTAL AND TRANSPORTATION ADVISORY COMMITTEE (ETAC). A LETTER REQUESTING THE REMOVAL OF EXISTING STREET TREE(S) THAT CONFLICT WITH THE PROPOSED IMPROVEMENTS WILL BE PROVIDED TO THE CITY OF SANTA ANA PRIOR TO SITE PLAN APPROVAL.

**ADDITIONAL PROPOSED IMPROVEMENTS :**
- EXISTING DRIVEWAY ON TUSTIN AVENUE SHALL BE IMPROVED TO BE ENHANCED DECORATIVE PAVING AND AT MINIMUM THE WIDTH OF THE DRIVEWAY, DEPTH OF 15' FROM THE PUBLIC RIGHT-OF-WAY.
- PROPOSED STREET LIGHTS TO BE INSTALLED ALONG E. SANTA CLARA AVENUE AS PER CITY OF SANTA ANA STANDARDS. WILL REQUIRE SEPARATE PERMIT AND PLAN. IN ADDITION, AN OFF-SITE PHOTOMETRIC ANALYSIS WILL BE REQUIRED TO DETERMINE NUMBER OF PROPOSED STREET LIGHTS ALONG THE PROPERTY FRONTAGE. STREET LIGHT DRAWINGS SHALL INDICATE SERVICE POINT, PEDESTAL, CONDUITS, WIRES, AND STREET LIGHT LOCATIONS.

Source: City of Santa Ana Public Works Agency, 2023

# Site Plan

*McDonald's at Santa Clara Avenue Project*

Exhibit 4

N W E S

0 10 20 40 FEET

PSOMAS

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## 3.3 LANDSCAPING

The Project would provide 8,604 SF of landscaping throughout the site. The proposed Landscape Plan would consist of a hierarchy of plant materials including trees, shrubs, vines, grasses, and groundcover throughout the Project site. Landscaped planter areas would be constructed along the northern, western, and southern site perimeters and would provide decorative screening and a buffer between the proposed uses and the adjacent, off-site land uses, in addition to being placed centrally within the proposed surface parking lot and adjacent to the proposed drive-thru.

A variety of landscape elements are proposed throughout the development, as shown on Exhibit 5, Landscape Plan. Within the Project site, 17 existing trees would be removed, none of which are located within the public right-of-way and 25 new trees would be planted. All trees located on-site are ornamental and are not subject to regulations as set forth by the City of Santa Ana Municipal Code (SAMC). All tree removals and installations would be conducted in accordance with City standards and applicable permit requirements.

## 3.4 VEHICLE/BICYCLE PARKING

The Project would provide 32 total vehicle parking spaces within the proposed surface parking lot to be located on the eastern side of the site. Parking spaces would include 22 standard stalls, 8 Electric Vehicle (EV) stalls[1], and 2 Americans with Disabilities Act (ADA) compliant stalls, as required by the City Code. The Project would provide 4 bicycle storage spaces, per City Code requirements.

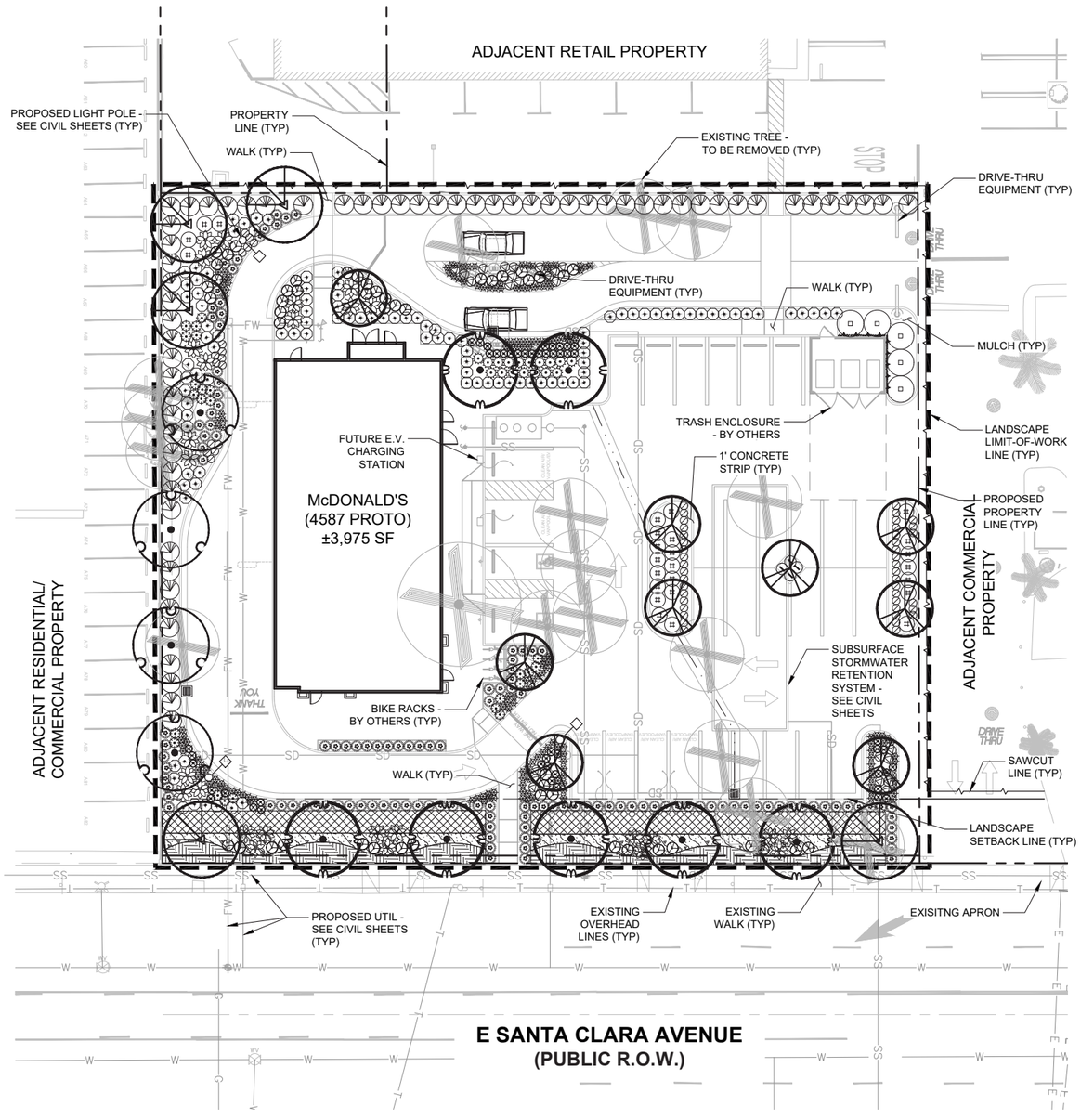
## 3.5 ACCESS/CIRCULATION

The Project would provide primary vehicular ingress and egress points to and from the Project site via two driveways. The proposed parking lot would primarily be accessible from the existing driveway along East Santa Clara Avenue. The proposed drive-thru would be accessible from the existing driveway along North Tustin Avenue, and vehicles would travel west/southwest along the proposed drive-thru, and ultimately exit via a proposed driveway along East Santa Clara Avenue (City of Santa Ana Public Works Agency 2023.).

## 3.6 ARCHITECTURAL DESIGN AND ELEVATIONS

In designing the proposed development, consideration has been given to scale, massing, and architecture of the Project to ensure that it complements the existing buildings within the surrounding development. The Project would primarily incorporate neutral tones along the outer facades, which would involve materials such as plaster/stucco, aluminum, and metals. The proposed McDonald's building would have a maximum height of 23 feet to the top of the

[1] The 8 proposed EV stalls are comprised of 3 EV installed stalls (fully equipped with EV charging station) and 5 EV ready stalls (all EV capable infrastructure is ready to support a future EV charger).




## PLANT SCHEDULE

| TREES | CODE | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS |
|---|---|---|---|---|---|
| | CD2 | 9 | CERCIDIUM X 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE | 24" BOX | LOW |
| | EF | 4 | EUCALYPTUS FICIFOLIA / RED FLOWERING GUM | 15 GAL. | LOW |
| | KP | 5 | KOELREUTERIA PANICULATA / GOLDEN RAIN TREE | 36" BOX | LOW |
| | RS | 7 | RHUS LANCEA / AFRICAN SUMAC | 24" BOX | LOW |

| EXISTING TREE | CODE | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS |
|---|---|---|---|---|---|
| | XE2 | 17 | EXISTING TREE / TO BE REMOVED | - | - |

| SHRUBS | CODE | QTY | BOTANICAL / COMMON NAME | CONT. | WUCOLS |
|---|---|---|---|---|---|
| | AS | 27 | AGAVE ATTENUATA 'SUPER NOVA' / SUPER NOVA FOXTAIL AGAVE | 5 GAL. | LOW |
| | AP | 26 | ARTEMISIA X 'POWIS CASTLE' / POWIS CASTLE ARTEMISIA | 5 GAL. | LOW |
| | BB | 17 | BOUTELOUA GRACILIS 'BLONDE AMBITION' / BLONDE AMBITION BLUE GRAMA | 1 GAL. | LOW |
| | CD | 58 | CAREX DIVULSA / EUROPEAN GREY SEDGE | 5 GAL. | LOW |
| | CT | 163 | CAREX TUMULICOLA / FOOTHILL SEDGE | 1 GAL. | LOW |
| | CM | 47 | CHRYSACTINIA MEXICANA / DAMIANITA | 1 GAL. | LOW |
| | DB | 4 | DIETES BICOLOR / FORTNIGHT LILY | 5 GAL. | LOW |
| | HB | 50 | HESPERALOE PARVIFLORA 'PERPA' / BRAKELIGHTS® RED YUCCA | 5 GAL. | LOW |
| | MC | 105 | MUHLENBERGIA CAPILLARIS / PINK MUHLY GRASS | 5 GAL. | MODERATE |
| | MR2 | 127 | MUHLENBERGIA DUBIA / PINE MUHLY | 5 GAL. | LOW |
| | MR | 23 | MUHLENBERGIA RIGENS / DEER GRASS | 5 GAL. | LOW |
| | SG2 | 24 | SALVIA GREGGII / AUTUMN SAGE | 5 GAL. | LOW |

| SCREENING SHRUBS | CODE | QTY | BOTANICAL / COMMON NAME | CONT. | WUCOLS |
|---|---|---|---|---|---|
| | JS2 | 5 | JUNIPERUS SCOPULORUM 'SKYROCKET' / SKYROCKET JUNIPER | 15 GAL. | LOW |
| | LC | 62 | LEUCOPHYLLUM FRUTESCENS 'COMPACTA' / COMPACT TEXAS SAGE | 5 GAL. | LOW |

| VINES | CODE | QTY | BOTANICAL / COMMON NAME | CONT. | WUCOLS |
|---|---|---|---|---|---|
| | TG | 9 | THUNBERGIA GREGORII / ORANGE CLOCK VINE | 5 GAL. | MODERATE |

| GROUND COVERS | CODE | QTY | BOTANICAL / COMMON NAME | CONT. | WUCOLS |
|---|---|---|---|---|---|
| | BP | 32 | BACCHARIS PILULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH | 1 GAL. | LOW |
| | SC | 173 | SANTOLINA CHAMAECYPARISSUS / LAVENDER COTTON | 1 GAL. | LOW |
| | TN | 184 | TEUCRIUM CHAMAEDRYS 'NANUM' / CREEPING GERMANDER | 1 GAL. | LOW |

LANDSCAPE AREA CALCULATIONS:

TOTAL SITE AREA: 36,538 SQFT

TOTAL LANDSCAPE AREA: 8,604 SQFT

PROPOSED LANDSCAPE PERCENTAGE: 23.5%

LANDSCAPE NOTE:

THE SELECTION OF PLANT MATERIAL IS BASED ON CLIMATIC, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL SUITABILITY SOIL SAMPLE TAKEN FROM THE SITE. MULCH SHALL FILL IN BETWEEN SHRUBS TO SHIELD THE SOIL FROM THE SUN, EVAPOTRANSPIRATION, AND RUN-OFF. ALL SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER, LOWER SOIL TEMPERATURE, AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF SANTA ANA MUNICIPAL CODE.

IRRIGATION NOTE:

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE 100% COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. THE WATER SUPPLY FOR THIS SITE IS A POTABLE WATER CONNECTION AND A DEDICATED IRRIGATION METER WILL BE PROVIDED. LOW VOLUME EQUIPMENT SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH NO WATER LOSS DUE TO WATER CONTROLLERS, AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL POINT SOURCE SYSTEM SHALL BE ADEQUATELY FILTERED AND REGULATED PER THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF SANTA ANA MUNICIPAL CODE.

Source: City of Santa Ana, 2022

# Landscape Plan

*McDonald's at Santa Clara Avenue Project*

Exhibit 5

N W E S Map not to scale

PSOMAS

(08/08/2023 PLO) R:\Projects\SAN05\3SAN050100\Graphics\ex_Landscape.pdf

D:\Projects\3SAN_BaseFiles\McDonalds\Graphics\SMND\ex_Landscape.ai

parapet. Please refer to proposed building renderings and elevations depicted on Exhibit 6, Architectural Renderings and Elevations.

## 3.7 CONSTRUCTION

Construction activities are anticipated to begin in Summer 2024 through Winter 2024, for a total of approximately 126 days. Construction activity would occur for a minimum of 8 hours per day, and 6 days per week (Monday through Saturday), in accordance with the City's permitted hours of construction. Construction stages such as demolition, site preparation, grading/excavation, building construction, paving, and architectural coating would occur in one phase.

Construction of the proposed Project would require common construction equipment types. No pile driving would be required. Construction equipment is expected to operate at the site during construction, which would occur during daytime hours as permitted by the SAMC (between 7:00 AM and 8:00 PM on any day except Sunday or a City-recognized holiday).

Project construction activities would include demolition over 3 weeks, site preparation over 1 week, grading and excavation over 2 weeks, building construction over 12 weeks, paving over 2 weeks, and architectural coating over 1 week. Some of this work may proceed on a concurrent basis.

### 3.7.1 GRADING QUANTITIES

The proposed grading of the site would retain the relatively flat topography. Grading activities would include an estimated 172 cubic yards (cy) of cut and 377 cy of fill and require 205 cy of import.

### 3.7.2 STAGING

All construction staging areas would occur on-site and would be prohibited on the street or within the public right-of-way. A minimum 40- by 16-foot-wide staging area would be available for the entire duration of construction. In addition, a site trailer and storage containers would be placed in the staging area, and the storage container would be available for any overnight storage needs.

## 3.8 OPERATIONS

The proposed McDonald's would include fast-food operations, such as indoor food preparation, cooking, indoor and outdoor eating areas, a drive-thru, and restrooms. The Project would incorporate indoor water conservation measures such as low-flow fixtures for handwashing sinks, toilet and urinal flush valves, and dish sprayers. Beverage and ice machines would include low water waste technology and the proposed reverse osmosis (RO) filtration system is highly efficient and would limit the amount of bypass water.


EAST ELEVATION


NORTH ELEVATION


EAST ELEVATION


SOUTH ELEVATION

2"X2" ALUMINUM BATTEN
B+N INDUSTRIES
FORTINA
TA-647

ALUMINUM COMPOSITE
ALPOLIC
RAL
7022

REVEAL PANEL
METAL ERA
WEATHERED ZINC

PLASTER/STUCCO
RAL
7022

PLASTER/STUCCO
BENJAMIN MOORE
FAIRVIEW TAUPE
HC-85

STOREFRONT
DARK BRONZE
ALUMINUM

PANTONE 123

Source: Bickell Group Architecture, 2023

# Architectural Renderings and Elevations

Exhibit 6

*McDonald's at Santa Clara Avenue Project*

PSOMAS

(07/20/2023 PLO) R:\Projects\SAN05\3SAN050100\Graphics\ex_Rendering.pdf

D:\Projects\3SAN_BaseFiles\McDonalds\Graphics\ISMND\ex_Renderings.ai

The proposed McDonald's hours of operation include 24 hours for drive-thru use, 7 days a week, and between 5 AM to 1 AM for indoor dining use, 7 days a week. The Project would include a maximum of twelve employees working approximately three shifts per day.

## 3.9 DISCRETIONARY APPROVALS

This IS/MND is intended to serve as the primary CEQA environmental document for all actions associated with the proposed Project, including all other approvals beyond the City's authority needed to implement the Project. The following discretionary approvals are required for Project approval.

### 3.9.1 CONDITIONAL USE PERMIT

The Project would request a Conditional Use Permit (CUP), required to allow a drive-thru eating establishment and a second CUP to allow for after-hours operations between 12 AM to 5 AM located within 150 feet of residential property.

### 3.9.2 AMENDMENT APPLICATION (ZONE CHANGE)

The Project site is currently zoned as A1 (Agricultural), and the Project includes an Amendment Application (i.e., Zone Change) to change the zoning classification to C5 (Arterial Commercial).

### 3.9.3 MITIGATED NEGATIVE DECLARATION

In compliance with CEQA and the State CEQA Guidelines, the City of Santa Ana would adopt the MND concurrent with approval of the Project. The MND serves as a finding that the Project would not have a significant effect on the environment.

## 3.10 MINISTERIAL APPROVALS

In addition, the following ministerial permits would be sought from the City of Santa Ana:

- Demolition Permit for existing buildings and site improvements
- Voluntary Lot Merger to consolidate the existing lots into one legal parcel
- Landscape Permit
- Grading Permit
- Building Permits
- Occupancy Permits

The Project would require coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board (SWRCB). The Project would also require a demolition permit from the South Coast Air Quality Management District (SCAQMD).

# 4.0 ENVIRONMENTAL CHECKLIST

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☒ Cultural Resources | ☐ Energy |
| ☒ Geology and Soils | ☐ Greenhouse Gas Emissions | ☒ Hazards and Hazardous Materials |
| ☐ Hydrology and Water Quality | ☐ Land Use and Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population and Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☒ Tribal Cultural Resources |
| ☐ Utilities and Service Systems | ☐ Wildfire | ☒ Mandatory Findings of Significance |

**DETERMINATION**: (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to be the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because al potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Pedro Gomez — Signature

December 21, 2023 — Date

Pedro Gomez, AICP — Printed Name

City of Santa Ana — For

## EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

# 4.1 AESTHETICS

| Except as provided in Public Resources Code Section 21099, would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | ☐ | ☐ | ☒ | ☐ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact.** Scenic vistas are generally defined as natural landscapes that form views of unique flora, geologic, or other natural features that are generally free from urban intrusions. Typical scenic vistas include views of mountains, hills, uninterrupted open spaces and waterbodies. The Project is located within an urbanized setting within the City and no scenic vistas are located or visible within the vicinity of the Project.

In addition, the City's General Plan Scenic Corridor Element —Exhibit 4, identifies scenic areas within the City of Santa Ana, including 17th Street, which is identified as a secondary street corridor, meaning these streets provide "stitching" to link neighborhoods and districts together and a portion of SR-55 closest to the Project includes screened views from highway (City of Santa Ana 1982). The Project site is located 0.7 mile from 17th Street and 0.3 mile from SR-55. The Project would replace two existing single story residential buildings with a single-story McDonald's, which would have a maximum height of 23 feet to the top of the parapet, within an urban context. As such, the Project would not significantly alter the existing scenic setting, would not block existing views in the vicinity of the Project area and would not have an adverse effect on a scenic vista. Therefore, impacts related to scenic vistas would be less than significant, and no mitigation is required.

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

**No Impact.** Based on the California Department of Transportation (Caltrans) California State Scenic Highway System Map, there are no designated State scenic highways within the City

of Santa Ana (Caltrans 2023). The site is fully developed and contains scattered ornamental trees, grasses, and shrubs, and does not contain areas with native vegetation. There are no scenic resources, including significant trees, rock outcroppings, and historic buildings in the vicinity of the Project site. Therefore, the proposed Project would not have an adverse effect on scenic resources (including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway) or a locally designated rural street or scenic corridor. There would be no impact, and no mitigation is required.

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

**Less than Significant Impact.** The Project is in an urbanized area within the City and not located near any scenic resources or scenic highways. The visual character immediately surrounding the Project site is representative of a built-out urban environment containing a mix of commercial/retail and low-density residential uses. While the proposed Project would alter the existing visual character of the Project site from a residential use to a commercial development, this change would not be considered a degradation of the Project site or its surroundings. In designing the proposed development, consideration has been given to scale, massing, and architecture of the Project to ensure that it complements the existing buildings within the surrounding development. The Project would primarily incorporate neutral tones along the outer facades, which would involve materials such as plaster/stucco, aluminum, and metals. Renderings of the Project site are depicted on Exhibit 6.

Additionally, the Project would request an Amendment Application (i.e., Zone Change) to change the zoning classification from A1 (Agricultural) to C5 (Arterial Commercial). The proposed Zone Change would require the Project to be constructed to all development standards outlined in the C5 zone, including setbacks, lot coverage, and height. In the absence of scenic resources in the vicinity of the site, the Project would not conflict with applicable zoning and other regulations governing scenic quality and resources. Impacts would be less than significant, and no mitigation is required.

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

**Less than Significant Impact**. The Project site is in an area that is already subject to significant ambient lighting from the existing commercial/retail uses surrounding the site. Existing light sources include exterior building lights, parking lot pole lights, and interior building lights. Streetlights are present along East Santa Clara Avenue, and the Project would install additional streetlights along East Santa Clara Avenue per City standards, which require a separate permit and plan, and off-site photometric analysis. The Project would provide additional exterior and interior building lighting associated with the operation of the proposed McDonald's. All Project lighting would be subject to the City of Santa Ana Design Guidelines (Chapter 9 – Commercial Design Guidelines), which outlines lighting

standards for commercial projects and includes direction on minimizing glare onto adjoining properties (City of Santa Ana 2022c). All on-site lighting would be shielded and directed so that no lighting trespasses onto the adjacent properties. Although new light sources would be provided with the proposed commercial use, lighting levels at the Project site would not be altered and would be consistent with the ambient and night-time lighting at the commercial uses surrounding the site. Due to the urban nature of the Project site and existing lighting near the Project site, impacts associated with new lighting from the proposed Project would be less than significant, and no mitigation is required.

Glare is a common daytime phenomenon and is due mainly to the occurrence of a high number of days per year with direct sunlight and the presence of large reflective surfaces. Excessive glare not only restricts visibility but also increases the ambient heat reflectivity in a given area. Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight, and can create hazards to motorists and nuisances for pedestrians and other viewers. The proposed Project would be constructed with primarily non-reflective materials such as stucco and plaster on the exterior facades. The use of more reflective surfaces including metals and aluminum would be limited for use as design accents. The use of glass would be limited and primarily confined to windows, and would therefore not generate substantial glare affecting surrounding uses. Additionally, during nighttime, the proposed lighting would not be more intense than the surrounding uses. As stated above, the Project would comply with the City Design Guidelines that include guidance for minimizing glare. Impacts would be less than significant, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to aesthetics; therefore, no mitigation measures are required.

# 4.2 AGRICULTURE AND FOREST RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])? | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

## Impact Analysis

***Would the Project:***

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

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

***c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?***

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

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

**No Impact.** The Project site is in an urbanized area and would not convert farmland to a non-agricultural use. Based on review of the California Important Farmland Finder Map, prepared by the California Department of Conservation, Farmland Mapping and Monitoring

Program (FMMP), there are no lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on or near the Project site (FMMP 2023). The Project site is classified as "Urban and Built-Up Land" meaning the land is occupied by structures with a building density of at least 1 unit to 1.4 acres, or approximately 6 structures to a 10-acre parcel. The Project site is not being used, nor anticipated to be used or zoned for agricultural purposes. The site is not subject to a Williamson Act contract, and it does not contain Prime Farmland or Farmland of Statewide Importance. Additionally, no forest land occurs on the Project site or in the surrounding area. Therefore, the proposed Project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. In addition, the Project site does not contain designated forest land or timberland, as defined in the California Public Resources Code (Section 12220[g] and 4526, respectively). Therefore, no impacts to agricultural resources, forest land, or timberland would result from Project implementation, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to agriculture and forest resources; therefore, no mitigation is required.

# 4.3 AIR QUALITY

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | ☐ | ☐ | ☒ | ☐ |
| c) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☒ | ☐ |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |

## Introduction

### *Existing Setting*

An analysis of potential air quality impacts associated with the proposed Project was prepared and is summarized below, and the Air Quality and Greenhouse Gas Technical Report is included as Appendix A to this IS/MND.

Relevant elements of the proposed Project related to the analysis of potential air quality impacts include (1) demolition of on-site paving and existing buildings, which would require export of demolition and construction debris; (2) on-site grading activities, which are expected to result in a small quantity of fill material; (3) use of construction equipment during construction of the Project; and (4) vehicular trips generated by the proposed Project.

The Project site is located in the Orange County portion of the South Coast Air Basin (SoCAB), and, for air quality regulation and permitting, is under the jurisdiction of the SCAQMD. The SoCAB is a 6,600-square-mile area bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and the San Diego County line to the south. The SoCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, in addition to the San Gorgonio Pass area of Riverside County. The SoCAB's terrain and geographical location (i.e., a coastal plain with connecting broad valleys and low hills) determine its distinctive semi-arid climate, which is characterized by moderate temperatures, oceanic influence, and precipitation that is limited to a few storms during the winter (i.e., November through April).

## *Air Quality Background Information*

The SCAQMD has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following criteria pollutants: ozone, carbon monoxide, nitrogen oxides, sulfur dioxide, and particulate matter 10 and 2.5 microns. The characteristics and health effects of these criteria pollutants are described below:

- Ozone ($O_3$) is a nearly colorless gas that is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight). Ground-level $O_3$ exposure can cause a variety of health problems, including lung irritation, wheezing, coughing, pain when taking a deep breath, and breathing difficulties during exercise or outdoor activities; permanent lung damage; aggravated asthma; and increased susceptibility to respiratory illnesses.
- Carbon monoxide (CO) is a colorless and odorless toxic gas which, in the urban environment, is associated primarily with the incomplete combustion of fossil fuels in motor vehicles. CO combines with hemoglobin in the bloodstream and reduces the amount of oxygen that can be circulated through the body. High CO concentrations can lead to headaches, aggravation of cardiovascular disease, and impairment of central nervous system functions.
- Nitrogen oxides ($NO_x$) are yellowish-brown gases, which at high levels can cause breathing difficulties. $NO_x$ are formed when nitric oxide (a pollutant from internal combustion processes) combines with oxygen.
- Sulfur dioxide ($SO_2$) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms and difficulty in breathing for children.
- Particulate Matter 10 (PM10) and Particulate Matter 2.5 (PM2.5) refer to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. Particulate matter includes both aerosols and solid particles. An example of particulate matter is fugitive dust. Short-term exposure to high PM2.5 levels is associated with premature mortality and increased hospital admissions and emergency room visits. Long-term exposure to high PM2.5 levels is associated with premature mortality and development of chronic respiratory disease. Short-term exposure to high PM10 levels is associated with hospital admissions for cardiopulmonary diseases, increased respiratory symptoms, and possible premature mortality.

### *Toxic Air Contaminants*

Carcinogenic risks (i.e., cancer risks) are estimated as the incremental probability that an individual will develop cancer as a direct result of exposure to potential carcinogens. The estimated risk is expressed as a probability (e.g., 10 in 1 million). A risk level of 1 in 1 million implies a likelihood that up to 1 person out of 1 million equally exposed people would contract cancer to the specific concentration over 30 years residential period. This would be in addition to those cancer cases that would normally occur in an unexposed population of

one million people (OEHHA 2015). The Hazard Index (HI) expresses the potential for chemicals to result in non-cancer-related health impacts. HIs are expressed using decimal notation (e.g., 0.001). A calculated HI exposure less than 1.0 will likely not result in adverse non-cancer-related health effects over a lifetime of exposure. However, an HI greater than 1.0 does not necessarily mean that adverse effects will occur (OEHHA 2015). Pursuant to SCAQMD Rule 1401(d)(1), the risks associated with potential exposure to emissions from a source equipped with the best available control technology for toxics (T-BACT) and from all emissions sources included within a "project" are acceptable if the incremental cancer risk (1) is less than 10 in 1 million and (2) is less than 1 in 1 million for sources not equipped with T-BACT.

The Multiple Air Toxics Exposure Study V (MATES V) is a monitoring and evaluation study conducted in the SoCAB. According to the MATES V Study, the carcinogenic risk from air toxics in the Basin has improved from the past. While toxic air pollutants decreased by more than 54 percent from 2012 to 2018, the cancer risk for residents of the SoCAB was 455 in one million in the year 2018 (SCAQMD 2021). The results of this Study indicate that diesel exhaust is the primary contributor to air toxics risk within the SoCAB.

## *Existing Air Quality Conditions*

Air quality data for the Project site is represented by the Anaheim-Pampas Lane monitoring station located at 1630 West Pampas Lane, Anaheim. The monitoring station is located approximately 9 miles northwest of the Project site. Pollutants measured at the Anaheim-Pampas Lane Monitoring Station include $O_3$, PM10, PM2.5, and nitrogen dioxide ($NO_2$). The monitoring data presented in Table 2, Air Quality Levels Measured at the Anaheim-Pampas Lane Monitoring Station, were obtained from the California Air Resources Board (CARB 2023). Federal and State air quality standards are presented with the number of times those standards were exceeded.

**TABLE 2**
**AIR QUALITY LEVELS MEASURED AT THE ANAHEIM MONITORING STATIONS**

| Pollutant | California Standard | National Standard | Year | Max. Level[a] | State Standard Days Exceeded[b] | National Standard Days Exceeded[b, c] |
|---|---|---|---|---|---|---|
| $O_3$ (1 hour) | 0.09 ppm | None | 2019 | 0.096 | 1 | 0 |
| | | | 2020 | 0.142 | 1 | 0 |
| | | | 2021 | .089 | 0 | 0 |
| $O_3$ (8 hour) | 0.070 ppm | 0.070 ppm | 2019 | 0.082 | 1 | 1 |
| | | | 2020 | 0.098 | 1 | 1 |
| | | | 2021 | .068 | 0 | 0 |
| PM10 (24 hour) | 50 µg/m³ | 150 µg/m³ | 2019 | 127.6 | 12.0 | 0 |
| | | | 2020 | 74.8 | 24.4 | 0 |
| | | | 2021 | 63.6 | 5.7 | 0 |
| PM10 (AAM) | 20 µg/m³ | None | 2019 | 24.6 | – | – |
| | | | 2020 | 30.8 | – | – |
| | | | 2021 | 23.4 | – | – |
| $NO_2$ (1 hour) | 0.18 ppm | 0.100 ppm | 2019 | 0.059 | 0 | 0 |
| | | | 2020 | 0.070 | 0 | 0 |
| | | | 2021 | 0.067 | 0 | 0 |
| $NO_2$ (AAM) | 0.030 ppm | 0.053 ppm | 2019 | 0.013 | – | – |
| | | | 2020 | 0.013 | – | – |
| | | | 2021 | 0.012 | – | – |
| CO (8 hour) | 20 ppm | 35 ppm | 2019 | 2.4 | 0 | 0 |
| | | | 2020 | 2.3 | 0 | 0 |
| | | | 2021 | – | – | – |
| CO (8 hour) | 9 ppm | 9 ppm | 2019 | 1.3 | 0 | 0 |
| | | | 2020 | 1.7 | 0 | 0 |
| | | | 2021 | – | – | – |
| PM2.5 (24 Hour) | None | 35 µg/m³ | 2019 | 37.1 | – | 4 |
| | | | 2020 | 64.8 | – | 12 |
| | | | 2021 | 54.4 | – | 10 |
| PM2.5 (AAM) | 12 µg/m³ | 15 µg/m³ | 2019 | 9.4 | – | – |
| | | | 2020 | 12.4 | – | – |
| | | | 2021 | 11.6 | – | – |

$O_3$: ozone; ppm: parts per million; PM10: respirable particulate matter with diameter of 10 microns or less; µg/m3: micrograms per cubic meter; AAM: Annual Arithmetic Mean; NO2: nitrogen dioxide; CO: carbon monoxide; PM2.5: fine particulate matter with a diameter of 2.5 microns or less.

NA: Not Available
Source: CARB 2023.

## *Regulatory Background*

The U.S. Environmental Protection Agency (USEPA) defines seven criteria air pollutants: $O_3$, CO, $NO_2$, $SO_2$, PM10, PM2.5, and lead. These pollutants are called criteria pollutants because the USEPA has established National Ambient Air Quality Standards (NAAQS) for the concentrations of these pollutants (USEPA 2023). California Air Resources Board (CARB) has also established standards for the criteria pollutants, known as California Ambient Air Quality Standards (CAAQS), and the State standards are generally more restrictive than the NAAQS. When a region has air quality that fails to meet the standards, the USEPA and the CARB designate the region as "nonattainment" and the regional air quality agency must develop plans to attain the standards.

Based on monitored air pollutant concentrations, the USEPA and the CARB designate an area's status in attaining the NAAQS and the CAAQS, respectively, for selected criteria pollutants. These attainment designations are shown in Table 3.

**TABLE 3**
**ATTAINMENT STATUS OF CRITERIA POLLUTANTS**
**IN THE SOUTH COAST AIR BASIN**

| Pollutant | State | Federal |
|---|---|---|
| $O_3$ (1 hour) | Nonattainment | No Standards |
| $O_3$ (8 hour) | Nonattainment | Extreme Nonattainment |
| PM10 | Nonattainment | Attainment/Maintenance |
| PM2.5 | Nonattainment | Serious Nonattainment |
| CO | Attainment | Attainment/Maintenance |
| $NO_2$ | Attainment | Attainment |
| $SO_2$ | Attainment | Attainment |
| Lead | No Standard | Attainment/Nonattainment* |
| All others | Attainment/Unclassified | No Standards |

$O_3$: ozone; PM10: particulate matter 10 microns or less in diameter; PM2.5: particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; $NO_2$: nitrogen dioxide; $SO_2$: sulfur dioxide.

* The Los Angeles County portion of the SoCAB is designated nonattainment for lead; the remainder of the SoCAB is designated attainment.

Source: SCAQMD 2017; USEPA 2023.

CARB, a part of the California Environmental Protection Agency, is responsible for coordinating and administering both the federal and State air pollution control programs in California. In this capacity, CARB conducts research, sets the CAAQS (as shown in Table 4), compiles emission inventories, develops suggested control measures, oversees local programs, and prepares the State Implementation Plan (SIP). For regions that do not attain the CAAQS, CARB requires the air districts to prepare plans for attaining the standards. These plans are then integrated into the SIP. CARB establishes emissions standards for (1) motor vehicles sold in California, (2) consumer products (e.g., hair spray, aerosol paints, barbecue lighter fluid), and (3) various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

**TABLE 4**
**CALIFORNIA AND FEDERAL AMBIENT AIR QUALITY STANDARDS**

| Pollutant | Averaging Time | California Standards | Federal Standards | |
|---|---|---|---|---|
| | | | Primary[a] | Secondary[b] |
| $O_3$ | 1 Hour | 0.09 ppm (180 µg/m³) | — | — |
| | 8 Hour | 0.070 ppm (137 µg/m³) | 0.070 ppm (137 µg/m³) | Same as Primary |
| PM10 | 24 Hour | 50 µg/m³ | 150 µg/m³ | Same as Primary |
| | AAM | 20 µg/m³ | – | Same as Primary |
| PM2.5 | 24 Hour | – | 35 µg/m³ | Same as Primary |
| | AAM | 12 µg/m³ | 12.0 µg/m³ | 15.0 µg/m³ |
| CO | 1 Hour | 20 ppm (23 mg/m³) | 35 ppm (40 mg/m³) | — |
| | 8 Hour | 9.0 ppm (10 mg/m³) | 9 ppm (10 mg/m³) | — |
| | 8 Hour (Lake Tahoe) | 6 ppm (7 mg/m³) | — | — |
| $NO_2$ | AAM | 0.030 ppm (57 µg/m³) | 0.053 ppm (100 µg/m³) | Same as Primary |
| | 1 Hour | 0.18 ppm (339 µg/m³) | 0.100 ppm (188 µg/m³) | — |
| $SO_2$ | 24 Hour | 0.04 ppm (105 µg/m³) | — | — |
| | 3 Hour | — | — | 0.5 ppm (1,300 µg/m³) |
| | 1 Hour | 0.25 ppm (655 µg/m³) | 0.075 ppm (196 µg/m³) | — |
| Lead | 30-day Avg. | 1.5 µg/m³ | — | — |
| | Calendar Quarter | — | 1.5 µg/m³ | Same as Primary |
| | Rolling 3-month Avg. | — | 0.15 µg/m³ | |
| Visibility Reducing Particles | 8 Hour | Extinction coefficient of 0.23 per km – visibility ≥ 10 miles (0.07 per km – ≥30 miles for Lake Tahoe) | **No Federal Standards** | |
| Sulfates | 24 Hour | 25 µg/m³ | | |
| Hydrogen Sulfide | 1 Hour | 0.03 ppm (42 µg/m³) | | |
| Vinyl Chloride | 24 Hour | 0.01 ppm (26 µg/m³) | | |

$O_3$: ozone; ppm: parts per million; µg/m³: micrograms per cubic meter; PM10: respirable particulate matter 10 microns or less in diameter; AAM: Annual Arithmetic Mean; —: No Standard; PM2.5: fine particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; mg/m³: milligrams per cubic meter; $NO_2$: nitrogen dioxide; $SO_2$: sulfur dioxide; km: kilometer.

[a] *National Primary Standards:* The levels of air quality necessary, within an adequate margin of safety, to protect the public health.

[b] *National Secondary Standards:* The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

Note: More detailed information in the data presented in this table can be found at the CARB website (www.arb.ca.gov).

Source: CARB 2016

The SCAQMD was established in 1977 by merging the individual air pollution control districts of the four counties within the SoCAB: Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAQMD and the, in coordination with local governments and the private sector, develop the Air Quality Management Plan (AQMP) for the SoCAB to satisfy these requirements. The AQMP is the most important air management document for the SoCAB because it provides the blueprint for meeting State and federal ambient air quality standards.

The current regional plan applicable to the Project is the SCAQMD's 2022 AQMP. The SCAQMD is responsible for ensuring that the SoCAB meets the NAAQS and CAAQS by reducing emissions from stationary (area and point), mobile, and indirect sources. To accomplish this goal, the SCAQMD prepares AQMPs in conjunction with the Southern California Association of Governments (SCAG), County transportation commissions, and local governments; develops rules and regulations; establishes permitting requirements for stationary sources; inspects emissions sources; and enforces such measures through educational programs or fines, when necessary, as indicated above.

## *Sensitive Air Quality Receptors*

Sensitive receptors include, but are not limited to, children, the elderly, persons with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise. These sensitive receptor uses include, but are not limited to, sensitive receptors at schools, parks, hospitals, high-density residential areas, and convalescent homes. The Project site is surrounded with commercial and residential uses. The nearest sensitive receptors are residential and preschool uses located south of the Project site, approximately 80 feet from the Project's southern boundary.

## *SCAQMD Thresholds of Significance*

The SCAQMD's Air Quality Analysis Handbook (CEQA Handbook) provides significance thresholds for both construction and operation of projects within the SCAQMD's jurisdictional boundaries (SCAQMD 2023). The SCAQMD recommends that projects be evaluated in terms of the quantitative thresholds established to assess both the regional and localized impacts of project-related air pollutant emissions. The City of Santa Ana uses the current SCAQMD thresholds to determine whether a proposed project would have a significant impact. These SCAQMD thresholds are identified in Table 5.

**TABLE 5**
**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**
**AIR QUALITY SIGNIFICANCE THRESHOLDS**

| **Mass Daily Thresholds[a]** | | |
|---|---|---|
| **Pollutant** | **Construction** | **Operation** |
| NOx | 100 lbs/day | 55 lbs/day |
| VOC | 75 lbs/day | 55 lbs/day |
| PM10 | 150 lbs/day | 150 lbs/day |
| PM2.5 | 55 lbs/day | 55 lbs/day |
| SOx | 150 lbs/day | 150 lbs/day |
| CO | 550 lbs/day | 550 lbs/day |
| Lead | 3 lbs/day | 3 lbs/day |
| **TACs, Odor, and GHG Thresholds** | | |
| TACs (including carcinogens and non-carcinogens) | Maximum Incremental Cancer Risk ≥ 10 in 1 million<br>Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million)<br>Chronic & Acute Hazard Index ≥ 1.0 (project increment) | |
| Odor | Project creates an odor nuisance pursuant to South Coast AQMD Rule 402 | |
| GHG | 10,000 MT/yr $CO_2e$ for industrial facilities | |
| **Ambient Air Quality Standards for Criteria Pollutants[b, c]** | | |
| $NO_2$<br>1-hour average<br>annual arithmetic mean | South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards:<br><br>0.18 ppm (State)<br>0.03 ppm (State) and 0.0534 ppm (federal) | |
| PM10<br>24-hour average<br>annual average | 10.4 µg/m$^3$ (construction)[c] & 2.5 µg/m$^3$ (operation)<br>1.0 µg/m$^3$ | |
| PM2.5<br>24-hour average | 10.4 µg/m$^3$ (construction)[c] & 2.5 µg/m$^3$ (operation) | |
| $SO_2$<br>1-hour average<br>24-hour average | 0.25 ppm (State) & 0.075 ppm (federal – 99$^{th}$ percentile)<br>0.04 ppm (State) | |
| Sulfate<br>24-hour average | 25 µg/m$^3$ (State) | |
| CO<br>1-hour average<br>8-hour average | South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards:<br><br>20.0 ppm (State) and 35 ppm (federal)<br>9.0 ppm (State/federal) | |

**TABLE 5**
**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**
**AIR QUALITY SIGNIFICANCE THRESHOLDS**

| | |
|---|---|
| Lead<br>30-day average<br>Rolling 3-month average | <br>1.5 µg/m$^3$ (State)<br>0.15 µg/m$^3$ (federal) |

NOx: nitrogen oxides; lbs/day: pounds per day; VOC: volatile organic compound; PM10: respirable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SOx: sulfur oxides; CO: carbon monoxide; TACs: toxic air contaminants; GHG: greenhouse gases; South Coast AQMD: South Coast Air Quality Management District; MT/yr $CO_2e$: metric tons per year of carbon dioxide equivalents; $NO_2$: nitrogen dioxide; ppm: parts per million; µg/m$^3$: micrograms per cubic meter; $SO_2$: sulfur oxides; CO: carbon monoxide.

[a] Source: South Coast AQMD CEQA Handbook (South Coast AQMD 1993)
[b] Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated
[c] Ambient air quality threshold is based on South Coast AQMD Rule 403

Source: South Coast AQMD 2023.

These regional emission thresholds cannot be used to correlate whether a specific health impact would occur to an individual receptor. These significance thresholds were developed to assist Lead Agencies with a consistent threshold that could be used to determine whether a project's emissions could significantly contribute to the total emissions occurring within an air basin. The totality of the air basin's emissions would determine whether it would be in attainment of the CAAQS and NAAQS.

## *LST Thresholds of Significance*

Short-term local impacts to nearby sensitive receptors from on-site emissions of $NO_2$, CO, PM10, and PM2.5 are examined based on SCAQMD's localized significance threshold (LST) methodology. To assess local air quality impacts for development projects without complex dispersion modeling, the SCAQMD developed screening (lookup) tables to assist lead agencies in evaluating impacts. The LST method was developed to provide a conservative estimate of the level of project-generated air pollutants that have the potential to exceed the NAAQS or CAAQS, which could consequently result in adverse health impacts. Exceedance of the LST does not describe the prevalence or magnitude of health effects, but rather assesses the potential for a project-related health effect to occur. The LST method cannot provide an estimate of health effects related to $O_3$ozone. Reactive organic gases (ROGs) and $NO_x$ are pollutants that contribute to the formation of ozone, otherwise known as $O_3$ozone precursors. It would be too speculative to determine how an individual project could affect the formation of $O_3$ozone, and how it could affect the health for a specific receptor: $O_3$ozone does not fully form within the proximity of a project site, and the formation of $O_3$ozone is affected by solar irradiance, meteorological conditions, presence of $O_3$ozone precursors from other sources, and other factors. As such, modeling of $O_3$ozone concentrations is conducted on the "macro" scale of an air basin for all pollutant sources within the basin, and not for an individual project. Consequently, the LST analysis focuses on a project--level analysis of the four criteria pollutants of greatest concern (CO, $NO_x$, $PM_{10}$, and $PM_{2.5}$).

The LST method is recommended to be limited to projects that are five acres or less. For the purposes of an LST analysis, the SCAQMD considers receptors where it is possible that an individual could remain for 1 hour for $NO_2$ and CO exposure and 24 hours for PM10 and PM2.5 exposure. The emissions limits in the lookup tables are based on the SCAQMD's Ambient Air Quality Standards (SCAQMD 2022).

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact.** The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary. It is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources and has prepared an AQMP that establishes a program of rules and regulations directed at attaining the NAAQS and CAAQS.

As stated above, the current regional plan applicable to the Project is the SCAQMD's 2022 AQMP. The SCAQMD is responsible for ensuring that the SoCAB meets the NAAQS and CAAQS by reducing emissions from stationary (area and point), mobile, and indirect sources. To accomplish this goal, the SCAQMD prepares AQMPs in conjunction with the Southern California Association of Governments (SCAG), County transportation commissions, and local governments; develops rules and regulations; establishes permitting requirements for stationary sources; inspects emissions sources; and enforces such measures through educational programs or fines, when necessary, as indicated above.

The 2022 AQMP was adopted on December 2, 2022, by the SCAQMD Governing Board. The 2022 AQMP is a regional and multi-agency effort among the SCAQMD, CARB, SCAG, and USEPA. The 2022 AQMP includes an analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures. The purpose of the 2022 AQMP is to set forth a comprehensive program that would promote reductions in criteria pollutants, greenhouse gases (GHGs), and toxic risk and efficiencies in energy use, transportation, and goods movement. The 2022 AQMP incorporates the latest scientific and technical information and planning assumptions, including SCAG's 2020–-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS); updated emission inventory methods for various source categories; and SCAG's latest growth forecasts. The 2022 AQMP includes strategies and measures necessary to meet the NAAQS. The AQMP is based on projections of energy usage and vehicle trips from land uses within the SoCAB.

The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State air quality standards. For a project to be consistent with the AQMP, the pollutants emitted from the project should not (1) exceed the SCAQMD CEQA air quality significance thresholds or (2) conflict with or exceed the assumptions in the AQMP.

With respect to the first criterion, based on the air quality modeling analysis conducted for the proposed Project, provided below, construction and operation of the Project would not exceed the SCAQMD's CEQA thresholds of significance and consequently would not result in an increase in the frequency or severity of existing air quality violations nor cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emissions reductions in the AQMP. Therefore, the Project is consistent with the first criterion.

With respect to the second criterion, the proposed Project was assessed as to whether it would exceed the assumptions in the AQMP. The Project site currently has a General Plan land use designation of General Commercial (GC). This designation provides highly visible and accessible shopping opportunities along arterial corridors and supports the development and continued operation of recreational, cultural, entertainment, employment, and educational opportunities near established residential neighborhoods. (Santa Ana 2022e). The proposed Project is consistent with the General Plan's vision which in turn is consistent with the AQMP. The proposed Project is not anticipated to exceed the AQMP assumptions for the Project site and is found to be consistent with the AQMP for the second criterion. Therefore, the Project would not result in an inconsistency with the SCAQMD's 2022 AQMP. Less than significant impacts would occur, and no mitigation is required.

***b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?***

**Less than Significant Impact.** A project may have a significant impact where project-related emissions would exceed federal, State, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation. As identified in Table 4, Orange County is a nonattainment area for $O_3$, PM10, and PM2.5. The Project would generate PM10, PM2.5, and $O_3$ precursors (NOx and volatile organic compound [VOC]) during short-term construction and long-term operations. The SCAQMD has developed construction and operations thresholds to determine whether projects would considerably contribute toward a violation of ambient air quality standards.

## *Construction Activities*

Air pollutant emissions would occur from construction equipment exhaust; dust from demolition and site grading; exhaust and particulate emissions from trucks hauling demolition and construction debris, soil, and building materials to and from the Project site; from automobiles and light trucks driven to and from the Project site by construction workers; and VOCs from painting and asphalt paving operations. The proposed Project would comply with applicable SCAQMD rules and regulations, including Rule 403 for fugitive dust control. Rule 403 measures include regular watering of active grading areas and unpaved roads, limiting vehicle speeds on unpaved surfaces, stabilizing stockpiled earth, and curtailing grading operations during high wind conditions. Watering of active grading areas is included in the California Emissions Estimator Model (CalEEMod) emissions analysis and results in reduced PM10 and PM2.5 emissions. The emission reductions associated with compliance with this rule have been included in the emissions calculations.

Regional Emissions Thresholds – Maximum Daily Regional Emissions

Table 6, Estimated Maximum Daily Regional Construction Emissions, presents the estimated maximum daily emissions during construction of the proposed Project and compares the estimated emissions with the SCAQMD's daily regional emission thresholds. As shown in Table 6, Project construction mass daily emissions would be less than the SCAQMD's thresholds for all criteria air pollutants, and the impact would be less than significant. No mitigation is required.

**TABLE 6**
**ESTIMATED MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS**

| Year | Emissions (lbs/day) | | | | | |
|---|---|---|---|---|---|---|
| | **VOC** | **NOx** | **CO** | **$SO_2$** | **PM10** | **PM2.5** |
| 2024 | 8 | 5 | 6 | <1 | <1 | <1 |
| ***SCAQMD Thresholds*** | ***75*** | ***100*** | ***550*** | ***150*** | ***150*** | ***55*** |
| **Exceeds SCAQMD Thresholds?** | **No** | **No** | **No** | **No** | **No** | **No** |

lbs/day: pounds per day; VOC: volatile organic compound; NOx: nitrogen oxides; CO: carbon monoxide; $SO_2$: sulfur dioxide; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District.

Source: SCAQMD 2023 (thresholds); see Appendix A for CalEEMod model outputs.

## *Operational Activities*

The following section provides an analysis of potential long-term air quality impacts to regional air quality with the long-term operation of the proposed Project. The potential operations-related air emissions have been analyzed below for the regional criteria pollutant emissions and cumulative impacts.

Operational emissions are comprised of area, energy, and mobile source emissions. The principal source of VOC emissions associated with the Project would result from the use of consumer products; the primary source of CO, NOx, PM10, and PM2.5 emissions would be mobile sources. Area and energy source emissions are based on CalEEMod assumptions for the specific land uses and size. Mobile source emissions are based on estimated Project-related trip generation forecasts, as contained in the Project traffic impact analysis. The Project would generate 1,860 daily trips, with half being pass-by trips. Estimated peak daily operational emissions are shown in Table 7.

**TABLE 7**
**PEAK DAILY OPERATIONAL EMISSIONS**

| Source | Emissions (lbs/day) | | | | | |
|---|---|---|---|---|---|---|
| | **VOC** | **$NO_x$** | **CO** | **$SO_2$** | **PM10** | **PM2.5** |
| Mobile sources | 4 | 3 | 33 | <1 | 7 | 2 |
| Area sources | <1 | <1 | <1 | <1 | <1 | <1 |
| Energy sources | <1 | 3 | 2 | <1 | <1 | <1 |
| Water | <1 | <1 | <1 | <1 | <1 | <1 |
| Waste | <1 | <1 | <1 | <1 | <1 | <1 |
| Refrigeration | <1 | <1 | <1 | <1 | <1 | <1 |
| **Total Operational Emissions*** | **4** | **6** | **36** | **<1** | **7** | **2** |
| ***SCAQMD Significance Thresholds (Table 4-4)*** | ***55*** | ***55*** | ***550*** | ***150*** | ***150*** | ***55*** |
| **Significant Impact?** | **No** | **No** | **No** | **No** | **No** | **No** |

lbs/day: pounds per day; VOC: volatile organic compounds; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District.

* Some totals do not add due to rounding.

Note: CalEEMod model data sheets are included in Appendix A.

As shown in Table 7, the Project's operational emissions would be less than the SCAQMD CEQA significance thresholds for all criteria pollutants. It should be noted that the analysis provided above in Table 7 is conservative, because it provides the gross emissions, and does not deduct operational emissions from existing uses. Therefore, the Project's operational impact on regional emissions would be less than significant, and no mitigation is required.

### *c) Expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant Impact.** A significant impact may occur when a project would generate pollutant concentrations to a degree that would significantly affect sensitive receptors, which include populations that are more susceptible to the effects of air pollution than the population at large. Exposure of sensitive receptors is addressed for the following situations: Construction--phase Localized emissions, CO hotspots, and toxic air contaminants (TACs, specifically diesel particulate matter [DPM]) from on-site construction. Operational, long-term TACs may be generated by some industrial land uses; commercial land uses (e.g., gas stations and dry cleaners); and diesel trucks on freeways.

### *Construction-Phase Localized Significance Thresholds*

As stated above, in addition to the mass daily emissions thresholds established by the SCAQMD, short-term local impacts to nearby sensitive receptors from on-site emissions of $NO_2$, CO, PM10, and PM2.5 are examined based on SCAQMD's localized significance threshold (LST) methodology, which is recommended to be limited to projects that are five acres or less. The emissions screening thresholds used in this analysis are for receptors within 25 meters (82 feet) of the Project site for $NO_x$, and CO, PM10, and PM2.5; the thresholds for

receptors farther away would be higher, and the Project emissions would be a smaller fraction of the thresholds.

Table 8, Construction-Phase Localized Significance Threshold Emissions, shows the maximum daily on-site emissions for construction activities compared with the SCAQMD LST screening thresholds. The Project site is 0.82-acre in area. The thresholds shown are from the lookup tables for a site disturbance area that is 1 acre, which is based on the maximum equipment used on-site. The Project's maximum daily on-site emissions for all pollutants would occur during the building construction phase. As shown in Table 8, localized emissions for all criteria pollutants would be less than their respective screening thresholds. Therefore, localized air quality impacts would be less than significant, no mitigation is required.

**TABLE 8**
**CONSTRUCTION-PHASE**
**LOCALIZED SIGNIFICANCE THRESHOLD EMISSIONS**

| Emissions and Thresholds | Emissions (lbs/day) | | | |
|---|---|---|---|---|
| | **NOx** | **CO** | **PM10** | **PM2.5** |
| Project maximum daily on-site emissions | 5 | 6 | <1 | <1 |
| **Localized Significance Threshold** | **81** | **485** | **4** | **3** |
| **Exceed threshold?** | **No** | **No** | **No** | **No** |

lbs/day: pounds per day; NOx: nitrogen oxides; CO: carbon monoxide; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter.

Note: Data is for SCAQMD Source Receptor Area 17, Central Orange County

Source: SCAQMD 2009 (thresholds); see Appendix A for CalEEMod model outputs.

## *Carbon Monoxide Hotspot*

In an urban setting, vehicle exhaust is the primary source of CO. Consequently, the highest CO concentrations generally are found close to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as the distance from the emissions source (e.g., congested intersection) increases. Therefore, for purposes of providing a conservative worst-case impact analysis, CO concentrations typically are analyzed at congested intersection locations. If impacts are less than significant close to congested intersections, impacts also would be less than significant at more distant sensitive-receptor and other locations. The proposed Project would have an increase in peak morning and evening traffic volumes of 89 and 67 trips, respectively. The Project contribution of vehicle trips are not of sufficient magnitude to result in a substantial contribution to CO concentrations at localized intersections. As such, Project-related vehicles would not result in a significant impact related to CO hotspots.

## *Criteria Pollutants from On-Site Construction*

Exposure of persons to NOx, CO, PM10, and PM2.5 emissions is discussed in response to Threshold 4.3(a) above. As shown in Table 8, in response to Threshold 4.3(a), localized emissions for all criteria pollutants would be less than their respective screening thresholds. Therefore, localized air quality impacts to sensitive receptors would be less than significant.

## *Toxic Air Contaminant Emissions from On-Site Construction*

Construction activities would result in short-term, Project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment used for site preparation (e.g., demolition, excavation, and grading); paving; building construction; and other miscellaneous activities. CARB identified DPM as a TAC in 1998. The dose to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment, health risk assessments—which determine the exposure of sensitive receptors to TAC emissions—should be based on a 40-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the Project.

There would be relatively few pieces of off-road, heavy-duty diesel equipment in operation, and the total construction period of approximately 120 days would be relatively short when compared to a 40-year exposure period. The period for which offroad construction equipment is used would be even less. Combined with the highly dispersive properties of DPM and additional reductions in particulate emissions from newer construction equipment, as required by USEPA and CARB regulations, construction emissions of TACs would not expose sensitive receptors to substantial emissions of TACs. The impact would be less than significant, and no mitigation is required.

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

**Less than Significant Impact.** Potential operational odors could be created by cooking and trash collection associated with commercial uses. These odors would be similar to those of existing uses surrounding the Project site and throughout the City. According to the SCAQMD's *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The proposed Project does not include any uses identified by the SCAQMD as being associated with odors and, therefore, would not produce objectionable odors. The Project uses, which includes the cooking of food, are also regulated from nuisance odors or other objectionable emissions by SCAQMD Rule 402. Rule 402 prohibits the discharge from any source of air contaminants or other material which would cause injury, detriment, nuisance, or annoyance to people or the public. Preparation of food is not considered by the SCAQMD to

constitute a public nuisance. As such, the Project would have a less than significant impact with regard to other emissions. No mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to air quality; therefore, no mitigation measures are required.

# 4.4 BIOLOGICAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☒ | ☐ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |

## Impact Analysis

***Would the Project:***

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

**No Impact.** The Project site is located on a developed site within an urban area, and surrounded by a mix of commercial and residential uses. The entire Project site and immediate surrounding areas are developed and do not support native plant communities or native habitat. The site contains scattered ornamental trees, grasses, and shrubs, and no areas with native vegetation or habitat are on-site.

In addition, no fish, amphibian, or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish or amphibians were observed

on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site. Due to the high level of anthropogenic disturbances on-site, and surrounding development, no special-status reptilian species are expected to occur within the Project site. The Project site provides minimal foraging habitat for bird or mammal species that have adapted to human disturbance. The existing ornamental landscaping provides potential habitats for common animal species that are typically found in urban areas, such as small mammals, birds, small reptiles, and insects. However, the site does not provide natural habitats for sensitive plant and animal species.

Review of the U.S. Fish and Wildlife Service's (USFWS') Critical Habitat for Threatened and Endangered Species shows there are no designated critical habitat areas on or near the Project site (USFWS 2023). The nearest critical habitat is located in North Tustin, approximately 3 miles to the northeast.

Since there are no natural or sensitive biological resources on the Project site, the proposed Project would not impact any candidate, sensitive, or special status species, as identified in the local or regional plans, policies, or regulations by the California Department of Fish and Wildlife (CDFW) or USFWS. There would be no impact on sensitive species, and no mitigation is required.

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

**No Impact**. Riparian habitat is composed of the trees and other vegetation and physical features normally found on the stream banks and flood plains associated with streams, lakes, or other bodies of water. The City of Santa Ana is largely urbanized. The Santa Ana River is the closest body of water and is located approximately 3.5 miles west of the Project site. The Project site is located in an urbanized area of the City and is surrounded by existing development. The site supports ornamental landscaping at scattered locations but does not contain riparian habitat or sensitive natural vegetation communities identified by CDFW and USFWS. There would be no impact to riparian habitats or sensitive natural vegetation communities, and no mitigation is required.

***c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

**No Impact.** The Project site is largely paved and does not support State or federally protected wetlands, or other areas under the jurisdiction of the CDFW, the RWQCB, or USACE. There are no jurisdictional drainages, wetlands, or riparian habitats located at the Project site. Therefore, no impacts associated with federally protected wetlands would occur, and no mitigation is required.

***d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

**Less than Significant Impact**. The Project site is fully developed and is surrounded by commercial uses and roadways. The Project site is isolated from regional wildlife corridors and linkages, and there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the Project site to any identified wildlife corridors or linkages. As a result, implementation of the proposed Project would not disrupt or have any adverse effects on any migratory corridors or linkages in the surrounding area. The Project would not affect the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, as the Project is part of none. Also, there are no native wildlife nursery sites on or near the Project site.

Due to the presence of trees and vegetation on the Project site, there is the potential for birds protected by the Federal Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code to nest at the site. The MBTA protects common and special status migratory birds and their nests and eggs. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (50 Code of Federal Regulations Section 10.13, as amended). Multiple sections of California Fish and Game Code provide protection for nesting birds and raptors. Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically addresses raptors (i.e., birds of prey in the orders Falconiformes and Strigiformes) and makes it unlawful to take, possess, or destroy these birds or their nest or eggs. Section 3513 prohibits the take or possession of migratory non-game birds or any part of such bird, as designated by the MBTA. As such, the Project is subject to all requirements as set forth by the MBTA during construction and operations. Therefore, potential impacts associated with the substantial interference with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridor, or the use of native wildlife nursery sites would be less than significant, and no mitigation would be required.

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

**Less than Significant Impact**. The proposed Project would involve the construction and operation of a McDonald's building and drive-thru and would include ancillary improvements associated with the commercial use, such as landscaping, trash enclosure, mechanical improvements and site lighting. The Project site is a vacant, previously disturbed parcel, with no existing native or sensitive biological resources on-site.

The proposed Landscape Plan (Exhibit 5) would consist of a hierarchy of plant materials including trees, shrubs, vines, grasses, and groundcover throughout the Project site. The Project would remove 17 existing trees on-site, none of which are located within the public right-of-way, and plant 25 new trees. The City does not have a tree preservation ordinance; however, the General Plan's Conservation Element, Policy CN 3.5, includes goals encouraging the increased planting of trees, bushes, and shrubs on private and public property (City of

Santa Ana 2022d). All trees located on-site are ornamental and are not subject to regulations as set forth by the SAMC. All tree removals and installations would be conducted in accordance with City standards and applicable permit requirements. Therefore, impacts would be less than significant associated with a conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, would occur, and no mitigation would be required.

***f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

**No Impact**. The Project site is not within the boundaries of any an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State habitat conservation plan. Therefore, the proposed Project would not conflict with the provisions of an adopted HCP, NCCP, or other approved conservation plan. Therefore, no impacts would occur, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to biological resources; therefore, no mitigation measures are required.

# 4.5 CULTURAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | ☐ | ☐ | ☒ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☒ | ☐ | ☐ |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☒ | ☐ |

## Introduction

### *Existing Setting*

Background research was conducted on the Project site to establish a thorough and accurate historic context, and to confirm the development history of the property. This included a review of a historic and archaeological record search conducted by Psomas on July 24, 2023 at the South-Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. The SCCIC houses records of the California Historical Resources Information System for Los Angeles, Orange, Ventura, and San Bernardino Counties. The records search included a 0.5-mile radius around the Project site. The Cultural Resources Record Search, including the SCCIC records, is included in Appendix B of this IS/MND. Additional background research included a review of all available building permits on file with the City of Santa Ana; historical newspapers covering Santa Ana and Orange County via newspapers.com; historic aerial photographs of the project site via National Environmental Title Reference and the University of Santa Barbara FrameFinder Maps; and applicable primary and secondary sources on file with local libraries and repositories, such as the Built Environment Resource Database.

The SCCIC record search identified three prior cultural resources studies (Table 9) within the 0.5-mile search radius that were initiated due to planned residential developments and communication towers and sites. None of the three studies occurred within the Project site.

**TABLE 9**
**CULTURAL RESOURCE STUDIES WITHIN 0.5-MILE OF THE PROJECT SITE**

| Report No. | Year | Author(s) | Affiliation | Type of Study | Title of Study | Proximity to Project Site |
|---|---|---|---|---|---|---|
| OR-03096 | 2001 | Thanne, Michael D. | Law Engineering & Environmental Services, Inc. | Section 106 Cultural Resource Study | Review of Requirements Under the National Historic Preservation Act of 1966 Proposed Brannigan Tower Site 1440 E. Santa Clara. Avenue Santa Ana, Orange, County | Outside |
| OR-03529 | 2008 | Padon, Beth & Judith Marvin | Discovery Works, Inc. | Cultural Resource Study | Cultural Study Report Empire Homes Project (Tentative Tract Map 17231), 1584 E. Santa Clara Avenue, Santa Ana, Orange County, California | Outside |
| OR-04071 | 2010 | Bonner, Dianne F. | W.H. Bonner Associates | Cultural Resource Study | Records Search and Site Visit Results for the Proposed T-Mobile Site LA02933C (Edits Mini-Mart), located at 2151 East Santa Clara Avenue, Santa Ana, Orange County, California | Outside |
| Source: SCCIC 2023. | | | | | | |

The SCCIC records search did identify one previously recorded cultural resource within a 0.5-mile of the Project site. Cultural Resource P-30-179880 is a one-story frame residence built in 1914. The residence is not located within the Project site.

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact**. Based on the SCCIC literature reviews search and record search results, there are no documented historical resources identified on the Project site. However, two built environment resources over 45 years old were identified within the Project site: 2101 and 2109 East Santa Clara Avenue. The properties were recorded and evaluated for historical significance on the appropriate set of Department of Parks and

Recreation (DPR) 523 Forms in consideration of the California Register of Historic Places and City designation criteria and integrity requirements (See Historic Built Environment Assessment, prepared by South Environmental Report in Appendix C). Both properties were found not eligible under all State and local designation criteria due to a lack of significant historical associations and architectural merit. All data considered, no historical resources were identified within the Project site as a result of this analysis. Therefore, the proposed Project will have a less than significant impact on historical resources under CEQA. Thus, the Project's impact pertaining to a historic resource pursuant to Section 15064.5 is considered less than significant, and no mitigation is required.

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

**Less than Significant Impact with Mitigation Incorporated.** Based on the searches conducted, no archaeological resources were discovered on the Project site or within the 0.5-mile search radius of the site. However, there is a possibility that buried historical and/or archaeological materials would be uncovered during necessary subsurface excavations for the construction of the Project. To ensure no significant impacts would result, MM CUL-1 is required in the event that cultural resources (archaeological, tribal cultural resources) are inadvertently unearthed during excavation and grading. It requires that the Project proponent shall retain a qualified professional (i.e., archaeologist) to evaluate the significance of the finding and appropriate course of action. Implementation of MM CUL-1 would ensure that the potential for the destruction of any significant archaeological resources would be less than significant.

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

**Less than Significant Impact.** There is no indication that human remains are present within the Project site, and the SCCIC records search does not indicate evidence of human remains within the 0.5-mile search radius of the site. However, construction activities may unearth previously undiscovered human remains.

In compliance with State and federal regulations, if human remains are encountered during excavation activities, all work shall halt at the site and or any nearby areas reasonably suspected to overlie adjacent remains, and the County Coroner shall be notified (RR CUL-1). The Coroner shall determine whether the remains are of forensic interest within two working days of receiving notification. If the Coroner, with the aid of the qualified archaeologist, determines that the remains are prehistoric, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours of the determination. The NAHC shall be responsible for designating the most likely descendant, who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources Code. Compliance with RR CUL-1 would ensure that impacts on human remains would be less than significant. No mitigation is required.

## Mitigation Measures and Regulatory Requirements

The MMs and RRs are applicable to the proposed Project and incorporated herein as standard conditions of approval.

**MM CUL-1** Prior to the issuance of the grading permit, the Project Applicant shall provide written evidence to the City that the Applicant has retained an Orange County-certified archaeologist to observe grading activities within previously undisturbed soils, and to salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance within previously undisturbed soils, and shall establish, in cooperation with the Applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If archaeological resources are inadvertently unearthed during excavation activities, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery and the archaeologist and City shall be notified immediately. If the archaeological resources are found to be significant, the archeologist, in consultation with the City, shall determine appropriate actions for exploration and salvage. After the find has been appropriately avoided or mitigated, work in the area may resume.

**RR CUL-1** In the event that human remains are unearthed during excavation and grading activities, all activity shall cease immediately. Pursuant to State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the NAHC.

# 4.6 ENERGY

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☐ | ☐ | ☐ | ☒ |

## Impact Analysis

Energy calculations and data are provided in Appendix D to this IS/MND.

***Would the Project:***

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

**Less than Significant Impact.** Southern California Edison (SCE) and the Southern California Gas Company (SCGC) are utility companies that currently provide and would continue to provide electrical and natural gas services to the Project site. Compliance with energy efficiency and conservation policies and regulations is discussed in this section.

The Santa Ana General Plan has developed attainable conservation goals and policy actions that would assist in energy conservation within the community. These conservation goals and policy actions include:

**Goal CN-3:** Energy Resources – Reduce consumption of and reliance on nonrenewable energy and support the development and use of renewable energy sources.

> POLICY CN-3.1 INTERAGENCY COORDINATION
> Consult with regional agencies and utility companies to pursue energy efficiency goals and expand renewable energy strategies.
>
> POLICY CN-3.2 EDUCATION PROGRAMS
> Support education programs to provide information on energy conservation and alternatives to nonrenewable energy sources.
>
> POLICY CN-3.3 DEVELOPMENT PATTERNS
> Promote energy-efficient development patterns by clustering mixed-use developments and compatible uses adjacent to public transportation.

POLICY CN-3.4 SITE DESIGN
Encourage site planning and subdivision design that incorporates the use of renewable energy systems.

POLICY CN-3.5 LANDSCAPING
Promote and encourage the planting of native and diverse tree species to improve air quality, reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation with special focus in environmental justice areas.

POLICY CN-3.6 LIFE CYCLE COSTS
Encourage construction and building development practices that use renewable resources and life cycle costing in construction and operating decisions.

POLICY CN-3.7 ENERGY CONSERVATION DESIGN AND CONSTRUCTION
Incorporate energy conservation features in the design of new construction and rehabilitation projects.

POLICY CN-3.8 ENERGY-EFFICIENT PUBLIC FACILITIES
Promote and encourage efficient use of energy and the conservation of available resources in the design, construction, maintenance, and operation of public facilities, infrastructure, and equipment.

POLICY CN-3.9 ENERGY GENERATION IN PUBLIC FACILITIES
Encourage and support the generation, transmission, use, and storage of locally distributed renewable energy in order to promote energy independence, efficiency, and sustainability.

POLICY CN-3.10 ENERGY CONSERVATION IN PUBLIC PROJECTS
Work with businesses and contractors that use energy efficient practices in the provision of services and equipment for City construction projects.

POLICY CN-3.11 ENERGY-EFFICIENT TRANSPORTATION INFRASTRUCTURE
Continue to support public and private infrastructure for public transportation such as bus routes, rail lines, and the OC Streetcar.

The State of California has also adopted efficiency design standards within the Title 24 Building Standards and California Green Building Standards Code (CALGreen) requirements. Title 24 of the California Code of Regulations (CCR, specifically, Part 6) is California's Energy Efficiency Standards for Residential and Non-residential Buildings (**RR ENE-1**). Title 24 was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and to provide energy efficiency standards for residential and non-residential buildings. The 2022 California Green Building Standards Code (24 CCR, Part 11), also known as the CALGreen Code, contains mandatory requirements for new residential and nonresidential buildings throughout California (**RR ENE-2**)**.** The development of the CALGreen Code is intended to (1) cause a reduction in GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water

consumption; and (4) respond to the directives by the Governor. The Code is established to reduce construction waste; make buildings more efficient in the use of materials and energy; and reduce environmental impact during and after construction. The regulation of energy efficiency for residential and non-residential structures is established by the CEC and its California Energy Code.

## *Construction*

Project construction would require the use of construction equipment for demolition, grading, and building activities. All off-road construction equipment is assumed to use diesel fuel. Construction also includes the vehicles of construction workers and vendors traveling to and from the Project site.

Off-road construction equipment use was calculated from the equipment data (mix, hours per day, horsepower, load factor, and days per phase) provided in the CalEEMod construction output files included in Appendix A. The total horsepower hours for the Project were then multiplied by fuel usage estimates per hours of construction activities included in the Off-Road Model.

Fuel consumption from construction worker, vendor, and delivery/haul trucks was calculated using the trip rates and distances provided in the CalEEMod construction output files. Total vehicle miles traveled (VMT) was then calculated for each type of construction-related trip and divided by the corresponding miles per gallon factor using CARB's EMissions FACtor (EMFAC) 2021 model (CARB 2022a). EMFAC provides the total annual VMT and fuel consumed for each vehicle type. Construction vendor and delivery/haul trucks were assumed to be heavy-duty diesel trucks.

As shown in Table 10, Energy Use During Construction, a total of 380 gallons of gasoline and 1,581 gallons of diesel fuel is estimated to be consumed during Project construction.

**TABLE 10**
**ENERGY USE DURING CONSTRUCTION**

| Source | Gasoline – gallons | Diesel Fuel – gallons |
|---|---|---|
| Off-road Construction Equipment | 93 | 1,508 |
| Worker Commute | 256 | 1 |
| Vendors | 31 | 0 |
| On-road Haul | 0 | 72 |
| **Totals** | 380 | 1,581 |
| Sources: based on data from CalEEMod, OffRoad, and EMFAC2021. Energy data can be found in Appendix D to this IS/MND. | | |

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. The Project would also implement best management practices such as requiring equipment to be properly maintained and minimize

idling. Furthermore, there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. Energy used in the construction of the Project would enable the development of buildings that meet the latest energy efficiency standards as detailed in California's Title 24 building standards. Therefore, the proposed construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

## *Operations*

The proposed Project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 and CALGreen). The Project site is currently developed with residential uses that complied with older less stringent building energy efficiency standards. The proposed Project is required to comply with the latest (2022) building energy efficiency standards adopted by the State of California. The estimated energy consumption attributable to the Project is shown in Table 11, below.

**TABLE 11**
**ENERGY USE DURING OPERATIONS**

| Land Use | Gasoline | Diesel | Natural Gas (kBTU/yr) | Electricity (kWh/yr) |
|---|---|---|---|---|
| Project Land Uses | 110,363 | 9,395 | 10,809,840 | 3,512,760 |
| Santa Ana General Plan | 148,001,638 | 19,896,581 | 27,074,864 | 1,189,836,014 |
| Percent of Project Use | 0.07% | 0.05% | 0.22% | 0.22% |
| kBTU/yr: one thousand British Thermal Units; kWh/yr: kilowatt hours per year.<br>Sources: Energy data can be found in Appendix D of this IS/MND. | | | | |

The CEC anticipates the new 2022 Building Energy Efficiency Standards would result in a reduction of energy use as compared to previous energy standards (CEC 2022). Therefore, the new buildings would be more energy efficient than the existing buildings to be demolished. The Project's energy efficient building is consistent with Policy CN-3.7 Energy Conservation Design and Construction. The proposed restaurant use is also located within a residential area near existing bus routes which provides a restaurant that supports the local community and minimizes vehicle trips and trip lengths. As such, the Project is consistent with Policy CN-3.3 Development Patterns which promotes compatible uses adjacent to public transportation. In terms of whether the operations phase would result in a wasteful, inefficient, or unnecessary consumption of energy resources, during Project operations, the Project would incorporate indoor water conservation measures such as low-flow fixtures for handwashing sinks, toilet and urinal flush valves, and dish sprayers. Beverage and ice machines would include low water waste technology and the proposed RO filtration system is highly efficient and would limit the amount of bypass water. Therefore, the proposed Project would not result in an inefficient, wasteful, or unnecessary consumption of energy. There would be a less than significant impact, and no mitigation is required.

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

**No Impact.** The Project would be required to comply with the State of California's Title 24 Energy Efficiency Standards and Title 24 Building Standards. As discussed previously, the latest building standards would incorporate the CEC's building energy efficiency standards, which would reduce energy consumption through the incorporation of energy efficiency requirements. This would result in efficient use of electricity, natural gas, and water as compared to older commercial buildings developed under less stringent Title 24 requirements. The Project's incorporation of the latest energy and resource efficiency measures are consistent with Policy CN-3.7 Energy Conservation Design and Construction of the General Plan which seeks to incorporate energy conservation features in the design of new construction and rehabilitation projects.

As such, the development of new Project-related buildings would result in greater energy efficiency by replacing the existing less efficient older buildings consistent with the energy efficiency goals of the Santa Ana General Plan, consistent with and supportive of applicable plans.

As the Project complies with the latest energy efficiency standards and would be relatively small in magnitude relative to the energy consumption presented in the General Plan, the Project would not result in a substantial amount of energy use as illustrated in Table 11, the Project would also be consistent with energy conservation goals established in the Santa Ana General Plan (discussed previously) and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. There would be a less than significant impact, and no mitigation is required.

## Regulatory Requirements

**RR ENE-1** The Project must be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.

**RR ENE-2** The Project is subject to the California Green Building Standards Code (CALGreen) (CCR, Title 24, Part 11). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.

## Mitigation Measures

Project implementation would not result in significant impacts related to energy; therefore, no mitigation measures are required.

# 4.7 GEOLOGY AND SOILS

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? | ☐ | ☐ | ☐ | ☒ |
| ii) Strong seismic groundshaking? | ☐ | ☐ | ☒ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |
| iv) Landslides? | ☐ | ☐ | ☒ | ☐ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☒ | ☐ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | ☐ | ☐ | ☒ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | ☐ | ☐ | ☐ | ☒ |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☒ | ☐ | ☐ |

## Introduction

A Geotechnical Engineering Report (Geotechnical Report) was prepared by Universal Engineering Sciences on November 4, 2021, and included as Appendix E for the proposed Project to assess the geotechnical conditions on the Project site and provide preliminary geotechnical recommendations for planning of the Project.

## Impact Analysis

***Would the Project:***

***a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

***i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?***

**No Impact.** Ground rupture occurs when movement on a fault breaks through the surface. The State of California has established Earthquake Fault Zones for the purpose of mitigating the hazard of fault rupture by prohibiting the location of most human occupancy structures across the traces of active faults. The subject site is not located within a State of California Alquist-Priolo Earthquake Fault Zone, and no active faults are known to underlie or project towards the site. As such, the likelihood of fault rupture occurring at the site is low (Universal Engineering Sciences 2021). There is no impact associated with surface rupture from an Alquist-Priolo Fault Zone, and no mitigation is required.

***ii) Strong seismic groundshaking?***

**Less than Significant Impact.** Strong seismic ground shaking has the potential to occur on the Project area and in the surrounding area due to high rates of seismic activity throughout Southern California. The extent of ground shaking associated with an earthquake depends on the size of the earthquake and the geologic material of the underlying area. As stated above, no active faults are known to underlie or project towards the site. However, Santa Ana, as well as most of Southern California, is subject to seismic shaking from local faults. The Project improvements would comply with applicable provisions of the most recent California Building Code (CBC), as well as City roadway design requirements, including requirements regarding seismic design and structural features. Additionally, the Geotechnical Evaluation concludes that the proposed Project is feasible from a geotechnical standpoint with implementation of recommendations outlined in the Geotechnical Evaluation. These regulations detail specific measures, including seismic design parameters, to minimize the risk of loss, injury, or death resulting from strong ground shaking. Therefore, there would be a less than significant impact from strong seismic ground shaking, and no mitigation is required.

***iii) Seismic-related ground failure, including liquefaction?***

**Less Than Significant Impact**. Liquefaction occurs when the pore pressures generated within a soil mass approach the effective overburden pressure. Liquefaction of soils may be caused by cyclic loading such as that imposed by ground shaking during earthquakes. The increase in pore pressure results in a loss of strength, and the soil then can undergo both horizontal and vertical movements, depending on the site conditions. Other phenomena associated with soil liquefaction include sand boils, ground oscillation, and loss of foundation bearing capacity. Liquefaction is generally known to occur in loose, saturated, relatively clean, fine-grained cohesionless soils at depths shallower than approximately 50 feet.

Factors to consider in the evaluation of soil liquefaction potential include groundwater conditions, soil type, grain size distribution, relative density, degree of saturation, and both the intensity and duration of ground motion (Universal Engineering Sciences 2021).

A review of the State of California Seismic Hazard Zone Map for the Orange Quadrangle indicates the site is not located within an area identified as having a potential for liquefaction. Additionally, based on the lack of shallow ground water, and uniform soil stratum, the potential for liquefaction to impact the proposed improvements is considered low (Universal Engineering Sciences 2021). Therefore, the Project would not result in a substantial adverse effect, including the risk of loss, injury, or death, due to seismic-related ground failure, including liquefaction Therefore, less than significant impacts would occur, and no mitigation is required.

***iv) Landslides?***

**Less Than Significant Impact.** Based on the Geotechnical Report's review of geologic maps, literature, topographic maps, aerial photographs, and the subsurface evaluation, no landslides or related features underlie or are adjacent to the subject site. Due to the relatively level and limited gradient changes of the site and surrounding areas, the potential for landslides at the Project site is considered low to negligible (Universal Engineering Sciences 2021). Therefore, the Project would not result in a substantial adverse effect, including the risk of loss, injury, or death, due to landslides. Therefore, less than significant impacts would occur, and no mitigation is required.

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

**Less than Significant Impact.** The Project site is fully developed with residential building, surface parking lots, and associated site improvements and has a relatively flat topography. During demolition and construction activities, temporary soil erosion may occur due to soil disturbance and the removal of buildings and paved surfaces. In addition, soil erosion due to rainfall and wind may occur if unprotected soils are exposed during construction. The Project site is generally underlain by fill and young alluvial fan deposits (Qyf).

As the Project site includes less than one acre of land area (0.82 acre), it would not be required to obtain an NPDES permit for construction activities or coverage under the NPDES Construction General Permit. However, the Project has prepared a Water Quality Management Plan (WQMP), which was prepared in compliance with the NPDES program. Compliance with the WQMP would provide erosion control, sediment control, tracking, waste management, and construction site maintenance Best Management Programs (BMPs) to reduce the potential for soil and wind erosion during construction activities.

As discussed further in Threshold 4.10, Hydrology and Water Quality, the proposed Project would install a catch basin and detention basin system, and stormwater would be pumped to the existing curb and gutter on Santa Clara Ave. The surface runoff flow during proposed conditions would be less than or equal to existing conditions and would not result in additional erosion or siltation. There would be minimal areas of exposed soils following completion of the proposed Project where erosion could occur. Site improvements and

landscaping would also prevent long-term erosion. Therefore, operation-related soil erosion would be less than significant, and no mitigation is required.

***c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

**Less than Significant Impact.** As discussed above, the Project site is not located in a potential liquefaction zone and the potential for landslides at the site is considered low. Therefore, the Project would not result in on-or off-site landslides and liquefaction. The proposed Project would not introduce any new topographical features or elements that would change the existing geologic setting of the Project area, and the majority of the area is paved. As such, on-site geologic and soils issues such as on-site soil stability including landslides, lateral spreading, subsidence, liquefaction, and collapse are not significant due to the nature of the Project. Therefore, implementation of the proposed Project would not result in impacts associated with unstable geologic conditions. Impacts related to geologic unit stability that could result in lateral spreading, subsidence, liquefaction, or collapse would be less than significant. No mitigation is required.

***d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

**Less than Significant Impact.** Expansive soils are characterized by their ability to undergo significant volume changes (shrink or swell) due to variations in moisture content. The onsite fill consists of sandy silt within the soils encountered near the ground surface. Expansive soils contain significant amounts of clay particles that swell considerably when wet and shrink when dried. Changes in soil moisture content can result from rainfall, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors, and may cause unacceptable settlement or heave of structures, concrete slabs supported on-grade, or pavements supported over these materials. Depending on the extent and location below finished subgrade, these soils could have a detrimental effect on the proposed construction. Generally, the Project site material exhibits "very low" expansion potential (Universal Engineering Sciences 2021). Therefore, Project impacts related to expansive soils would be less than significant, and no mitigation is required.

***e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?***

**No Impact.** The use of septic tanks or alternative wastewater disposal systems is not proposed by the Project. Therefore, no impact would result, and no mitigation is required.

***f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

**Less than Significant Impact with Mitigation Incorporated.** The Project site is situated in the southeastern portion of the Los Angeles Basin, which contains sedimentary rocks of Pliocene and Quaternary age that are between 5,000 to 13,000 feet thick. According to the

USGS 7.5-Minute Santa Ana Quadrangle Map, the Project site is underlain by undifferentiated young alluvial deposit (Qyf) that typically consists of unconsolidated to slightly consolidated, undissected to slightly dissected boulders, cobbles, gravels, sands, and silt deposits issued from a very confined valley or canyon. Based on the subsurface investigation conducted as a part of the Geotechnical Report, earth materials encountered are consistent with the Santa Ana Quadrangle Map, and the site consists of fill overlaying young alluvial fan deposits. In general, the soil consists of light brown to brown, dry to damp, medium dense to very dense, clayey and silty sands. The site slopes gently to the southwest and has an elevation of 188 feet above msl (Universal Engineering Sciences 2021).

This analysis is based on the results of a literature review and records check conducted through the Natural History Museum (LACM) of Los Angeles County and a review of geologic maps and aerials of the Project site. The paleontological records search was completed on August 13, 2023. The record search included a thorough search of the LACM paleontology collection records for the locality and specimen data for the Project site and surrounding area. The record search did not identify any fossil localities within the site. However, four fossil localities were located nearby from the same sedimentary deposits that occur in the Project site, either at the surface or at depth. These localities included sheep (*Ovis*), rodent (*Rodentia*), Dugong clade (*Dugongidae*), sloth (*Mylodontidae*), horse (*Equus*), several species of unspecified mammals, and marine fossils.

As indicated above, the Project site is generally underlain by Quaternary-aged young Holocene alluvial soils, which could contain unknown fossils. However, the site history and geotechnical analysis indicates the contemplated earthmoving activities would take place in previously disturbed soils, which consist of re-deposited alluvial soil and artificial fill and excavation would be to a maximum depth between 5 to 6 feet below the surface.

Nevertheless, while paleontological resources are not anticipated to be discovered during excavations, if grading activities encounter unknown paleontological resources, implementation of MM GEO-1 would ensure this impact to be less than significant. Therefore, this impact would be less than significant with mitigation incorporated.

## Mitigation Measures

The following MM is applicable to the proposed Project and incorporated herein as standard conditions of approval.

**MM-GEO-1** Prior to commencement of earthmoving activities, the Project Applicant shall retain a qualified Orange-County certified Paleontologist, for on-call services in the event of a discovery of paleontologically sensitive rock formations during ground disturbance activities. Should these resources be found during ground-disturbing activities for the Project, the Paleontologist shall first determine whether it is a significant paleontologically sensitive fossil locality or rock formation. If the above-mentioned resources are found during earthmoving activities, the Paleontologist shall formulate a report and a mitigation plan in consultation with the City of Santa Ana. For paleontological resources, the disposition of the resources shall be subject to approval by the

City. All recovered paleontologically sensitive fossils and rock formations shall be deposited in an accredited institution or museum, such as the Natural History Museum of Los Angeles County. If resources are discovered, work may proceed in other areas of the site, subject to the direction of the Paleontologist.

# 4.8 GREENHOUSE GAS EMISSIONS

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |

## Introduction

This section discusses the existing GHG emissions setting and the Project's potential impacts related to GHG emissions. GHG emissions were calculated for the Project by using CalEEMod version 2022.1.1.0 (CAPCOA 2022). CalEEMod is a computer program accepted by the SCAQMD that can be used to estimate criteria pollutant and GHG emissions associated with land development projects in California. CalEEMod has separate databases for specific counties and air districts. The Orange County database was used for the Project. For this analysis, the results are expressed in metric tons of carbon dioxide equivalent per year ($MTCO_2e/yr$).

### *Existing Setting*

Climate change refers to any significant change in measures of climate (e.g., average temperature, precipitation, or wind patterns) over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface; this is attributed to an accumulation of GHG emissions in the atmosphere. GHGs trap heat in the atmosphere which, in turn, increases the Earth's surface temperature. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emissions of GHGs through fossil fuel combustion in conjunction with other human activities are associated with global warming.

GHGs, as defined under California's Assembly Bill (AB) 32, include carbon dioxide ($CO_2$), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. General discussions on climate change often include water vapor, atmospheric ozone, and aerosols in the GHG category. Water vapor and atmospheric ozone are not gases that are formed directly in the construction or operation of development projects, nor can they be controlled in these projects. Aerosols are not gases. While these elements have a role in climate change, they are not considered by either regulatory bodies, such as CARB, or climate change groups, such as the California Climate Action Registry, as gases to be reported or

analyzed for control. Therefore, no further discussion of water vapor, atmospheric ozone, or aerosols is provided.

## *Regulatory Background*

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05, which calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.

The principal overall State plan and policy adopted for the purpose of reducing GHG emissions is AB 32 (California Global Warming Solutions Act of 2006). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on statewide GHG emissions. AB 32 recognizes that California is the source of substantial amounts of GHG emissions. The statute states the following:

> Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

In order to avert these consequences, AB 32 establishes a State goal of reducing GHG emissions to 1990 levels by the year 2020, codifying the goal of EO S-3-05.

CARB approved a Climate Change Scoping Plan as required by AB 32 in 2008; this plan is required to be updated every five years. The Climate Change Scoping Plan proposes a "comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health" (CARB 2008). The Climate Change Scoping Plan has a range of GHG-reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation regulation to fund the program. On February 10, 2014, CARB released the Draft Proposed First Update to the Climate Change Scoping Plan (CARB 2014). The board approved the final First Update to the Climate Change Scoping Plan on May 22, 2014. The first update describes California's progress towards AB 32 goals, stating that "California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32" (CARB 2014). The 2017 Scoping Plan Update incorporates the 40 percent reduction to 1990 emissions levels by 2030. The 2022 Scoping Plan assesses progress towards achieving carbon neutrality by 2045 or earlier through the reduction of emissions by 85 percent below 1990 levels (CARB 2022b).

The Sustainable Communities and Climate Protection Act of 2008, Senate Bill (SB) 375, established a process to coordinate land use planning, regional transportation plans, and funding priorities in order to help California meet the GHG reduction goals established in AB 32. SB 375 required the SCAG to incorporate the SCS into its RTPs that will achieve GHG emission reduction targets though several measures, including land use decisions. SCAG's SCS is included in the SCAG 2020–2045 RTP/SCS (SCAG 2020a). The goals and policies of the RTP/SCS that reduce VMT focus on transportation and land use planning that include building infill projects; locating residents closer to where they work and play; and designing communities so there is access to high quality transit service.

On April 29, 2015, Governor Brown signed EO B-30-15, which ordered an interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. Five key goals for reducing GHG emissions through 2030 include (1) increasing renewable electricity to 50 percent; (2) doubling the energy efficiency savings achieved in existing buildings and making heating fuels cleaner; (3) reducing petroleum use in cars and trucks by up to 50 percent; (4) reducing emissions of short-lived climate pollutants; and (5) managing farms, rangelands, forests, and wetlands to increasingly store carbon. EO B-30-15 also directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

On September 8, 2016, the Governor signed Senate Bill 32 (SB 32) to codify the GHG reduction goals of EO B-30-15, requiring the State to reduce GHG emissions by 40 percent below 1990 levels by 2030 (Health and Safety Code Section 38566). As stated above, this goal is expected to keep the State on track to meeting the goal set by EO S-3-05 of reducing GHG emissions by 80 percent below 1990 levels by 2050.

AB 197 was signed at the same time to ensure that the SB 32 goals are met by requiring CARB to provide annual reports of GHGs, criteria pollutants, and TACs by facility, City and sub-county level, and sector for stationary sources and at the County level for mobile sources. It also requires the CARB to prioritize specified emission reduction rules and regulations and to identify specified information for emission reduction measures (e.g., alternative compliance mechanism, market-based compliance mechanism, and potential monetary and nonmonetary incentive) when updating the Scoping Plan.

SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. SB 350 is the implementation of some of the goals of EO B-30-15. The objectives of SB 350 are as follows:

1. To increase from 33 percent to 50 percent, the procurement of our electricity from renewable sources
2. To double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation

The text of SB 350 sets a December 31, 2030, target for 50 percent of electricity to be generated from renewable sources. SB 350 also requires the State to double statewide energy efficiency savings in electricity and natural gas end uses by 2030. Additionally, SB

350 sets requirements for large utilities to develop and submit integrated resources plans, which detail how utilities would meet their customers' resource needs, reduce GHG emissions, and integrate clean energy resources (CEC 2023a).

On September 10, 2018, Governor Brown signed SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 requires renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers and 100 percent of electricity procured to serve state agencies by December 31, 2045. This policy requires the transition to zero-carbon electric systems that do not cause contributions to increase of GHG emissions elsewhere in the western electricity grid (CEC 2023b). SB 100 also creates new standards for the Renewable Portfolio Standard goals established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned utilities and publicly owned utilities from 50 percent to 60 percent by 2030.

Further, on September 10, 2018, Governor Brown also signed California EO B-55-18, which sets a new statewide goal of carbon neutrality as soon as possible, and no later than 2045 and achieve net negative emissions thereafter. EO B-55-18 was added to the existing Statewide targets of reducing GHG emissions, including the targets previously established by Governor Brown of reducing emissions to 40 percent below 1990 levels by 2030 (EO B-30-15 and SB 32), and by Governor Schwarzenegger of reducing emissions to 80 percent below 1990 levels by 2040 (EO S-3-05).

The Santa Ana Climate Action Plan (CAP) provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate (City of Santa Ana 2015). In 2014, the City Council adopted emissions reduction goals for the CAP including a goal to reduce community wide emissions by 30% by 2035 (City of Santa Ana 2015). The plan outlines baseline metrics and goals for GHG reduction, and establishes timelines that are consistent with state policies and SB 100. Additionally, the CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California, including AB 32, and presents strategies for each category of GHG emissions (e.g., transportation, emergency consumption, water consumption and waste disposal) that will make it possible for the City to meet the recommended targets.

## *Thresholds of Significance*

Because the City has a CAP which demonstrates how it will meet AB 32 requirements, the determination of whether a project would generate GHG emissions that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions can be made by determining the consistency of that project with the CAP. However, the City's CAP does not address recent requirements established by SB 32 to reduce GHG emissions by 40 percent below 1990 levels by 2030. Therefore, in addition to establishing the Project's consistency with the CAP, the determination as to whether the proposed Project would generate GHG emissions that may have a significant impact on the environment is also determined by comparing the Project's emissions to the suggested SCAQMD threshold for all land use projects, discussed below.

On December 5, 2008, the SCAQMD Governing Board presented the staff proposal for a tiered threshold approach wherein Tier 1 determines if a project qualifies for an applicable CEQA exemption, Tier 2 determines consistency with GHG reduction plans, and Tier 3 proposes a numerical screening value as a threshold. At their September 28, 2010, meeting, the Working Group suggested a Tier 3 threshold of 3,000 $MTCO_2e$ per year for all land use types (SCAQMD 2010). Tier 4 determines if the project meets performance standards. Tier 4 has three options: Option 1—percent emission reduction target; Option 2—early implementation of applicable measures; and Option 3—sector-based standard. Tier 5 determines mitigation for CEQA offsets.

In the absence of adopted thresholds, the Tier 3 standard of 3,000 $MTCO_2e$/yr is used for this analysis. The development of project-level thresholds in accordance with CEQA is an ongoing effort at the State, regional, and County levels, and significance thresholds may differ for future projects based on new or additional data and information that may be available at that time for consideration. The City of Santa Ana has not officially adopted any GHG CEQA significance threshold. The City defers to assessment methods and significance thresholds developed by the SCAQMD. This impact analysis evaluates consistency with regulatory programs designed to reduce GHG emissions and that contribute to the achievement of AB 32's and SB 32's goals as the primary significance criterion. In addition, this impact analysis also evaluates the Project's estimated emissions compared to the Tier 3 threshold for impacts related to GHG emissions proposed by staff members of the SCAQMD, but not adopted by the SCAQMD Board.

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact.** Project GHG emissions were estimated using CalEEMod, which is designed to model construction and operational emissions for land development projects and allows for the input of project- and County-specific information. For modeling purposes, construction activities were based on the Project's construction assumptions and default assumptions derived from CalEEMod. The input for operational emissions was based on the vehicle trip generation rates provided in the Transportation Analysis (Appendix K) and the proposed building area. Additional input details are included in Appendix A, Air Quality and Greenhouse Gas Technical Report.

The estimated construction GHG emissions for the proposed Project would be 54 $MTCO_2e$, as shown in Table 12, Estimated Greenhouse Gas Emissions from Construction.

**TABLE 12**
**ESTIMATED GREENHOUSE GAS**
**EMISSIONS FROM CONSTRUCTION**

| Year | Emissions ($MTCO_2e$) |
|---|---|
| 2024 | 54 |
| **Total** | **54** |

$MTCO_2e$: metric tons of carbon dioxide equivalent

Notes:
- Totals may not add due to rounding variances.
- Detailed calculations in Appendix A.

Operational phase GHG emissions would come primarily from vehicle trips; other sources including electricity and water consumption; natural gas for space and water heating; and gasoline-powered landscaping and maintenance equipment. Table 13, Estimated Annual Greenhouse Gas Emissions from Project Operation, shows the annual GHG emissions from proposed Project's operations. It should be noted that the emissions provided in Table 13 do not deduct existing GHG emissions from current on-site uses.

**TABLE 13**
**ESTIMATED ANNUAL GREENHOUSE GAS**
**EMISSIONS FROM PROJECT OPERATION**

| Source | Emissions ($MTCO_2e$/yr) |
|---|---|
| Area | <1 |
| Energy | 1,134 |
| Mobile | 1,053 |
| Waste | 14 |
| Water | 2 |
| Refrigeration | 1 |
| **Total Operational Emissions** | **2,204** |

$MTCO_2e$/yr: metric tons of carbon dioxide equivalent per year

Notes:
- Totals may not add due to rounding variances.
- Detailed calculations in Appendix A.

Because impacts from construction activities occur over a relatively short period of time, they contribute a relatively small portion of the overall lifetime Project GHG emissions. In addition, GHG emission reduction measures for construction equipment are relatively limited. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime so that GHG reduction measures address construction GHG emissions as part of the operational GHG reduction strategies (SCAQMD 2008). Therefore, construction and operational emissions are combined by amortizing the construction and operations over an assumed 30-year Project lifetime. This combination is shown in Table 14, Estimated Total

Project Annual Greenhouse Gas Emissions, using the proposed Project's amortized construction and operational emissions.

**TABLE 14**
**ESTIMATED TOTAL PROJECT ANNUAL**
**GREENHOUSE GAS EMISSIONS**

| Source | Emissions ($MTCO_2e/yr^a$) |
|---|---|
| Construction (Amortized) | 2 |
| Operations (Table 14) | 2,204 |
| **Total[b]** | **2,206** |
| **SCAQMD-Recommended Threshold (Tier 3)** | **3,000** |
| **Exceeds Threshold?** | **No** |

$MTCO_2e/yr$: metric tons of carbon dioxide equivalent per year; SCAQMD: South Coast Air Quality Management District.

[a] Total derived by dividing construction emissions (see Table 11) by 30.

[b] Total annual emissions are the sum of amortized construction emissions and operational emissions.

As discussed above, there are no established applicable quantitative federal, State, regional, or local CEQA significance criteria for GHG emissions for non-industrial projects in the SoCAB. The SCAQMD has proposed, but not adopted, a threshold of 3,000 $MTCO_2e$ per year for non-industrial land use projects. As shown, the estimated GHG emissions from the Project, without taking credit for the GHG emissions from existing uses that would be removed with Project implementation, would be less than this suggested threshold. The impact would be less than significant, and no mitigation is required.

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

**Less than Significant Impact.** As discussed above, the principal State plan and policy adopted for the purpose of reducing GHG emissions is SB 32, whose quantitative goal is to reduce GHG emissions to 1990 levels by 2020. This goal is further supplemented by SB 32, which established a reduction target of at least 40 percent below 1990 emissions by 2030, and by EO B-30-15 and EO S-3-05, which sets an 80 percent reduction below 1990 emissions by 2050.

The 2022 Scoping Plan implements the reduction target adopted under SB 32 and seeks to reduce GHG emissions through a number of measures. Those that are applicable to the Project include the development of pedestrian infrastructure which promotes non-automobile transportation options, the development of energy efficient buildings, reduction of VMT by providing local employment opportunities, supporting California's EV mandate by providing EV chargers, onsite employee EV usage, as well as other energy efficiency and conservation measures.

The Project would remove the existing 8-foot sidewalk and replace it with a 10-foot sidewalk per City of Santa Ana Standard Plan 1104, which would connect to and provide continuation of the existing sidewalk areas along East Santa Clara Avenue. This Project element would be consistent with the pedestrian infrastructure goals of the 2022 Scoping Plan. Project operations would generate approximately 36 new jobs, providing local employment consistent with the Scoping Plan.

The regulations, plans, and polices adopted for the purpose of reducing GHG emissions that are directly applicable to the Project include the Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings and the Title 24 California Green Building Standards Code. Adherence to standard requirements would ensure that the Project would comply with both of these regulations. The Project would also be replacing an older structure which was built in accordance with an outdated version of the Title 24 California Green Building Standards Code; the Project would be built in compliance with the most recent 2022 Title 24 Energy Efficiency Standards. This would be consistent with the Scoping Plan's goals associated with the development energy efficient buildings. In addition to 3 EV installed parking stalls, the Project would provide 8 EV make ready stalls, consistent with the EV goals established within the Scoping Plan. As such, the Project would be consistent with consistent with SB 32 and the associated Scoping Plan.

At a regional level, SCAG has adopted Connect SoCal, the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy. Rooted in the 2008 and 2012 RTP/SCS plans, Connect SoCal's "Core Vision" centers on maintaining and better managing the existing transportation network while expanding mobility choices. The plan identifies six components of the Core Vision: Sustainable Development, System preservation and Resilience, Demand and System Management, Transit Backbone, Complete Streets, and Goods Movement. As discussed above, the Project would develop a new sidewalk, generate new local employment opportunities, replace two existing older structures with a more energy efficient building, and provide new EV equipped and EV ready parking stalls. Additionally, the Project site is currently served by Orange County Transportation Agency (OCTA) with bus service along Tustin Street via Route 71 and 17th Street via Route 60. There are currently two bus stops located along Route 71 on Tustin Avenue near the proposed Project, with the closest one located just 400 feet northeast of the Project. As stated in Section 4. 14, Population and Housing, the location of 36 new jobs within walking distance of transit would support the Transit Backbone component of Connect SoCal's "Core Vision." As such, the Project would be consistent with Connect SoCal. The Project's construction and operational GHG emissions would be below the SCAQMD's GHG thresholds. In addition, the Project would incorporate the latest energy efficiency standards for buildings, develop alternative fueled charging stations, be supported by mass transit, and support reduced vehicular emissions by providing local employment. Therefore, the Project would not conflict with State and City plans and policies adopted for the purpose of reducing the emissions of GHGs.

## Mitigation Measures

Project implementation would not result in significant impacts related to GHG emissions; therefore, no mitigation measures are required.

# 4.9 HAZARDS AND HAZARDOUS MATERIALS

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☒ | ☐ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☒ | ☐ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☐ | ☒ |

## Introduction

A Phase I Environmental Site Assessment (Phase I ESA) was prepared by Hazard Management Consulting (HMC), dated November 4, 2021, and included as Appendix F. A Lead Based Paint Inspection prepared by Allstate Services and dated September 6, 2023 is included as Appendix D to the Phase I ESA. In addition, an Asbestos Survey Report was prepared by HMC, dated September 25, 2023 and included as Appendix G.

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact.** Demolition and construction activities for the proposed Project would involve the use of chemical substances such as solvents, paints, fuel for equipment, and other potentially hazardous materials. Hazards to the environment or the

public would typically occur with the transport, use, storage, or disposal of hazardous materials. Demolition and construction activities would be relatively short-term and the transport, use, and disposal of hazardous materials as part of these activities would utilize small quantities and be temporary. The contractor would be required to comply with existing regulations for the transport, use, storage and disposal of hazardous materials to prevent public safety hazards. These regulations include the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, California Hazardous Waste Control Act, and California Accidental Release Prevention Program, among others.

Once constructed, the proposed McDonald's would potentially utilize typical hazardous materials such as paint, pesticides, cleansers, and solvents for routine maintenance activities, and any use would be in limited quantities typical for commercial/restaurant. The McDonald's would not utilize, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public. Impacts would be less than significant, and no mitigation is required.

***b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

**Less than Significant with Mitigation Incorporated.** Review of historical aerial photographs from 1938 to 2021 indicate the site was used as agricultural land from 1938 to 1963, and from 1963 to 2021, the land was primarily utilized as residential with trees on-site. The first visible structures were seen on-site after 1966 (HMC 2023a).

The objective of a Phase I ESA is to identify the presence of Recognized Environmental Conditions, defined by the American Society for Testing and Materials as: The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property 1) due to any release to the environment; 2) under conditions indicative of a release to the environment; or 3) under conditions which pose a material threat of future release to the environment. Given that the Project site was previously used for agricultural purposes from at least 1938 to 1963, it is likely that herbicides and pesticides were used. It is known that DDT was routinely sprayed on agricultural lands throughout California. However, based on the time lapsed between the site's use for agricultural purposes and subsequent development, the Project site's previous agricultural use was not considered to be a REC. Based on the historical documentation reviewed, no RECs were identified (HMC 2023a). The Lead Based Paint (LBP) Inspection was incorporated into the Phase I ESA and concluded that there was LBP on-site at or above the threshold level of 1.9 mg/cm at the residence associated with 2109 East Santa Clara, within the interior ceramic tile shower and tub enclosures. As such, the Project would incorporate MM HAZ-1, which would require additional samples and testing if further materials (not previously tested) are discovered during demolition activities.

According to the Asbestos Survey, when a material is found to contain asbestos in a concentration of greater than 1 percent, it is defined by the USEPA as an asbestos containing material (ACM). Section 25919 of the California Health and Safety Code defines an asbestos containing construction material (ACCM) as one that contains greater than 0.1 percent

asbestos. The California Occupational Safety and Health Administration (Cal-OSHA) requires that worker/employee notification and training be implemented when a material contains greater than 0.1 percent asbestos in an area where workers/employees perform work. Based on materials collected during the survey, positive ACMs and ACCMs have been identified at the Project site in the existing buildings. As such, the Project would implement MM HAZ-1, which would require that all ACMs and ACCMs be removed from the structures prior to demolition activities and MM HAZ-2, which would require further testing in the event additional materials are discovered during demolition activities. Therefore, the Project would not create a significant hazard to the public involving the release of hazardous materials into the environment with mitigation incorporated. As such, there would be a less than significant impact, and no mitigation is required.

***c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

**Less than Significant Impact.** Plumfield Preschool and Kindergarten is a school located approximately 300 feet south of the Project site, which is within a 0.25-mile radius of the Project site. As stated above in Threshold 4.9(a), during construction, a potential exists for the accidental release or spill of hazardous substances such as gasoline, oil, hydraulic fluid, diesel fuel, or other liquids associated with construction equipment operation and maintenance. However, use of these materials would be in limited quantities as is typical during the operation and maintenance of construction equipment and would be conducted in compliance with applicable federal, State, and local regulations. Additionally, the contractor would be required to use standard construction controls and safety procedures, which would avoid and minimize the potential for accidental release or spill of such substances into the environment. Once operational, the Project site would utilize paint, pesticides, cleansers, and solvents for routine maintenance activities and would not generate significant hazardous emissions. The operational activities associated with the McDonald's would be similar to other commercial land uses surrounding the site and would not generate hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste in quantities that may impact students at schools within 0.25 mile of the site. Therefore, the level of risk associated with the accidental release of hazardous substances during construction and operations would be less than significant, and no mitigation is required.

***d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

**No Impact**. According to the Phase I ESA, review of the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List – Site Cleanup (Cortese List) (DTSC 2023), and review of the State Water Resource Control Board's GeoTracker database (SWRCB 2023), the Project site is not included on a list of hazardous material sites compiled pursuant to California Government Code Section 65962.5 (CalEPA 2023). Therefore, the Project does not have the potential to create a significant hazard to the public or the environment due to presence of an existing hazardous materials site identified on the Cortese List. No impact would occur, and no mitigation is required.

***e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?***

**No Impact**. The Project site is not located within two miles of an airport. The nearest airport is the John Wayne Airport, which is located 7.8 miles southwest of the Project site. No impact would occur, and no mitigation is required.

***f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

**Less than Significant Impact.** The City of Santa Ana Hazard Mitigation Plan was prepared in response to the Disaster Mitigation Act of 2000 and aims to develop mitigation goals and objectives, address hazardous risks, and prepare implementation strategies (City of Santa Ana 2022a). Additionally, the City has a Community Emergency Response Team Program which educates residents abut disaster preparedness for hazards that may impact their area and trains them in basic disaster response skills, such as fire suppression, light search and rescue, and disaster medical operations (City of Santa Ana 2023a).

During construction activities, all construction staging areas would occur on-site and would be prohibited to occur on the street or within the public right-of-way. A minimum 40- by 16-foot-wide staging area would be available for the entire duration of construction. The Project would likely close lanes and temporarily alter traffic patterns along Santa Clara Avenue during construction. However, the Project would not completely close Santa Clara Avenue at any point. The Project would comply with all conditions set forth in the required Project specific Traffic Control Plan (TCP), which would be reviewed and approved by the City prior to initiation of construction activities. Therefore, with implementation of the required TCP, the temporary closure of a few lanes along Santa Clara Avenue would not result in a significant interference of emergency evacuation routes.

In the event an emergency evacuation route was needed, the Project could utilize nearby potential evacuation routes including residential streets (major arterials and divided collector arterials) which connect to the regional freeways/highways such as SR-55 located to the east and SR-22 located to the north. Major arterials are streets with six travel lanes and a center median, and nearby include Tustin Avenue and 17$^{th}$ Street. Divided collector arterials are streets with two travel lanes and a continuous center two-way left turn lane but may be divided by a raised median to accommodate bike lanes, and include nearby Fairhaven Avenue and Santa Clara Avenue (Urban Crossroads 2023).

In the long-term, the Project would continue to provide access from two driveways, located along East Santa Clara Avenue and on North Tustin Avenue. These driveways would comply with the Orange County Fire Authority (OCFA) and City requirements including adequate fire vehicle access and would be utilized for emergency evacuation of the site. Operationally, the Project would not affect emergency response or emergency evacuation of adjacent land uses. Therefore, the Project would have less than significant impacts regarding interference with emergency response or evacuation plans during construction and operation, and no mitigation is required.

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

**No Impact.** The Project site is located in a highly urbanized area of the City, and there are no large, undeveloped areas and/or steep slopes on or near the site that may pose wildfire hazards. The site and the surrounding areas are not located in designated Very High Fire Hazard Severity Zones (VHFHSZ), as identified by the California Department of Forestry and Fire Prevention (CAL FIRE 2023). Rather, the site is within a non-VHFHSZ area. The Project would also be required to adhere to construction provisions as provided in the Municipal Code, the CBC and California Fire Code. Implementation of the Project would not expose people or structures directly or indirectly to a significant risk of loss or death associated wildland fires. No impact would occur, and no mitigation is required.

## Mitigation Measures

The following MMs are applicable to the proposed Project and incorporated herein as standard conditions of approval.

**MM HAZ-1** If additional materials are discovered during demolition activities and a laboratory analysis of the samples was not performed, sample shall be collected and analyzed prior to removal or disturbance of the materials.

**MM HAZ-2** Prior to commencement of demolition, all asbestos containing materials (ACMs) and asbestos containing construction materials (ACCMs) shall be removed from the structures at the Project site by a licensed abatement contractor registered in the State of California and certified to perform asbestos-related activities pursuant to the recommendations provided by the Asbestos Survey Report prepared by Hazard Management Consulting and dated September 23, 2023.

# 4.10 HYDROLOGY AND WATER QUALITY

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project impede sustainable groundwater management of the basin? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:<br>i) result in substantial erosion or siltation on- or off-site;<br>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;<br>iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or<br>iv) impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☐ | ☒ |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☒ | ☐ |

## Introduction

An Onsite Hydrology and Hydraulics Report (Hydrology Report) and a Water Quality Management Plan were prepared by Kimley-Horn and Associates, Inc. in August 2023 for the Project. The reports are included as Appendix H and Appendix I, respectively.

### *Existing Setting*

The Project site is within the Newport Bay Watershed. The existing runoff flows from the northwest and northeast corner of the property and sheet flows south. With no existing stormdrain system, the stormwater runoff sheet flows south from the existing driveway approaches onto the existing curb and gutter on East Santa Clara Avenue. From East Santa Clara Avenue, the stormwater runoff flows east to the curb inlet on the intersection of East Santa Clara Avenue and Tustin Avenue and through the public storm drain system to Peter's Canyon Wash and ultimately discharges to the Newport Bay. The existing drive aisle east of the proposed development will be unchanged and continue to drain south onto East Santa Clara Avenue. The existing watersheds will be preserved.

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact.** Implementation of the Project would involve demolition of the existing residential buildings, detached garages, and associated site improvements, in addition to construction of the proposed McDonald's and site improvements. Therefore, the Project has the potential to result in short-term construction impacts to surface water quality from demolition, grading, and construction-related activities. Stormwater runoff from the construction site would contain loose soils, organic matter, and sediments. Spills or leaks from heavy equipment and machinery, such as fuel, oil, and grease, and heavy metals, could also enter the runoff. Building construction would involve the use of hazardous materials (e.g., paints, solvents, cleansers) that, if not properly handled, may enter the stormwater runoff.

The Clean Water Act establishes a framework for regulating potential water quality impacts from construction activities, as well as new development and major redevelopment, through the NPDES program. Construction activities that disturb one acre or more of land are required to obtain an NPDES permit or coverage under the NPDES Construction General Permit. As the Project would disturb less than one acre, coverage under the Construction General Permit is not required. However, the Project would still continue to implement BMPs during construction, as outlined in the Project-specific WQMP, to reduce stormwater pollutants to the maximum extent practicable.

Stormwater pollutants generated by the Project in the long-term would include sediment, trash and debris, oil and grease, bacterial indicators, nutrients, and pesticides from landscaped areas, drive aisles, and parking areas. In accordance with the NPDES program, a WQMP has been prepared for the Project in compliance with the requirements of the County of Orange NPDES Stormwater Program. The WQMP is subject to City review and approval prior to construction and operation of the Project. The WQMP includes low impact development (in the form of proprietary vegetated biotreatment systems), non-structural BMPs and source control BMPs. Additionally, the use of hazardous materials (e.g., cleaning solvents, pesticides, fertilizers, paint, oil, and grease) would be in limited quantities and in accordance with existing regulations, as discussed in Section 4.9, Hazards and Hazardous Materials. Therefore, with implementation of these features and BMPs, the Project would not result in significant soil, surface water, or groundwater contamination. Therefore, the Project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction or operations. Impacts would be less than significant, and no mitigation is required.

***b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project impede sustainable groundwater management of the basin?***

**No Impact.** Based on the Geotechnical Report, groundwater was encountered at a depth of approximately 21.5 feet below grade, and historical high groundwater is anticipated to be 30 feet below the ground surface (Universal Engineering Sciences 2021). The Project would increase the amount of impervious area from existing conditions, and infiltration was deemed infeasible for BMPs or Low Impact Development (LID) features. Water services are currently provided to the Project site by the City of Santa Ana Public Works Agency Water Resources Division, and as the Project would not involve direct or indirect withdrawals of groundwater, it would not deplete groundwater supplies or interfere substantially with groundwater recharge. As such, no impact would occur related to groundwater recharge, and no mitigation is required.

***c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

***i) result in substantial erosion or siltation on- or off-site;***

**Less than Significant Impact.** As indicated in Response 4.10a, the Project would be required to comply with all BMPs as outlined in the WQMP, which was prepared in compliance with the NPDES program. Compliance with the WQMP would provide erosion control, sediment control, tracking, waste management, and construction site maintenance BMPs to reduce the potential for soil and wind erosion during construction activities. With compliance with the required WQMP and BMPs, construction-related erosion would be less than significant, and no mitigation is required.

As stated above, during existing conditions, stormwater runoff from the existing building, driveways, and parking surface flow from the northeast and northwest corners of the site, south towards the E. Santa Clara Avenue. All stormwater runoff is currently contained within the property limits because of the existing surrounding wall. There is no storm drain system, and all drainage currently sheet flows off site and to the public street along East Santa Clara Avenue.

In the proposed condition, a series of curb and gutter and valley gutters would be installed along the northern, eastern, and southern ends of the site to capture and convey stormwater runoff during low flow storm events. Given the poor infiltration rates on site and the decrease in pervious area from existing conditions, the Project would install on-site catch basins and a detention basin to ensure that the post-development runoff would be less or equal to the pre-development runoff volume. The stormwater runoff would be diverted toward one of three new on-site catch basins. Stormwater would then be conveyed to an underground detention system sized to retain the design capture storm. Stormwater would be pumped from the proposed underground retention tank to the existing curb and gutter on Santa Clara Avenue. Although the drainage pattern would be altered, the surface runoff

flow during proposed conditions would be less than or equal to existing conditions, and would not result in additional erosion or siltation.

Additionally, during large storm events (25 & 100-year storm) stormwater runoff would enter the proposed underground retention system and be pumped out and into the curb and gutter off East Santa Clara Avenue, and flow east to the curb inlet on the intersection of East Santa Clara Avenue and Tustin Avenue to the public stormwater system. In storm events larger than the 100-year storm, storm flows would overflow from the detention basin into a proposed curb cut leading to a landscaped area, and eventually into the public valley gutter along East Santa Clara Avenue. Proposed stormdrain pipes have been sized to accommodate flows from a 100-year storm event. The proposed Project's stormwater capture and detainment system would prevent runoff from substantial erosion or siltation on or off site. As such, the Project would not result in substantial erosion or siltation during operations. Operation-related erosion would be less than significant, and no mitigation is required.

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

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

**Less than Significant Impact.** As stated above, given the poor infiltration rates on site and the decrease in pervious area from existing conditions, the Project would implement catch basins and a detention basin to ensure that the post-development runoff would be less or equal to the pre-development runoff volume. Under proposed conditions during low flow events, stormwater would flow toward existing gutters located along the Project site's perimeters to capture runoff, then would be conveyed to one of three on-site catch basins. Stormwater would be collected in an underground detention system sized to retain stormwater and then pumped to the existing curb and gutter on East Santa Clara Avenue. For larger storm events, stormwater would enter the detention system and be pumped out onto the curb and gutter off East Santa Clara Avenue. The Project has been designed to keep flow rates for the proposed Project from exceeding existing condition peak flows, and preventing the stormwater from discharging directly to the on-site storm drain system for 25- and 100-year storm events. This would prevent the Project conditions from resulting in flooding on-site, as the proposed system would adequately manage the stormwater runoff. According to the Hydrology Report, the 50-year storm event required detention volume for a 0.82-acre drainage area is 1,638 cubic feet (CF). The proposed detention basin would provide capacity for 3,845 CF, which would ensure the Project would not contribute to runoff which would exceed capacity of stormwater drainage systems. As such, the proposed changes resulting from the Project site would not substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or offsite or exceed capacity of existing or planned stormwater drainage systems. Impacts would be less than significant, and no mitigation is required.

***iv) impede or redirect flood flows?***

**Less than Significant Impact.** The Federal Emergency Management Agency (FEMA) has prepared flood insurance rate maps for use in administering the National Flood Insurance Program. According to the FEMA flood map, the site is outside the 0.2% annual chance (500-year) floodplain (Universal Engineering Sciences 2021). As stated above, stormwater runoff would be conveyed to catch basins and an underground detention system sized to retain stormwater for storm events, then pumped out onto the curb and gutter off East Santa Clara Avenue. This would reduce the potential for flooding to occur as a result of the Project. Additionally, the Project would implement all recommendations contained in the WQMP, including temporary and permanent erosion control BMPs. Thus, the Project would not result in erosion or siltation that would alter the drainage pattern of the area, impede, or redirect flood flows. Project impacts would be less than significant, and no mitigation is required.

***d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

**No Impact.** As previously stated, the Project is outside the 0.2% annual chance (500-year) floodplain and would not result in a flood hazard. Tsunamis are waves generated by massive landslides near or under sea water. The site is not located on any State of California – County of Orange Tsunami Inundation Map for Emergency Planning. The potential for the site to be adversely impacted by earthquake-induced tsunamis is considered to be negligible because the site is located approximately 12 miles inland from the Pacific Ocean shore, at an elevation exceeding the maximum height of potential tsunami inundation. Seiches are standing wave oscillations of an enclosed water body after the original driving force has dissipated. The potential for the site to be adversely impacted by earthquake-induced seiches is considered to be low due to the lack of any significant enclosed bodies of water located in the vicinity of the site (Universal Engineering Sciences 2021). There are no hillside areas on site or in the surrounding area that could generate mudflow. As a result, no impacts related to seiche, tsunami, or mudflow would occur, and no mitigation is required.

***e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

**Less than Significant Impact.** The Project Site is not located within an Orange County Water District (OCWD) designated groundwater recharge facility. The Project would not conflict or obstruct the County's NPDES program, Urban Water Management Plan (UWMP), or Orange County Stormwater Resource Plan. The Proposed Project would include an on-site capture and detention system and would not significantly alter drainage patterns on-site. The Project would additionally comply with the WQMP, which includes BMPs that are a part of the proposed Project design and work to ensure the reduction of pollutants from construction and operation activities entering surface waters. Therefore, potential impacts associated with the conflict or obstruction of implementing a water quality control plan or sustainable groundwater management plan would be less than significant, and no mitigation would be required.

## Mitigation Measures

Project implementation would not result in significant impacts related to hydrology and water quality; therefore, no mitigation measures are required.

# 4.11 LAND USE AND PLANNING

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Physically divide an established community? | | ☐ | ☒ | ☐ |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis

***Would the Project:***

***a) Physically divide an established community?***

**Less Than Significant Impact.** One of the primary factors in considering division of an established community is whether the project would create any physical barriers that change the connectivity between areas of a community. As stated in Section 2.0, Project Description, the Project site is located within a highly urbanized portion of the City of Santa Ana, which primarily includes a mix of commercial/retail and low-density residential uses. The Project site is bound by East Santa Clara Avenue to the south; the California Highway Patrol Office to the west; commercial businesses (Stater Brothers and Pizza Hut) to the north; and a commercial business (Del Taco) and North Tustin Avenue to the east. Other dominant land uses within the Project vicinity include multi-family apartments located north and south of the site; the Santa Ana Cemetery located to the west; commercial buildings located to the east; and the Plumfield Preschool and Kindergarten located to the south. The Project would replace two existing residential units which are both currently vacant, with a McDonald's building and drive-thru. The proposed commercial use would be consistent with surrounding uses which include a variety of commercial uses, and would not create any physical barriers or connectivity issues. The two residences are isolated from, and not part of, a larger residential community, and are currently unoccupied. Therefore, the Project would not divide or disrupt the physical arrangement of the existing adjacent residential neighborhoods. Impacts would be less than significant, and no mitigation is required.

***b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?***

**Less than Significant Impact.** The Project would construct a McDonald's development within the City of Santa Ana. Local plans and programs relevant to the Project and the consistency of the proposed Project with these plans and programs are discussed below.

## *SCAG RTP/SCS*

With respect to regional planning, SCAG is the metropolitan planning organization (MPO) for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. As the designated MPO, the federal government mandates SCAG to prepare plans for growth management, transportation, air quality, and hazardous waste management. In addition, SCAG reviews projects of regional significance for consistency with the existing regional plans. SCAG's regional planning programs, including the Regional Comprehensive Plan (RCP), Regional Housing Needs Assessment, and RTP/SCS, are not directly applicable to the proposed Project because the Project is not of Statewide, regional or area-wide significance, as defined by Section 15206 of the CEQA Guidelines. As such, the Project would not conflict with the RTP/SCS.

## *City of Santa Ana General Plan – Land Use Element*

The purpose of the Land Use Element is to provide a long-range guide for the physical development of the city, reflecting the community's vision for a high quality of life. This element guides the distribution, location, and size of new development, ensuring that residential neighborhoods are protected, and that future growth is sustainable and minimizes potential conflicts. Through its focus on the pattern of land use, this element is also a tool to promote public health, reduce infrastructure costs, enhance local economies, and address long-term environmental issues such as air quality, climate change, and water resources (City of Santa Ana 2022e).

An evaluation of the Project's consistency with applicable goals, policies, and actions of the Land Use Element is provided in following Table 15, Proposed Project General Plan Land Use Element Consistency Analysis.

**TABLE 15**
**PROPOSED PROJECT GENERAL PLAN LAND USE ELEMENT**
**CONSISTENCY ANALYSIS**

| General Plan Goal | | Consistency Analysis |
|---|---|---|
| **Goal 2 - Land Use Needs** | | |
| **Policy LU 2.1** | EMPLOYMENT OPPORTUNITIES: Provide a broad spectrum of land uses and development that offer employment opportunities for current and future Santa Ana residents. | **Consistent**. The Project would provide a McDonald's, which would include employment opportunities for current and future residents of the City. As stated in Section 4.14, Population and Housing, the Project would provide employment for approximately 36 employees. In addition, the Project would provide temporary employment opportunities during construction activities. Therefore, the Project would be consistent with this policy. |
| **Policy LU 2.2** | CAPTURE LOCAL SPENDING: Encourage a range of commercial uses to capture a greater share of local spending, and offer a range of employment opportunities. | **Consistent.** The Project would provide a commercial use within an area primarily characterized by other commercial/retail and low-density residential uses. As stated above, the Project would provide temporary employment opportunities during construction and permanent employment opportunities for approximately 36 employees during operations. Therefore, the Project would be consistent with this Policy. |
| **Goal 3 – Compatibility of Uses** | | |
| **Policy LU 3.4** | COMPATIBLE DEVELOPMENT: Ensure that the scale and massing of new development is compatible and harmonious with the surrounding built environment. | **Consistent**. As stated in Section 4.1, Aesthetics, the Project would develop a single story McDonald's building with a maximum height of 23 feet to the top of the parapet. In designing the proposed development, consideration was given to scale, massing, and architecture of the Project to ensure that it complements the existing buildings within the surrounding development. The Project would primarily incorporate neutral tones along the outer facades, which would involve materials such as plaster/stucco, aluminum and metals, as shown on Exhibit 6. In addition, the Project is located within an area characterized partially by retail and commercial uses. Therefore, the Project would be consistent with this Policy. |

**TABLE 15**
**PROPOSED PROJECT GENERAL PLAN LAND USE ELEMENT**
**CONSISTENCY ANALYSIS**

| General Plan Goal | | Consistency Analysis |
|---|---|---|
| Policy LU 3.7 | ATTRACTIVE ENVIRONMENT: Promote a clean, safe, and creative environment for Santa Ana's residents, workers, and visitors. | **Consistent**. The Project would replace two existing residences, both of which are currently vacant, with a new McDonald's building. The Project would include aesthetically pleasing features, such as landscaping with a variety of plant materials including trees, shrubs, vines, grasses, and groundcover. Landscaped planter areas would be constructed along the northern, western, and southern site perimeter and would provide decorative screening and a buffer between the proposed uses and the adjacent uses, in addition to being placed centrally within the proposed surface parking lot and adjacent to the proposed drive-thru. Additionally, the Project would improve the existing driveway located on North Tustin Avenue with enhanced decorative paving. Dumpsters would be provided in a secure covered area and would be screened from view. Therefore, the Project would be consistent with this Policy. |
| **Goal 4 – Complete Communities** | | |
| Policy LU 4.2 | PUBLIC REALM: Maintain and improve the public realm through quality architecture, street trees, landscaping, and other pedestrian-friendly amenities. | **Consistent**. As discussed above, the Project would provide neutral tones among the outer facades and involve materials such as plaster/stucco, aluminum, and metals. Architectural design was considered to ensure Project complements the existing buildings within the surrounding development. Additionally, the Project would provide landscaping features, and would construct a sidewalk fronting East Santa Clara Avenue to a ensure pedestrian-friendly environment. Therefore, the Project would be consistent with this Policy. |
| Policy LU 4.3 | SUSTAINABLE LAND USE STRATEGIES: Encourage land uses and strategies that reduce energy and water consumption, waste and noise generation, soil contamination, air quality impacts, and light pollution. | **Consistent**. The Project would incorporate indoor water conservation measures such as low-flow fixtures for handwashing sinks, toilet and urinal flush valves and dish sprayers. Beverage and ice machines would include low water waste technology and the proposed reverse osmosis (RO) filtration system is highly efficient and would limit the amount of bypass water. Additionally, all Project lighting would be subject to the City of Santa Ana Design Guidelines, which outlines lighting standards for commercial projects and includes direction on minimizing glare onto adjoining properties. All on-site lighting would be shielded and directed so that no lighting trespasses onto the adjacent properties. Overall, Project impacts related to energy and water consumption, waste and noise generation, soil contamination, air quality impacts, and light pollution, as analyzed in this IS/MND, would be less than significant. Therefore, the Project would be consistent with this Policy. |

**TABLE 15**
**PROPOSED PROJECT GENERAL PLAN LAND USE ELEMENT**
**CONSISTENCY ANALYSIS**

| General Plan Goal | | Consistency Analysis |
|---|---|---|
| Policy LU 4.5 | VMT REDUCTION: Concentrate development along high-quality transit corridors to reduce vehicle miles traveled (VMT) and transportation-related carbon emissions. | **Consistent**. The Project is located on the northern side along East Santa Clara Avenue, which is classified as a Divided Collector Arterial, and just west of North Tustin Avenue, which is classified as a Major Arterial. As such, the located of the proposed Project is within a high-quality transit corridor and surrounded by other commercial and retail uses. As discussed further in Section 4.17, Transportation, the Project would be screened out of a VMT Analysis. Therefore, the Project would be consistent with this Policy. |
| Source: City of Santa Ana 2022e. | | |

As demonstrated in Table 15, the Project would be consistent with the applicable Land Use Element policies, and no conflict would occur.

## *Santa Ana Municipal Code*

The City of Santa Ana Municipal Code is a collection of ordinances adopted by the City Council that serves as the law of the City, including development standards (i.e., setbacks, building height, site coverage, parking, and sign requirements) and zoning, that identifies the corresponding permitted, conditionally permitted, and prohibited land uses.

The Project site is currently zoned A1 (General Agricultural), and the Project includes an Amendment Application (i.e., Zone Change) to change the zoning classification to C5 (Arterial Commercial) to allow for the proposed commercial uses. In addition, the Project would request a CUP, required to allow a drive-thru eating establishment and a second CUP to allow for after-hours operations between 12 AM to 5 AM located within 150 feet of residential property. The Project would be required to meet all development standards and would apply for ministerial permits through the City, including a demolition permit, landscape permit, grading permit, building permits and occupancy permits. With approval of the Zone Change and CUP, the proposed Project would be consistent with the Santa Ana Municipal Code. As such, the Project would not conflict with the Municipal Code.

Therefore, the Project would not cause a significant environmental impact, as the Project would not conflict with any applicable land use plan, policy, or regulation. Impacts would be less than significant, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to land use and planning; therefore, no mitigation measures are required.

# 4.12 MINERAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |

## Impact Analysis

***Would the Project:***

***a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

***b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

**No Impact.** The California Geological Survey designates Mineral Resources Zones (MRZs) according to the presence of or potential for underlying mineral resources. MRZ-1 is an area with no significant mineral deposits; MRZ-2 is an area with significant mineral deposits; and MRZ-3 is an area containing known mineral resources of undetermined significance. The Project site is designated by the Division of Mines and Geology as MRZ-3 (DMG 1994). As stated in the Orange County General Plan Resources Element, in the Orange County Region, mineral resource areas are primarily located in portions of the Santa Ana River, Santiago Creek, San Juan Creek, and Arroyo Trabuco, none of which include the Project site (Orange County 2012). The Project site is developed with residential buildings, and there are no mining activities or mineral extraction uses near the Project site. Thus, the Project would not result in the loss of availability of locally-important mineral resources. No impacts would occur, and no mitigation is required.

There are no past or ongoing oil or gas drilling activities on or near the site. Review of the California Geologic Energy Management Division's (CalGEM) Well Finder shows no oil or gas wells are located on the Project site or in the vicinity of the site (CalGEM 2023). Therefore, redevelopment of the site would not result in the loss of availability of regional mineral resources. No impacts would occur, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to mineral resources; therefore, no mitigation is required.

# 4.13 NOISE

| Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☒ | ☐ |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

## Introduction

An analysis of potential noise and vibration impacts associated with the proposed Project was prepared and is presented summarized below, and the Noise Calculations are included as Appendix J to this IS/MND.

### *Noise and Vibration Concepts*

Noise

"Sound" is a vibratory disturbance created by a moving or vibrating source and is capable of being detected. "Noise" is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance; interference with speech communication; sleep disturbance; and, in the extreme, hearing impairment (Caltrans 2013a).

Sound pressure levels are described in units called the decibel (dB). Decibels are measured on a logarithmic scale. A doubling of the energy of a noise source (such as doubling of traffic volume) would increase the noise level by 3 dB. The human ear is not equally sensitive to all frequencies within the sound spectrum. To accommodate this phenomenon, the A-scale was devised; the A-weighted decibel scale (dBA) approximates the frequency response of the average healthy ear when listening to most ordinary everyday sounds and is used in this analysis.

Human perception of noise has no simple correlation with acoustical energy. Due to subjective thresholds of tolerance, the annoyance of a given noise source is perceived very differently from person to person. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at 3 feet is approximately 60 dBA, while

loud jet engine noises at 1,000 feet equate to 100 dBA, which can cause serious discomfort. Table 16 shows the relationship of various noise levels in dBA to commonly experienced noise events.

**TABLE 16**
**NOISE LEVELS FOR COMMON EVENTS**

| Common Outdoor Activities | Noise Level (dBA) | Common Indoor Activities |
|---|---|---|
| | 110 | Rock Band |
| Jet fly-over at 300 m (1,000 ft) | 100 | |
| Gas lawn mower at 1 m (3 ft) | 90 | |
| Diesel truck at 15 m (50 ft) at 80 km/hr (50 mph) | 80 | Food blender at 1 m (3 ft); garbage disposal at 1 m (3 ft) |
| Noisy urban area, daytime gas lawn mower at 30 m (100 ft) | 70 | Vacuum cleaner at 3 m (10 ft) |
| Commercial area, heavy traffic at 90 m (300 ft) | 60 | Normal speech at 1 m (3 ft) |
| Quiet urban daytime | 50 | Large business office, dishwasher in next room |
| Quiet urban nighttime | 40 | Theater, large conference room (background) |
| Quiet suburban nighttime | 30 | Library |
| Quiet rural nighttime | 20 | Bedroom at night, concert hall (background) |
| | 10 | Broadcast/recording studio |
| Lowest threshold of human hearing | 0 | Lowest threshold of human hearing |
| dBA: A-weighted decibels; m: meter; ft: feet; km/hr: kilometers per hour.<br>Source: Caltrans 2013a. | | |

Two noise sources do not "sound twice as loud" as one source. As stated above, a doubling of noise sources results in a noise level increase of 3 dBA. It is widely accepted that (1) the average healthy ear can barely perceive changes of a 3 dBA increase or decrease, (2) a change of 5 dBA is readily perceptible, and (3) an increase (decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013a).

From the source to the receiver, noise changes both in the level and frequency spectrum. The most obvious change is the decrease in noise level as the distance from the source increases. Sound from a small, localized source (approximating a "point" source) radiates uniformly outward as it travels away from the source in a spherical pattern. For point sources, such as HVAC units or construction equipment, the sound level attenuates (or drops off) at a rate of 6 dBA for each doubling of distance (i.e., if the noise level is 70 dBA at 25 feet, it is 64 dBA at 50 feet). Vehicle movement on a road makes the source of the sound appear to emanate from a line (line source) rather than a point when viewed over some time interval. The sound level attenuates or drops off at a rate of 3 dBA per doubling of distance for line sources.

A large object in the path between a noise source and a receiver can significantly attenuate noise levels at that receiver location. The amount of attenuation provided by this "shielding" depends on the size of the object and the frequencies of the noise levels. Natural terrain or landform features as well as man-made features (e.g., buildings and walls) can significantly alter noise exposure levels. For a noise barrier to work, it must be high enough and long enough to block the view from the receiver to a road or other noise source. Effective noise barriers can reduce outdoor noise levels at the receptor by up to 15 dBA.

Several rating scales (or noise "metrics") exist to analyze effects of noise on a community. These scales include the equivalent noise level ($L_{eq}$), including $L_{max}$ and $L_{min}$, which are respectively the highest and lowest A-weighted sound levels that occur ding a noise event, and the Community Noise Equivalent Level (CNEL). Average noise levels over a period of minutes or hours are usually expressed as dBA $L_{eq}$, which is the equivalent noise level for that period of time. The period of time averaging may be specified; for example, $L_{eq(3)}$ would be a three-hour average. Noise of short duration (i.e., substantially less than the averaging period) is averaged into ambient noise during the period of interest. Thus, a loud noise lasting many seconds or a few minutes may have minimal effect on the measured sound level averaged over a one-hour period.

To evaluate community noise impacts, CNEL was developed to account for human sensitivity to nighttime noise. CNEL represents the 24-hour average sound level with a penalty for noise occurring at night. The CNEL computation divides a 24-hour day into three periods: daytime (7:00 AM to 7:00 PM), evening (7:00 PM to 10:00 PM), and nighttime (10:00 PM to 7:00 AM). The evening sound levels are assigned a 5-dBA penalty, and the nighttime sound levels are assigned a 10-dBA penalty prior to averaging with daytime hourly sound levels.

Vibration

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration is normally associated with activities such as railroads or vibration-intensive stationary sources but can also be associated with construction equipment such as jackhammers, pile drivers, and hydraulic hammers. Vibration displacement is the distance that a point on a surface moves away from its original static position. The instantaneous speed that a point on a surface moves is described as the velocity, and the rate of change of the speed is described as the acceleration. Each of these descriptors can be used to correlate vibration to human response, building damage, and acceptable equipment vibration levels. During construction of a project, the operation of construction equipment can cause ground borne vibration. During the operational phase of a project, receptors may be subject to levels of vibration that can cause annoyance due to noise generated from vibration of a structure or items within a structure. Analysis of this type of vibration is best measured in velocity and acceleration.

The three main wave types of concern in the propagation of ground borne vibrations are surface or Rayleigh waves, compression or P-waves, and shear or S-waves.

- Surface or Rayleigh waves travel along the ground surface. They carry most of their energy along an expanding cylindrical wave front, similar to the ripples produced by

throwing a rock into a lake. The particle motion is more or less perpendicular to the direction of propagation (known as retrograde elliptical).

- Compression or P-waves are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal, in a push-pull motion. P-waves are analogous to airborne sound waves.
- Shear or S-waves are also body waves, carrying their energy along an expanding spherical wave front. Unlike P-waves, however, the particle motion is transverse, or perpendicular to the direction of propagation.

The peak particle velocity (ppv) or the root mean square (rms) velocity is usually used to describe vibration amplitudes. The ppv is defined as the maximum instantaneous peak of the vibration signal and the rms is defined as the square root of the average of the squared amplitude of the signal. The ppv is more appropriate for evaluating potential building damage and also used for evaluating human response.

The units for ppv velocity are normally inches per second (in/sec). Often, vibration is presented and discussed in dB units in order to compress the range of numbers required to describe the vibration. In this study, all ppv velocity levels are in in/sec and all vibration levels are in dB relative to one microinch per second.

The threshold of perception is approximately 0.3 ppv in/sec. Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration. Even the more persistent Rayleigh waves decrease relatively quickly as they move away from the source of the vibration. Manmade vibration problems are, therefore, usually confined to short distances (500 feet or less) from the source.

Construction generally includes a wide range of activities that can generate groundborne vibration. In general, blasting and demolition of structures and pile driving generate the highest vibrations. Heavy trucks can also generate groundborne vibrations, which vary depending on vehicle type, weight, and pavement conditions. Potholes, pavement joints, discontinuities, differential settlement of pavement, and other anomalies all increase the vibration levels from vehicles passing over a road surface. Construction vibration is normally of greater concern than vibration of normal traffic on streets and freeways with smooth pavement conditions. Trains generate substantial quantities of vibration due to their engines, steel wheels, and heavy loads.

## *Existing Setting*

The existing noise environment in the Project area is primarily influenced by traffic noise on nearby roads. The roadways contributing the most noise to the Project site are East Santa Clara Avenue and North Tustin Avenue. For the purpose of this noise analysis, the study area includes the Project site, the areas immediately adjacent to the Project site, and the land uses adjacent to the roadway segments where the Project adds vehicular trips to the roadway system. Traffic noise exposure at the Project site was documented in the City's General Plan Update Updated Draft Program Environmental Impact Report (PEIR) (Santa Ana 2021d). Based on existing average daily trips along Santa Clara Avenue between Grand Avenue to

Tustin Avenue, noise levels are estimated at 67.8 dBA CNEL at 50 feet from the centerline of Santa Clara Avenue.

Sensitive Receptors

The State of California defines noise-sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions (State of California 2015). The land use categories requiring the lowest noise thresholds are schools, libraries, churches, hospitals, and residences. Schools, libraries, churches, hospitals, and residences proximate to the Project site are referred to as the Project's "noise sensitive receptors" due to sensitivity of these uses to noise exposure.

The buildings and structures that immediately surround the Project site are retail uses to the north and east of the Project site and residential uses to the west and south of the site. The closest noise-sensitive receptors to the Project site include residences located approximately 80 feet to the south of the Project site at E. Santa Clara Avenue.

## *Regulatory Setting*

Public agencies have established noise guidelines and standards to protect citizens from potential hearing damage and various other adverse physiological and social effects associated with noise.

State of California

Title 24 of the *California Code of Regulations*, also known as the CBC, establishes building standards applicable to all occupancies throughout the State. The most recent building standards adopted by the legislature and used throughout the State is the 2019 version. The State of California codifies noise insulation standards in the CBC. Section 1206.4, Allowable interior noise levels, states "Interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level ($L_{dn}$) or the CNEL, consistent with the noise element of the local general plan." (DGS 2021). These noise standards are for new construction in California for the purposes of interior compatibility with exterior noise sources. The regulations specify that acoustical studies must be prepared for new buildings with habitable rooms that are near major transportation noises, and where such noise sources create an exterior noise level of 60 dBA CNEL/$L_{dn}$ or higher.

City of Santa Ana

The City of Santa Ana has established guidelines and standards in the General Plan (City of Santa Ana 2022g) and the Santa Ana Municipal Code.

*City of Santa Ana General Plan*

"The purpose of the Noise Element is to appraise noise levels in the community, prepare noise contours to guide land use decisions, and establish measures that address current and

future noise impacts." (Santa Ana 2022g). The City's primary focus is to minimize noise problems in areas sensitive to noise because most of the land in Santa Ana if fully established. It notes that residential uses should be protected with sound insulation over and above what is provided by normal building construction when they are constructed in areas with noise levels higher than 65 db CNEL (community noise equivalent level) (City of Santa Ana 2022g).

The General Plan identifies the following Noise Goals:

- N-1: Land Use Compatibility - Ensure that existing and future land uses are compatible with current and projected local and regional noise conditions.
- N-2: Noise Generators – Reduce the impact of known sources of noise and vibration.
- N-3: Airport and Land Use Environs – Protect sensitive land uses from airport related noise impacts.

Table 17, Interior and Exterior Noise Standards displays the standards and guidelines for noise levels adopted by the City for various land uses. These guidelines are used to evaluate the proposed Project's compatibility with the ambient noise level.

**TABLE 17**
**INTERIOR AND EXTERIOR NOISE STANDARDS**

| Categories | Land Use Categories | Interior[1] | Exterior[2] |
|---|---|---|---|
| Residential | Single-family, duplex, multi-family | 45 dB CNEL[3] | 65 dB CNEL |
| Institutional | Hospital, school classroom/playground | 45 dB CNEL | 65 dB CNEL |
| | Religious facility, library | 45 dB CNEL | -- |
| Open Space | Parks | -- | 65 dB CNEL |

dB: decibel; CNEL: Community Noise Equivalent Level.

Notes:
1. Interior areas, to include but not limited to bedrooms, bathrooms, kitchens, living rooms, dining rooms, private offices, and conference rooms.
2. Exterior areas shall mean the following: private yards of single-family homes, park picnic areas, school playgrounds, and common areas. Private open space, such as atriums on balconies, shall be excluded from exterior noise requirements provided sufficient common area is included within the Project.
3. Interior noise level requirements assume a closed-window condition. Mechanical ventilation system or other means of natural ventilation shall be provided per Chapter 12 of the Uniform Building Code, as necessary.

Source: City of Santa Ana 2022g.

*City of Santa Ana Santa Ana Municipal Code*

Chapter 18 Article VI, Noise Control, sets standards related to noise in the City. Below are excerpts of Municipal Codes that are relevant to the Project.

Sec. 18-312. – Exterior noise standards.

(a) The following noise standards, unless otherwise specifically indicated, shall apply to all residential property within a designated noise zone:

**TABLE 18**
**CITY OF SANTA ANA NOISE ORDINANCE STANDARDS**
**FOR RESIDENTIAL PROPERTY***

| Time Period | Noise Level dBA | |
|---|---|---|
| | Exterior | Interior |
| 7:00 a.m. – 10:00 p.m. | 55 | 55 |
| 10:00 p.m. – 7:00 am | 50 | 45 |
| dBA: A-weighted decibels | | |
| *Applicable to property withing a designated Noise Zone 1. The entire City of Santa Ana is designed as Noise Zone 1 per Sec. 18-311 of the Municipal Code. | | |

(b) It shall be unlawful for any person at any location within the City of Santa Ana to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, to exceed:

(1) The noise standard for a cumulative period of more than thirty (30) minutes in any hour; or

(2) The noise standard plus five (5) dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or

(3) The noise standard plus ten (10) dB(A) for a cumulative period of more than five (5) minutes in any hour; or

(4) The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one minute in any hour; or

(5) The noise standard plus twenty (20) dB(A) for any period of time.

Sec. 18-314. –- Special provisions.

The following activities shall be exempted from the provisions of this article:

(e) Noise sources associated with construction, repair, remodeling, or grading or any real property, provided said activities do not take place between the hours of 8:00 p.m. and 7 a.m. on weekdays, including Saturday, or any time on Sunday or federal holiday (City of Santa Ana).

The chapter does not set specific noise level limits on construction-related activity.

## *Impact Analysis*

### *Would the Project:*

***a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

The analysis in this section is divided into the following categories: Off-site Noise Generated by Project Traffic, Noise Generated by On-Site Project Sources and Project Construction Noise.

Off-Site Noise Generated by Project Traffic

**Less than Significant Impact.** Project-related off-site noise sources (i.e., roadway traffic noise) have the potential to increase noise levels on local roadways proximate to the Project site. The City of Santa Ana's General Plan Update PEIR determines whether traffic related noise impacts would occur based on whether project-related off-site noise sources (i.e., roadway traffic noise) cause the ambient noise levels measured at the property line of affected noise-sensitive uses to increase by greater than 1.5 dBA increase for ambient noise environments of 65 dBA CNEL and higher (Santa Ana 2021d).

Operation of the proposed Project would increase traffic by 1,860 Average Daily Trips (ADT). Half of these trips (930) are pass-by trips and were not counted because they are not new trips. There would also be 89 morning peak hour trips and 67 evening peak hour trips. Santa Clara Avenue is estimated to have 10,585 ADT. The increase in traffic noise along Santa Clara Avenue from the additional Project related ADT is estimated to be 0.4 dBA CNEL which is less than the 1.5 dBA CNEL threshold adopted by the City. Tustin Avenue between Santa Clara Avenue and Fairhaven Street is estimated to have 35,410 ADT. If all Project traffic travels along Tustin Avenue traffic noise levels are estimated to be 0.1 dBA CNEL which is likewise less than the 1.5 dBA CNEL threshold adopted by the City. As such, the Project would not result in an increase in traffic noise levels and would result in less than significant noise impacts related to traffic noise.

On-Site Project Noise Sources

**Less Than Significant Impact.** Daily operation of the proposed Project has the potential to result in an increased ambient noise level in the vicinity of the proposed Project through the addition of stationary sources of noise as well as vehicular trips associated with the proposed Project. Stationary sources of noise include HVAC equipment, landscape maintenance equipment, parking lot activities, trash collection activities, and restaurant drive-thru speakers.

HVAC units would be used for air conditioning and heating needs for the Project. The Project's stationary sources of noise are required to comply with the noise limits established under Article VI. – Noise Control of the Santa Ana's Municipal Code, as previously discussed.

Section 18-316 – Air and Refrigeration limits noise produced by HVAC units to 8 dBA above the City's exterior and interior noise limits. Compliance with this noise limit would result in less than significant noise exposure impacts from HVAC noise at offsite uses.

A drive-thru aisle and parking area are proposed on the eastern portion of the Project site,. Noise associated with parking lot activities consists of vehicle engines, door slams, engine starts, and people talking. Noise associated with parking lot activities were quantified based on methods recommended by the U.S. Department of Transportation's Transit Noise and Vibration Impact Assessment (FTA 2018). Noise level exposure at the nearest noise sensitive use were calculated based on peak hourly traffic conditions with 135 automobiles per hour. Noise associated with parking lot activities are shown in Table 19 below.

Other noise sources from the proposed Project include a drive-thru window and a menu board with an amplified speaker in addition to nonamplified speech. To assess noise associated with the Project's drive-thru window and menu board, noise levels of 72 dBA were used for the drive-thru window based on a "Raised Speaking" noise level (Lazarus 1986). Noise levels associated with the parking lot, drive-thru window, and menu board are shown below in Table 19. As shown in Table 19, noise associated with the Project's onsite noise generating activities are below the City's noise limits for nearby land uses.

**TABLE 19**
**RESTAURANT NOISE LEVELS AT ADJACENT USES**

| | **Noise Levels at Property Lines ($L_{eq}$ dBA)** | | | |
|---|---|---|---|---|
| | **Residences to the North of the Project Site** | **Commercial to the West of the Project Site** | **Commercial Uses to the South of the Project Site** | **Commercial Uses to the East of the Project Site** |
| **Daytime Noise Levels** | | | | |
| Drive-Thru Window and Menu Board | 19 | 33 | 25 | 16 |
| Parking Lot Activity | 29 | 40 | 45 | 33 |
| **Total Daytime Noise Levels** | **30** | **41** | **45** | **33** |
| **City Noise Limit** | **55** | **55** | **55** | **55** |
| **Exceeds Daytime Noise Limit?** | **No** | **No** | **No** | **No** |
| **Nighttime Noise Levels** | | | | |
| Drive-Thru Window and Menu Board | 19 | 33 | 25 | 16 |
| Parking Lot Activity | 25 | 36 | 41 | 29 |
| **Total Nighttime Noise Levels** | **26** | **38** | **41** | **29** |
| **City Nighttime Noise Limit** | **45** | **45** | **45** | **45** |
| **Exceeds Nighttime Noise Limit?** | **No** | **No** | **No** | **No** |

$L_{eq}$: energy average; dBA: A-weighted decibels.
Calculations within Attachment A of this Report.

Noise associated with trash removal and landscaping activities is regulated under Section 18-314.i of the Municipal Code. Maintenance activities are limited between the hours of 7:00 a.m. and 8:00 p.m. on any day except Sunday or a federal holiday, or between the hours of 9:00 a.m. and 8:00 p.m. on Sunday or a federal holiday. As such, compliance with the noise

limits within the Municipal Code would result in noise levels that are acceptable to the City and would result in less than significant impacts related to these stationary sources of noise.

Project Construction Noise

**Less than Significant Impact.** Construction of the proposed Project would entail construction activities which include noise generated from demolition, grading/excavation, and building construction activities over a period of approximately 120 days. The assumptions are listed below:

- Demolition of the existing structures and pavement is anticipated to take three weeks and involve approximately 28 truckloads of demolition debris.
- Grading/Excavation activities would occur for two-weeks and involve the export of truckloads of soil.
- Building construction would take approximately twelve-weeks and would involve material delivery truck trips.

Local commercial and residential uses would be subject to elevated noise levels due to the operation of Project-related construction equipment. Construction activities are carried out in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise levels surrounding the construction site as work progresses. Construction noise levels reported in the U.S. Environmental Protection Agency's (USEPA's) *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances* were used to estimate future construction noise levels for the Project (USEPA 1971). Typically, the estimated construction noise levels are governed primarily by equipment that produces the highest noise levels. Construction noise levels for each generalized construction phase (ground-clearing/demolition, excavation, foundation construction, building construction, paving, and site cleanup) are based on a typical construction equipment mix for a residential use project and do not include use of atypical, very loud, and vibration-intensive equipment (e.g., pile drivers).

The degree to which noise-sensitive receptors are affected by construction activities depends heavily on their proximity. Estimated noise levels attributable to the development of the proposed Project are shown in Table 20, and calculations are included in Appendix J, Noise Calculations.

**TABLE 20**
**CONSTRUCTION NOISE LEVELS AT NOISE-SENSITIVE USES**

| | Noise Levels ($L_{eq}$ dBA) | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | **Northwest – Residential Uses** | | **West – CHP Building** | | **South – Nearest Residential** | | **East – Restaurant Building** | |
| **Construction Phase** | Max (200 ft) | Avg (325 ft) | Max (180 ft) | Avg (300 ft) | Max (80 ft) | Avg (170 ft) | Max (60 ft) | Avg (155 ft) |
| Ground Clearing/Demolition | 72 | 68 | 73 | 68 | 80 | 73 | 82 | 74 |
| Excavation | 67 | 63 | 68 | 63 | 75 | 68 | 77 | 69 |
| Foundation Construction | 66 | 62 | 67 | 62 | 74 | 67 | 76 | 68 |
| Building Construction | 63 | 59 | 64 | 59 | 71 | 64 | 73 | 65 |
| Paving and Site Cleanup | 63 | 59 | 64 | 59 | 71 | 64 | 73 | 65 |

$L_{eq}$ dBA: Average noise energy level; Max: maximum; avg: average; ft: feet.

Note: Noise levels from construction activities do not take into account attenuation provided by intervening structures.

Source: USEPA 1971.

Table 20 shows both the maximum and average noise levels for construction equipment. Maximum noise levels represent the noise levels from construction equipment occurring nearest to the noise sensitive use/receptor. Average noise levels represent the noise exposure to sensitive uses based on the distance to the center of the Project site. Noise levels from general Project-related construction activities would range from 63 to 82 dBA $L_{eq}$ for the maximum noise levels and 59 to 74 dBA $L_{eq}$ for the average noise levels. Noise level reductions from existing intervening buildings were not included. Noise levels from construction equipment would occur within the allowable hours (7 a.m. to 8 p.m. except Sunday and holidays) for construction activities per Santa Ana Municipal Code Section 18-314(i) – Activities with special provisions.

Truck trips are needed for delivery of construction equipment and materials as well as the export of the excavated soils. Noise generated from truck trips would be added to the ambient noise level generated by vehicle traffic. However, noise increases associated with Project truck traffic would be less than the 1.5-dBA traffic increase threshold due to the small magnitude of traffic resulting from hauling of grading materials relative to background traffic. It is anticipated that excavation of the site would result in up to four truck trips per day. The addition of four truck trips per day to roadway volumes of 10,585 ADT along Santa Clara Avenue would not result in a substantial increase in noise levels.

Noise from construction activities on site would be clearly audible above the existing ambient noise environment near the Project site but would occur during the least noise-sensitive portions of the day per Santa Ana Municipal Code Section 18-314(i) – Activities with special provisions. Noise levels from construction equipment would also not involve pile drivers or other equipment that generate excessive levels of noise. Because the Project would be limited to the least noise-sensitive hours of the day per Santa Ana Municipal Code

Section 18-314(i) and would be relatively short (120 days), noise associated with Project-related construction would not result in significant impacts, and no mitigation is required.

***b) Generation of excessive groundborne vibration or groundborne noise levels?***

**Less than Significant Impact.** The proposed Project would not generate or expose persons or structures to excessive groundborne vibration from construction. There are no applicable City standards for vibration-induced annoyance or building damage from vibration. The California Department of Transportation (Caltrans) vibration damage potential guideline thresholds are shown in Table 21.

**TABLE 21**
**VIBRATION DAMAGE THRESHOLD CRITERIA**

| Building Class | Continuous Source PPV (in/sec) | Single-Event Source PPV (in/sec) |
|---|---|---|
| Class I: buildings in steel or reinforced concrete, such as factories, retaining walls, bridges, steel towers, open channels, underground chambers and tunnels with and without concrete alignment | 0.5 | 1.2 |
| Class II: buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, conduits in loose material | 0.3 | 0.7 |
| Class III: buildings as mentioned above but with wooden ceilings and walls in masonry | 0.2 | 0.5 |
| Class IV: construction very sensitive to vibrations; objects of historic interest | 0.12 | 0.3 |
| PPV: peak particle velocity; in/sec: inch(es) per second.<br>Source: Caltrans 2013b. | | |

The building damage threshold for "Class II Buildings" of 0.3 peak particle velocity (ppv) inch per second (in/sec) was selected for retail buildings. The building damage threshold for "Class III Buildings" of 0.2 ppv was selected for residential buildings for this analysis. These thresholds represent the vibration limits for damage to adjacent buildings to the Project site from continuous sources of vibration.

The Caltrans vibration annoyance potential guideline thresholds are shown in Table 22, Vibration Annoyance Criteria. Based on the guidance in Table 22, the "strongly perceptible" vibration level of 0.9 ppv in/sec is considered as a threshold for a potentially significant vibration impact for human annoyance.

**TABLE 22**
**VIBRATION ANNOYANCE CRITERIA**

| Average Human Response | ppv (in/sec) |
|---|---|
| Severe | 2.0 |
| Strongly perceptible | 0.9 |
| Distinctly perceptible | 0.24 |
| Barely perceptible | 0.035 |
| ppv: peak particle velocity; in/sec: inch(es) per second.<br>Source: Caltrans 2013b. | |

Pile driving and blasting are generally the sources of the most severe vibration during construction. Neither pile driving nor blasting would be used during Project construction. Conventional construction equipment would be used for demolition and grading activities. Table 23 summarizes typical vibration levels measured during construction activities for various vibration-inducing pieces of equipment.

**TABLE 23**
**VIBRATION LEVELS FOR CONSTRUCTION EQUIPMENT**

| Equipment | | ppv at 25 ft (in/sec) |
|---|---|---|
| Pile driver (impact) | upper range | 1.518 |
| | typical | 0.644 |
| Pile driver (sonic) | upper range | 0.734 |
| | typical | 0.170 |
| Vibratory roller | | 0.210 |
| Large bulldozer | | 0.089 |
| Caisson drilling | | 0.089 |
| Loaded trucks | | 0.076 |
| Jackhammer | | 0.035 |
| Small bulldozer | | 0.003 |
| ppv: peak particle velocity; ft: feet; in/sec: inches per second.<br>Source: Caltrans 2013b; FTA 2018. | | |

Demolition, grading, and construction would occur up to the property lines. Some land uses identified in Table 24 below are relatively close to the property lines. Table 24, Vibration Annoyance Criteria at Sensitive Uses, shows the vibration levels from construction-generated vibration activities proposed at the Project site.

**TABLE 24**
**VIBRATION ANNOYANCE LEVELS AT SENSITIVE USES**

| | Vibration Levels (ppv) | | | |
|---|---|---|---|---|
| **Equipment** | **North – Retail (ppv @ 32 ft)** | **West – Parking Lot Uses and CHP (ppv @ 175 ft)** | **South – Nearest Residential (ppv @ 100 ft)** | **East – Restaurant and Parking Lot Uses (ppv @ 46 ft)** |
| Vibratory roller | 0.145 | 0.011 | 0.026 | 0.084 |
| Large bulldozer | 0.061 | 0.005 | 0.011 | 0.036 |
| Small bulldozer | 0.002 | 0.000 | 0.000 | 0.001 |
| Jackhammer | 0.024 | 0.002 | 0.004 | 0.014 |
| Loaded trucks | 0.052 | 0.004 | 0.010 | 0.030 |
| **Criteria** | **0.9** | **0.9** | **0.9** | **0.9** |
| **Exceeds Criteria?** | **No** | **No** | **No** | **No** |

ppv: peak particle velocity; ft: feet.
Source: FTA 2018 (Calculations can be found in Appendix J).

As shown in Table 24, ppv would not exceed the criteria threshold when construction activities occur under maximum (i.e., closest to the receptor) exposure conditions. These vibration levels represent conditions when construction activities occur closest to receptor locations. Construction-related vibration would be substantially less under average conditions when construction activities are located further away. Because vibration levels would be below the vibration annoyance significance thresholds, vibration generated by the Project's construction equipment would not be expected to generate strongly perceptible levels of vibration at the nearest uses and would result in less than significant vibration impacts related to vibration annoyance. Table 25, Building Damage Levels at Sensitive Uses, shows the ppv relative to building damage to sensitive uses from vibration activities. As shown in Table 25, all ppv levels would be below the building damage threshold at adjacent off-site structures. Vibration levels would be below the building damage significance thresholds and vibration generated by the Project's construction equipment would not be expected to generate levels of vibration that would cause cosmetic damage at the nearest buildings; as such, the Project would result in less than significant vibration impacts related to vibration induced building damage.

**TABLE 25**
**BUILDING DAMAGE LEVELS AT NEARBY USES**

| | Vibration Levels (ppv)[1,2] | | | |
|---|---|---|---|---|
| | **North – Retail** | **West – Parking Lot Uses and CHP** | **South – Nearest Residential** | **East – Restaurant and Parking Lot Uses** |
| **Equipment** | **(ppv @ 32 ft)** | **(ppv @ 175 ft)** | **(ppv @ 100 ft)** | **(ppv @ 46 ft)** |
| Vibratory roller | 0.145 | 0.011 | 0.026 | 0.084 |
| Large bulldozer | 0.061 | 0.005 | 0.011 | 0.036 |
| Small bulldozer | 0.002 | 0.000 | 0.000 | 0.001 |
| Jackhammer | 0.024 | 0.002 | 0.004 | 0.014 |
| Loaded trucks | 0.052 | 0.004 | 0.010 | 0.030 |
| **Criteria** | **0.3** | **0.3** | **0.2** | **0.3** |
| **Exceeds Criteria?** | **No** | **No** | **No** | **No** |

ppv: peak particle velocity; ft: feet.
Source: FTA 2018 (Calculations can be found in Appendix J).

***c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?***

**No Impact.** The Project site is located approximately 7 miles north of the John Wayne Airport. The John Wayne Airport is the closest airport to the Project site and there are no other airports located within 5 miles of the Project site. The Project site is located well outside the existing and projected 65-dBA CNEL noise contour of the John Wayne Airport. The Project site is not located within the vicinity of a private airstrip. Aircraft overflights do not significantly contribute to the noise environment at the Project site, and the Project would not expose people residing or working within the Project area to excessive noise levels. There would be no impact related to aircraft noise exposure at the Project site, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to noise; therefore, no mitigation measures are required.

# 4.14 POPULATION AND HOUSING

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☒ | ☐ |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis

***Would the Project:***

***a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

**Less than Significant Impact.** The proposed Project involves the demolition of the two existing residential structures and associated improvements to accommodate the proposed 3,975 SF McDonald's building. As such, commercial uses would replace the existing residential uses on the site, and the Project would not contribute to an increase of a substantial residential population.

Jobs that would be created during construction would be short-term and would be typically filled by existing residents of the region. Therefore, the Project would not induce housing demand near the construction site due to the temporary nature of construction jobs. The Project would include a maximum of twelve employees working approximately three shifts per day, which would result in a maximum of 36 employees per day. As with the temporary construction workers, long-term operation employees are anticipated to be filled by existing residents of the region. Based on the 2020 RTP/SCS, the City of Santa Ana included 162,900 employees in 2016 and anticipated growth to 172,400 employees by 2045 (SCAG 2020b). As such, the anticipated 36 employees generated by the Project would be within anticipated growth for the City as projected by SCAG, and would not constitute a significant increase. The temporary construction crew and long-term employees of the Project would not create a significant change in demand for goods and services that may induce business investment, growth, or development in the area.

Additionally, the proposed Project would not include extension of roads or infrastructure such that would encourage development levels beyond what is already planned elsewhere in the City or indirectly induce growth. Therefore, the Project would not result in substantial unplanned population growth, directly or indirectly. The impacts would be less than significant, and no mitigation is required.

***b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

**Less than Significant Impact**. The Project site is currently developed with two single-story residential houses, two one-story detached garages, a pool, dirt areas, and associated asphalt concrete paving along East Santa Clara Avenue. Both existing residences on-site, including 2101 East Santa Clara Avenue and 2109 East Santa Clara Avenue, are currently vacant. As such, construction of the Project would not displace any residents located on the site. Therefore, the Project would not result in significant impacts related to displacement of housing and associated residents, and no replacement housing is required. No mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to population and housing; therefore, no mitigation measures are required.

# 4.15 PUBLIC SERVICES

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| i) Fire protection? | ☐ | ☐ | ☒ | ☐ |
| ii) Police protection? | ☐ | ☐ | ☒ | ☐ |
| iii) Schools? | ☐ | ☐ | ☐ | ☒ |
| iv) Parks? | ☐ | ☐ | ☒ | ☐ |
| v) Other public facilities? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis

***Would the Project:***

***a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

***i) Fire protection?***

**Less than Significant Impact.** The City contracts fire department services with the OCFA which fulfills both fire protection and emergency medical responsibilities. The OCFA operates ten stations throughout Santa Ana and has access to an additional 61 stations in its service area. These stations are well distributed, at an approximate of 1 ½ mile service radii throughout the City and the overlapping responsibility of fire companies allows adequate response to emergencies. The total response time for arrival of the first fire unit response goal (travel time) at a core incident is 7 minutes and 30 seconds within an urban area (OCFA 2014). The closest fire station to the Project site is OCFA–Santa Ana Fire Station #70, located at 2310 N Old Grand Street, approximately 0.8 miles west of the Project site.

As stated above in Threshold 4.14, Population and Housing, the proposed Project would not involve the construction of residential units which could lead to a population increase and therefore the need for additional fire services. The Project would construct a McDonald's restaurant and drive-thru, which would result in a maximum of 36 employees may nominally increase the need for fire protection services. The Project would be required to comply with all applicable codes, ordinances, and regulations (including the City of Santa Ana Municipal

Code, California Building Code and California Fire Code) regarding fire prevention and suppression measures, fire hydrants and sprinkler systems, emergency access, premises identification requirements, emergency responder radio coverage requirements, defensible space requirements, and other similar requirements. The proposed Project plans would be required to be reviewed and approved by the City and OCFA to ensure fire prevention requirements are met. This would additionally minimize Project demand for fire protection services. Therefore, no physical impacts associated with the provision of fire protection services would occur. There would be less than significant impacts related to fire protection services, and no mitigation is required.

***ii) Police protection?***

**Less than Significant Impact.** Police protection services are provided to the City including the Project site by the Santa Ana Police Department (SAPD). The SAPD includes multiple departments, including the Field Operations Bureau, comprised of the patrol, operations and traffic divisions. The SAPD central police station is located at 60 Civic Center Plaza, and the City's Westend substation is located at 3750 West McFadden Avenue. In addition, the police department maintains the Santa Ana Regional Transportation Public Safety Office and Jose Vargas Community Affairs Office (SAPD 2023). The closest police station to the Project site is the City's substation, located approximately 3.6 miles west of the Project site.

As stated above in Threshold 4.14, Population and Housing, the proposed Project would not involve the construction of residential units which could lead to a population increase and therefore the need for additional police services. The Project would construct a McDonald's restaurant and drive-thru, which would result in a maximum of 36 employees and may nominally increase the need for police protection services. The incremental demand of the Project for police protection services is not anticipated to increase SAPD response times to the Project site or surrounding area. Additionally, the Project would provide security measures such as controlled access, security cameras and lighting. The McDonald's would include a security camera system both inside and outside of the restaurant, which would be used to monitor the drive thru, the queuing and the overall lot. As such, the Project would not require the construction of new or alteration of existing police protection facilities to maintain an adequate level of service to the Project area, and no physical impacts would result. There would be a less than significant impact, and no mitigation is required.

***iii) Schools?***

**No Impact.** The Project site is located within the service areas of the Orange Unified School District. However, as the Project would not involve construction of residential units, the Project would not increase student populations within the City. Therefore, no impacts associated with the need for new or physically altered government facilities, such as schools, would occur, and no mitigation would be required.

***iv) Parks?***

**Less than Significant Impact.** According to the City of Santa Ana Parks Master Plan (PMP), the City of Santa Ana manages 54 parks, nine joint-use school sites, and approximately 13

miles of off-street trails for recreation use. These sites support a variety of indoor and outdoor facilities and programs. The City strives to provide parks within a 10-minute walking or biking distance of all residents (approximately 0.25 to 0.5 mile). The 2022 General Plan sets a long-range goal to provide three acres of parkland for every 1,000 residents in the future. As a 10-year investment strategy and action plan, the PMP provides detailed guidance to take the first step towards the General Plan's goal: increasing the City's parkland to 1.5 acres per 1,000 residents, or 1.85 acres per 1,000 residents taking into account new trail corridors and potential new joint-use sites (City of Santa Ana 2022b).

The proposed Project would not introduce new residents into the area which would increase the use of existing parks and reduce performance objectives. The Project would construct a McDonald's restaurant and drive-thru, which would result in a maximum of 36 employees and may nominally increase the need for parks facilities. However, these employees would likely already reside in the City and would not generate a significant increased demand for recreational facilities. In addition, the Project developed would be required to pay all applicable park fees. As such, the Project would not require the construction of new or alteration of existing park facilities and no physical impacts would result. There would be a less than significant impact, and no mitigation is required.

***v) Other public facilities?***

**Less than Significant Impact.** The City of Santa Ana Library provides library services to the City through the Main Library (located at 26 Civic Center Plaza) and the Newhope Library Branch (located at 122 N Newhope Street). The proposed Project would not introduce new residents into the area which would increase the use of existing library services. The Project would construct a McDonald's restaurant and drive-thru, which would result in a maximum of 36 employees and may nominally increase the demand for library facilities. However, these employees would likely already reside in the City and would not generate a significant increased demand. Additionally, the Santa Ana Library system provides a wide range of electronic and digitized resources that do not require physical library space. As such, the Project would not require the construction of new or alteration of existing library facilities, and no physical impacts would result. There would be a less than significant impact, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to public services; therefore, no mitigation measures are required.

# 4.16 RECREATION

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☒ | ☐ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis

***Would the Project:***

***a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

**Less than Significant Impact.** As stated above in Threshold 4.15, Public Services, the City of Santa Ana owns and maintains a variety of parks, joint-use school sites, and off-street trails for recreation use, which support a variety of indoor and outdoor facilities and programs. The PMP goal aims to increase the City's parkland to 1.5 acres of parkland per 1,000 residents, or 1.85 acres per 1,000 residents taking into account new trail corridors and potential new joint-use sites (City of Santa Ana 2022b). The Project is located near City parks and recreational facilities, including Portola Park (located at 1700 East Santa Clara Avenue), Cabrillo Park (located at 1820 E Fruit Street), Maybury Park (located at 1801 E Fruit Street), and Saddleback View Park (located at 631 Patricia Lane), which include facilities such as playgrounds, picnic tables, fitness court and studios, tennis courts, basketball courts, baseball diamonds, and multi-purpose fields.

The proposed Project would not introduce new residents into the area which would increase the use of existing parks and reduce performance objectives. The Project would construct a McDonald's restaurant and drive-thru, which would result in a maximum of 36 employees and may nominally increase the need for parks facilities. However, these employees would likely already reside in the City and would not generate a significant increased demand for recreational facilities. Due to the small number of employees that would be introduced by the Project, the minor increase in the use of existing public park facilities by the Project would not be at a level that would result in physical deterioration of existing parks and other recreational facilities, nor would it require the need for new or physically altered facilities. In addition, the Project developed would be required to pay all applicable park fees. Therefore, impacts would be less than significant, and no mitigation is required.

***b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?***

**Less than Significant Impact.** As described above, the Project would not increase the City's residential population and the nominal increase in employees would not result in physical effects that would require the construction or expansion of recreational facilities. As such, impacts would be less than significant, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to recreation; therefore, no mitigation measures are required.

# 4.17 TRANSPORTATION

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | ☐ | ☐ | ☒ | ☐ |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | ☐ | ☐ | ☒ | ☐ |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ |
| d) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ |

## Introduction

A Transportation Analysis was prepared by Urban Crossroads, dated August 16, 2023, and included as Appendix K. Additionally, a VMT Screening Evaluation was prepared by Urban Crossroads, dated December 11, 2023 and included as Appendix L.

## Impact Analysis

***Would the Project:***

***a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

**Less than Significant Impact.** The Project is primarily guided by the following transportation-related programs and plans, including the Orange General Plan Circulation Element (County of Orange 2020), City of Santa Ana General Plan Mobility Element (City of Santa Ana 2022f), and the City of Santa Ana Master Plan of Bikeways (City of Santa Ana 2021a). These programs and plans discuss existing transit, roadways, bicycle, and pedestrian facilities within the County and City, analyzed further below.

Transit

The Project site is currently served by OCTA with bus service along Tustin Street via Route 71 and 17th Street via Route 60. There are currently two bus stops located along Route 71 on Tustin Avenue near the proposed Project, with the closest one located just 400 feet northeast of the Project. Transit service is reviewed and updated by OCTA periodically to address ridership, budget, and community demand needs. Future Project employees and visitors would continue to utilize the existing public transit system within the Project vicinity. The Project would not conflict with the Orange General Plan Circulation Element or City of Santa Ana Mobility Element, as it would provide commercial uses within a high use area surrounded by other commercial and residential uses, with transportation services

nearby. As such, the Project would not conflict with any programs, plans, or ordinances addressing transit facilities serving the Project site.

Roadways

Within a local context, the Project site is located on the northern side along East Santa Clara Avenue, which is classified as by the Santa Ana Mobility Element as a Divided Collector Arterial, meaning a street with two travel lanes and a continuous center two-way left turn lane, but may be divided by raised median, with an expanded right-of-way to accommodate bike lanes. Additionally, the site is located approximately 0.04 miles west of North Tustin Avenue, which is classified as a Major Arterial, meaning a street with six travel lanes and a center median and typically includes bus transit, pedestrian sidewalks, and bicycle lanes. Future Project employees and visitors would continue to utilize the existing roadways within the Project vicinity. The Project would not conflict with the Orange General Plan Circulation Element or City of Santa Ana Mobility Element, as it would provide commercial uses within a high use area surrounded by other commercial and residential uses, with local roadway facilities nearby. As such, the Project would not conflict with any programs, plans, or ordinances addressing roadway facilities serving the Project site.

Bicycle and Pedestrian Facilities

The City of Santa Ana Master Plan of Bikeways within the Project area includes existing Class II bike lanes along Santa Clara Avenue, and a Class IV cycle track exists along Fairhaven Avenue, Tustin Avenue, and 17th Street. Existing pedestrian facilities within the Project site include sidewalks and cross walks. The proposed Project would remove the existing 8-foot sidewalk and replace it with a 10-foot sidewalk per City of Santa Ana Standard Plan 1104, which would connect to and provide continuation of the existing sidewalk areas along East Santa Clara Avenue. The Project would remove the western most driveway along East Santa Clara and replace it with sidewalk, and rebuild the eastern most existing driveway located along East Santa Clara Avenue per City of Santa Ana Standard Plan 1112. In addition, the Project would improve the existing driveway located on North Tustin Avenue with enhanced decorative paving. Additionally, the Project would provide 4 bicycle storage spaces, per City Code requirements. The Project would not conflict with the Master Plan of Bikeways or the City Mobility Element, as it would provide bicycle storage facilities and improve pedestrian facilities along East Santa Clara Avenue. As such, the Project would not conflict with any programs, plans, or ordinances addressing bicycle and pedestrian facilities serving the Project site.

Therefore, there would be a less than significant impact, and no mitigation measures are required.

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

**Less than Significant Impact.** As stated in the VMT Screening Evaluation, the Governor's Office of Planning and Research (OPR) published its Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory). Based on OPR's Technical Advisory,

the City of Santa Ana has prepared their City of Santa Ana Traffic Impact Study Guidelines. The City's Guidelines list standardized screening methods for project level VMT analysis that can be used to identify when a proposed land use development project is anticipated to result in a less than significant impact thereby eliminating the need to conduct a full VMT analysis. The City of Santa Ana VMT screening types, as described within the City Guidelines, including Transit Priority Area Screening, Low VMT Area Screening, and Project Type Screening. A land use project need only to meet one of the above screening thresholds to result in a less than significant impact.

Under the Project Type Screening, the City Guidelines describe that local serving retail projects less than 50,000 square feet may be presumed to have a less than significant impact absent substantial evidence to the contrary. The Project proposes to develop a drive-thru quick serve restaurant of 3,975 square feet which is below the 50,000 square feet project type screening threshold as identified by the City Guidelines. As the Project meets the screening criteria under the Project Type Screening Threshold, the proposed Project is presumed to result in a less than significant impact for VMT. Therefore, no further VMT analysis is required. Therefore, there would be a less than significant impact, and no mitigation measures are required.

***c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?***

**Less Than Significant Impact.** The Transportation Analysis addressed traffic conditions for multiple different scenarios, including existing (2022) baseline conditions, existing with Project conditions, opening year (2023) cumulative without Project conditions, opening year cumulative with Project conditions, horizon year without Project conditions (2040), and horizon year with Project conditions. A queuing analysis was performed for the left turning movements at the intersection of Tustin Avenue & Santa Clara Avenue to assess vehicle queues along the roadways and prevent dangerous intersections. Queuing analysis findings are presented in Appendix K. The intersection left turning movements currently experience and are anticipated to experience acceptable queuing during the peak hours based on the 95th percentile peak hour traffic flows for each of the scenarios proposed above.

In addition, the Transportation Analysis conducted a traffic signal warrant analysis to determine the potential need for installation of a traffic signal at an otherwise unsignalized intersection, including at the intersection of the Driveway 1 (located along East Santa Clara Avenue) and East Santa Clara Avenue, and the intersection between Tustin Avenue and Driveway 2 (located along Tustin Avenue). As concluded by the Transportation Analysis, the addition of Project traffic would not trigger the City of Santa Ana's significance criteria, and no traffic signal is warranted for either intersection for each of the scenarios proposed above.

The Transportation Analysis performed a drive-thru analysis for the Project to determine if the proposed circulation plan provided adequate on-site drive-thru storage capacity to accommodate the peak on-site vehicle demand. Ultimately, the drive-thru analysis suggested that the Project would provide stacking accommodations for approximately 16 vehicles within the drive-thru, and there would be sufficient capacity to accommodate average and peak vehicle demands for the proposed Project.

Overall, the Project would incorporate all recommendations provided by the Transportation Analysis, including the Project should maintain existing traffic controls and configuration at Project driveways, and on-site traffic signing and striping should be implemented agreeable with the provisions of the California Manual on Uniform Traffic Control Devices (CA MUTCD) and in conjunction with detailed construction plans for the Project site. Additionally, the Project Applicant's responsibility for the Project's contributions towards deficient off-site intersections is fulfilled through payment into pre-existing fee programs (if applicable) that would be assigned to the future construction of any future local/regional improvement needs. The Project Applicant would be required to pay requisite fees consistent with the City's requirements. With incorporation of all recommendations provided by the Transportation Analysis, the Project would not substantially increase hazards due to a geometric design feature or incompatible use. Therefore, impacts would be less than significant, and no mitigation is required.

***d) Result in inadequate emergency access?***

***Less than Significant Impact.*** Construction activities for the Project, including staging and worker parking would occur on site. All construction staging areas would be prohibited to occur on the street or within the public right-of-way. The Project would likely close lanes and temporarily alter traffic patterns along Santa Clara Avenue during construction. However, the Project would not completely close Santa Clara Avenue at any point. The Project would comply with all conditions set forth in the required Project specific TCP, which would be reviewed and approved by the City prior to initiation of construction activities. Therefore, with implementation of the required TCP, the temporary closure of a few lanes along Santa Clara Avenue would not result in a significant interference of emergency access during construction.

Per the City's permitted hours for construction, activities will occur for a minimum of eight hours per day, six days per week, and would access the site via East Santa Clara Avenue. The Project would be subject to review by the Building Division and OCFA to ensure compliance with building and fire codes. The Project would not work within the public right-of-way without undergoing proper review through the Public Works department, which would require a Street Work Permit. Therefore, the Project would have less than significant impacts regarding interference with emergency response or evacuation plans during construction, and no mitigation is required.

In the long-term, the Project would provide primary vehicular ingress and egress points to and from the Project site via two driveways. The Project would rebuild the eastern most existing driveway located along East Santa Clara Avenue. In addition, the Project would improve the existing driveway located on North Tustin Avenue with enhanced decorative paving. Both driveways could be utilized for emergency response to the site and for emergency evacuation of the site. Operationally, the Project would not affect emergency response or emergency evacuation of adjacent land uses. The Project would incorporate all recommendations provided by the Transportation Analysis, including the site access recommendation which state the Project should maintain existing traffic controls and configuration at Project driveways, and on-site traffic signing and striping should be implemented agreeable with the provisions of the CA MUTCD and in conjunction with detailed construction plans for the Project site. Therefore, the Project would have less than

significant impacts regarding interference with emergency response or evacuation plans during operation, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to transportation; therefore, no mitigation measures are required.

# 4.18 TRIBAL CULTURAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or | ☐ | ☐ | ☒ | ☐ |
| 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | ☐ | ☒ | ☐ | ☐ |

## Introduction

This section evaluates the Project's potential to have adverse effects on Tribal Cultural Resources. The analysis in this section is based on the results of the archaeological records searches conducted by Psomas and consultation with California Native American Tribes, conducted by the City of Santa Ana for the Project, as required by CEQA per AB 52. The AB 52 Tribal Consultation information can be found in Appendix M, to this IS/MND.

Additionally, an inquiry was made to the NAHC by Psomas to request a review of the Sacred Lands File (SLF) database regarding the possibility of Native American cultural resources and/or sacred places in the Project vicinity that are not documented on other databases, and included in Appendix B. The NAHC results were negative.

The City of Santa Ana initiated consultation on October 2, 2023, by notifying the City's consultation list provided by the NAHC, as required by AB 52, and concluded consultation on November 2, 2023. Further details related to AB 52 consultation are provided below.

## Impact Analysis

***Would the Project:***

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

***1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?***

**Less than Significant Impact.** As discussed in Section 4.5, Cultural Resources, the SCCIC record search and literature review did not identify any previously recorded precontact or tribal cultural resources within the Project site. Furthermore, the SLF search did not identify the Project site as sensitive for known sacred lands/sites as the NAHC results were negative. As such, there are no known tribal cultural resources within the Project site.

Additionally, the Project site is generally underlain by Quaternary-aged young Holocene alluvial soils, and the native sediment has been disturbed. Therefore, the Project is not anticipated to result in significant impacts to tribal cultural resources that are listed or may be eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k). No mitigation is required.

***2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

**Less than Significant with Mitigation Incorporated.** Because Native American tribes frequently have knowledge concerning important undocumented cultural resources, the lead agency (City of Santa Ana) submitted Project notification letters to initiate tribal consultation, consistent with the requirements of AB 52. Consultation was initiated by the City on October 2, 2023 and closed on November 2, 2023. The City mailed notification letters to each tribal representative on the NAHC Native American contact list for Orange County, notifying the representatives of the Project and to invite them to participate via consultation. These following tribes were notified of the Project as part of the AB 52 process: the Campo Band of Diegueno Mission Indians, the Ewiiaapaayp Band of Kumeyaay Indians, the Gabrieleno Band of Mission Indians - Kizh Nation, the Gabrieleno/Tongva San Gabriel Band of Mission Indians, the Gabrielino /Tongva Nation, the Gabrielino Tongva Indians of California Tribal Council, the Gabrielino-Tongva Tribe,

the Juaneno Band of Mission Indians Acjachemen Nation – Belardes, the Juaneno Band of Mission Indians Acjachemen Nation 84A, the La Posta Band of Diegueno Mission Indians, the Manzanita Band of Kumeyaay Nation, the Mesa Grande Band of Diegueno Mission Indians, the Pala Band of Mission Indians, the Santa Rosa Band of Cahuilla Indians, and the Soboba Band of Luiseno Indians.

Two tribes responded: the Gabrieleno Band of Mission Indians – Kizh Nation on October 2, 2023 and the Gabrielino Tongva Indians of California Tribal Council on October 4, 2023. The Gabrielino Tongva responded via email on October 4, 2023 requesting additional information regarding cultural reporting. The City provided this information on October 6, 2023.

The City and Kizh Nation conducted consultation via email, and consultation was closed on November 8, 2023 with understanding to implement agreed upon mitigation measures. Although a significant impact on known tribal cultural resources has not been identified, the City would voluntarily implement the actions described in MMs TCR-1, TCR 2, and TCR-3, which recognize the Kizh Nations' concerns during construction activities; would require the presence of a Native American monitor to observe ground disturbing activity; and provide the discovery protocol upon unanticipated discovery of a TCR for non-funerary/ceremonial and for funerary or ceremonial object. Therefore, MMs TCR 1, TCR-2 and TCR-3 have been included in this IS/MND to facilitate implementation of the voluntary actions. As such, impacts related to tribal cultural resources would be less than significant with mitigation incorporated.

## Mitigation Measures

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

A. The Project Applicant shall retain a Native American Monitor acceptable by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to the Lead Agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities,

soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the Project Applicant/Lead Agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the Project Applicant/Lead Agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

**MM TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)**

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist.

**MM TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects**

Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

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

Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

# 4.19 UTILITIES AND SERVICE SYSTEMS

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☒ | ☐ |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☒ | ☐ |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | ☐ | ☐ | ☒ | ☐ |
| e) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis

***Would the Project:***

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

**Less than Significant Impact.**

### *Water*

Water services are currently provided to the Project site by the City of Santa Ana Public Works Agency Water Resources Division. The proposed Project would construct private water lines on-site to connect to the City's existing water facilities in East Santa Clara Avenue. Payment of standard water connection fees, ongoing user fees, and development impact fees under Sana Ana Municipal Code Section 39-2, Water and Sewer Systems Development Impact Fees, would ensure that the Project's impacts on existing water facilities are adequately offset. Additionally, all private water lines are required to be designed and constructed in accordance with the latest edition of the Standard Specifications for Public Works Construction, the American Water Works Association Standards, and the California Waterworks Standards per Municipal Code Section 39-3, Water and Sewer Systems Design

Standards. Given that the Project would demolish two existing residences, which are currently served by the City's Water Resources Division, it is not anticipated that Project implementation would require construction of new or expanded water facilities that would result in significant environmental effects. Therefore, impacts related to water facilities would be less than significant, and no mitigation is required.

### *Wastewater Treatment*

Wastewater generated from the Project site is collected by the City's local wastewater collection system and is then conveyed to the Orange County Sanitation Districts (OCSD) trunk mainlines for conveyance and treatment. OCSD is responsible for safely collecting, treating, and disposing of wastewater generated by users in its service area, which encompasses an approximately 479 square mile area with a population of approximately 2.6 million people (OCSD 2023). Wastewater generated at the Project site is treated by at OCSD's Treatment Plant No. 1 in Fountain Valley. The treatment plant has a secondary treatment capacity of 182 million gallons of wastewater per day (mgd). Average wastewater flows through Plant No. 1 are about 120 to 130 mgd. Thus, the minimum residual capacity is about 52 mgd. Wastewater treated at Treatment Plant No. 1 is sent to the OCWD for further treatment in the groundwater replenishment system facility in Fountain Valley, which provides purified water via secondary-treated wastewater (City of Santa Ana 2021c).

Effluent from the Project would be collected and directed to the OCSD trunk sewer lines. The Project would not require the relocation of or new or expanded wastewater or storm facilities to be built. Sewer lines for the Project would be connected to existing City sewer lines. Therefore, there would be a less than significant impact, and no mitigation is required.

### *Storm Drainage*

As stated previously in Section 4.10, Hydrology and Water Quality, the Project would install a series of curb and gutters, on-site catch basins, and an underground detention basin to capture and retain stormwater on-site, then pump all runoff to the existing curb and gutter on Santa Clara Ave. The Project's potential environmental effects for construction of the stormwater drainage improvements are analyzed in this IS. Construction of the new storm drain improvements would be subject to compliance with all applicable local, State, and Federal laws, ordinances, and regulations. Compliance with relevant laws, ordinances, and regulations would ensure the Project's impacts associated with the proposed storm drain improvements are reduced to less than significant levels. Therefore, impacts related to stormwater facilities would be less than significant, and no mitigation is required.

### *Dry Utilities*

Natural gas, electricity, and telecommunication services are provided to the Project site by the Southern California Gas Company, Southern California Edison, and Spectrum, respectively. The Project's projected natural gas usage is shown in Table 10, in Section 4.6, Energy and the projected electricity usage is shown in Table 11, in Section 4.6, Energy. The Project would involve constructing new private on-site dry utility lines associated with such services. Payment of standard utility connection fees and ongoing user fees would be

required to ensure these utility services would be able to accommodate the proposed development. Project construction would not encroach into the public right-of-way without undergoing proper review through the Public Works department, which would require a Street Work Permit.

Therefore, the Project would not require the construction or expansion of water or wastewater infrastructure and treatment facilities, stormwater drainage, electric power, natural gas, and telecommunications facilities. Impacts would be less than significant, and no mitigation is required.

***b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple years?***

**Less than Significant Impact.** As stated in the City of Santa Ana 2020 UWMP, the City depends on a combination of imported and local supplies to meet its water demands and has taken numerous steps to ensure it has adequate supplies (City of Santa Ana 2021b). The Metropolitan Water District of Southern California (MET)'s 2020 UWMP concludes that they can meet full--service demands of their member agencies through 2045 during normal years, single-dry years, and multiple-dry years. Consequently, the City is projected to meet full-service demands through 2045 for all scenarios, due to diversified supply and conservation measures. The Drought Risk Assessment evaluates the City's near-term ability to supply water assuming the City is experiencing a drought over the next five years, and even under the assumption of a drought over the next five years, MET's 2020 UWMP concludes a surplus of water supplies would be available to all of its Member Agencies, including the City, should the need for additional supplies arise to close any local supply gap. Additionally, the City partakes in various efforts to reduce its reliance on imported water supplies such as increasing the use of local groundwater and recycled water supplies (City of Santa Ana 2020b).

The proposed McDonald's would require water for the daily needs of customers as well as for landscaping, maintenance, and operation of the facility. The proposed development is estimated to create an indoor water demand of 693,500 gallon per year and outdoor water demand of 97,090 gallons per year, for a total of 790,590 gallons per year, which equates to 2,166 gallons per day or 2.4-acre feet per year[2].

The Project's estimated water demand of 2.4 acre-feet per year would represent less than one percent of the City's total water demand of 35,915 acre-feet for 2025 and 35,858 acre-feet for 2040. Additionally, the Project would be required to comply with water efficiency standards in the 2022 California Building Energy Efficiency Standards and 2022 California Green Building Standards Code. Therefore, impacts related to water supplies would be less than significant, and no mitigation is required.

[2] The indoor and outdoor water rate use is derived from CalEEMod default water demand for the Project site, based upon land uses/size. These details can be found in Appendix A to this IS/MND.

***c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

**Less than Significant Impact.** Based on the commercial wastewater generation factor of 2,262 gallons per day per acre and the building footprint area of 0.09 acre, the Project would generate approximately 204 gallons per day of wastewater (City of Santa Ana 2021c).

As stated above, wastewater generated at the Project site is treated by at OCSD's Treatment Plant No. 1 in Fountain Valley. The treatment plant has a secondary treatment capacity of 182 mgd. Average wastewater flows through Plant No. 1 are about 120 to 130 mgd. Thus, the minimum residual capacity is about 52 mgd. As such, the Project would represent less than one percent of the remaining daily capacity (52 mgd) of Treatment Plant No. 1. The Project's uses would contribute a very minimal amount of wastewater when compared to the wastewater capacity of the City. The Project would not exceed the capacities of the wastewater treatment facilities. As such, impacts would be less than significant, and no mitigation is required.

***d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***

**Less than Significant Impact.** Waste Management of Orange County provides commercial waste collection for the City, including the Project site. Waste Management operates two yards, located in the cities of Santa Ana and Irvine, and two transfer stations, located in the cities of Orange and Irvine. These facilities accept trash and recyclables from local waste haulers, businesses such as landscapers or construction firms, and local residents. There are two primary landfill sites within the City, including Frank R. Bowerman Sanitary Landfill, located at 11002 Bee Canyon Road in Irvine, which has a permitted daily capacity of 11,500 tons per day, average daily disposal of 8,583 tons per day, a residual capacity of 2,917 tons per day, and estimated 2053 closure year. The other primary landfill is the Olinda Alpha Sanitary Landfill, located at 1942 North Valencia Avenue in Brea, which is currently operating at capacity (City of Santa Ana 2021c). Although not currently known which landfill the site would utilize, for purposes of this analysis, the Project would be most likely to utilize the Frank R. Bowerman Sanitary Landfill.

Project construction is not anticipated to generate significant quantities of solid waste with the potential to affect the capacity of regional landfills. Further, all construction activities would be subject to conformance with relevant federal, State, and local requirements related to solid waste disposal. Specifically, the Project would be required to demonstrate compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires all California cities to "reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible." AB 939 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The Project would also be required to demonstrate compliance with the 2022 Green Building Code, which includes design and construction measures that act to reduce construction-related waste through material conservation and other construction-related efficiency measures. Compliance with these regulations would

ensure the Project's construction-related solid waste impacts would be less than significant, and no mitigation is required.

Based on a multi-family residential solid waste generation rate of 5 pounds per 1,000 SF per day, the proposed Project would generate approximately 20 pounds of solid waste per day (or 0.01 tons per day) (CalRecycle 2023). The Project's nominal solid waste generation represents less than one percent of the total residual capacity of 2,917 tons per day from the Frank R. Bowerman Sanitary Landfill. As such, the Project is not anticipated to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts in this regard would be less than significant, and no mitigation is required.

***e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

**Less than Significant Impact.** As stated above, the proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act and City recycling programs. Specifically, the Project would be subject to AB 939, which requires that at least 50 percent of waste produced is recycled, reduced, or composted, and would be required to comply with Section 4.408 of the 2019 California Green Building Code Standards, which requires that at least 65 percent of nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. Development would also comply with the requirements of AB 341 that mandates recycling for commercial and multifamily residential land uses. Additionally, if the Project generates organic waste in amounts over a certain threshold, it would be mandated to recycle organic matter in accordance with AB 1826 (City of Santa Ana 2021c). Therefore, the Project would comply with all federal, State and local management and reduction statuses and regulations related to solid waste. Impacts would be less than significant, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to utilities and service systems; therefore, no mitigation measures are required.

# 4.20 WILDFIRE

| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | | ☐ | ☐ | ☒ |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | ☐ | ☐ | ☐ | ☒ |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | ☐ | ☐ | ☐ | ☒ |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | ☐ | ☐ | ☐ | ☒ |

## Impact Analysis

***If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:***

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

**No Impact.** The proposed Project is not designated as a Fire Hazard Severity Zone within a State responsibility area or designated as a VHFHSZ within a local responsibility area, as defined by the California Department of Forestry and Fire Prevention (CAL FIRE) (CAL FIRE 2023). During construction activities, all construction staging areas would occur on-site and would be prohibited to occur on the street or within the public right-of-way. A minimum 40-by 16-foot-wide staging area would be available for the entire duration of construction. The Project would likely close lanes and temporarily alter traffic patterns along Santa Clara Avenue during construction. However, the Project would not completely close Santa Clara Avenue at any point. The Project would comply with all conditions set forth in the required Project specific TCP, which would be reviewed and approved by the City prior to initiation of construction activities. Therefore, with implementation of the required TCP, the temporary closure of a few lanes along Santa Clara Avenue would not result in a significant interference of emergency access during construction. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are "located in or near state responsibility areas or lands classified as very high fire hazard severity zones", no impacts related to these thresholds would occur, and no mitigation is required.

***b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***

**No Impact.** The Project site is in a highly urbanized area of the City, and there are no large, undeveloped areas and/or steep slopes on or near the site that would exacerbate fire risks such that would expose the Project and its occupants to wildfire related hazards. The site and the surrounding areas are not located in designated VHFHSZ, as identified by CAL FIRE. Rather, the site is within a Non-VHFHSZ area. Therefore, the Project is not expected to exacerbate wildfire risks and create pollutants associated with wildfire or uncontrolled spread of wildfire. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are "located in or near state responsibility areas or lands classified as very high fire hazard severity zones", no impacts related to these thresholds would occur, and no mitigation is required.

***c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***

**No Impact.** As previously described, the proposed Project is not within a designated VHFHSZ as defined by CAL FIRE. As discussed in Section 3.0, Project Description, the site is located in a highly urbanized area and surrounded by developed land on all sides. All proposed structures would be constructed to meet current building and fire codes. Implementation of the proposed Project and maintenance of associated infrastructure would not exacerbate fire risk such that would result in a significant temporary or ongoing impact. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are "located in or near state responsibility areas or lands classified as very high fire hazard severity zones", no impacts related to these thresholds would occur, and no mitigation is required.

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

**No Impact.** As previously described, the proposed Project is not within a designated VHFHSZ as defined by CAL FIRE. The Project is in a highly urbanized area that is in a generally flat topographical area away from downslope or landslide areas. Specifically, implementation of the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are "located in or near state responsibility areas or lands classified as very high fire hazard severity zones", no impacts related to these thresholds would occur, and no mitigation is required.

## Mitigation Measures

Project implementation would not result in significant impacts related to wildfire; therefore, no mitigation measures are required.

# 4.21 MANDATORY FINDINGS OF SIGNIFICANCE

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☒ | ☐ | ☐ |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) | ☐ | ☐ | ☒ | ☐ |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |

## Impact Analysis:

***Would the Project:***

***a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?***

**Less than Significant with Mitigation Incorporated.** There are no sensitive biological resources, habitats, or species on the Project site that would be affected by the Project. As indicated in Section 4.4, Biological Resources, of this IS/MND, given the current developed condition and the existing trees and shrubs on the site, migratory birds may nest on the vegetation on-site. However, compliance with the MBTA would avoid impacts to active bird nests during construction of the Project. Impacts on migratory birds would be less than significant.

As discussed in Section 4.5, Cultural Resources, potential impacts to unknown cultural resources and human remains from implementation of the Project would be less than significant with implementation of RR CUL-1 and with implementation of MM CUL-1. Therefore, with the incorporation of identified RRs and MMs, the Project does not have the potential to restrict the range of a rare or endangered plant or animal or eliminate important

examples of the major periods of California history or prehistory. Impacts would be less than significant with mitigation incorporated.

Further, as discussed in Section 4.18, Tribal Cultural Resources, potential impacts to tribal cultural resources would be less than significant with incorporation of the voluntary and agreed upon mitigation measures by the City and Kizh Nation. Although a significant impact on known tribal cultural resources has not been identified, the City would voluntarily implement MMs TCR-1, TCR 2, and TCR-3, which recognize the Kizh Nations' concerns during construction activities; would require the presence of a Native American monitor to observe ground disturbing activity; and provide the discovery protocol upon unanticipated discovery of a TCR for non-funerary/ceremonial and for funerary or ceremonial object. Therefore, with incorporation of MMs TCR 1, TCR-2 and TCR-3, the Project does not have the potential to restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant with mitigation incorporated.

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

**Less than Significant Impact.** The proposed Project would result in potentially significant project-level impacts involving cultural resources and geology and soils. However, feasible mitigation measures have been identified that would reduce these impacts to less than significant levels. All reasonably foreseeable future development in the City would be subject to the same land use and environmental regulations that have been described throughout this document. Furthermore, all development projects are guided by the policies identified in the City's General Plan and by the regulations established in the SAMC. Therefore, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the proposed Project would not combine with effects from reasonably foreseeable future development in the City to cause cumulatively considerable significant impacts. Cumulative impacts would therefore be less than significant with mitigation incorporated. No further mitigation is required.

***c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***

**Less Than Significant Impact**. As detailed throughout this IS/MND, the proposed Project would not exceed any significance thresholds or result in significant impacts in the environmental categories typically associated with indirect or direct effects to human beings, such as aesthetics, air quality, hazards and hazardous materials, noise, public services, or transportation. As such, impacts would be less than significant, and no mitigation is required.

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