Dale Townhomes Project
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

General Plan Amendment (GP-23-1)

Zone Change (Z-23-1)

Tentative Tract Map (TT-24-1)

Conditional Use Permit (CU-24-1)

Mitigated Negative Declaration (MND-24-2)

Prepared for

Lead Agency:
City of Buena Park
Community and Economic Development
6650 Beach Boulevard
Buena Park, CA 90621
CONTACT: Harald Luna, Senior Planner
hluna@buenapark.com

Applicant:
Brandywine Homes
2355 Main Street, Suite 220
Irvine, CA 92614

Prepared By:

SAGECREST
PLANNING + ENVIRONMENTAL

27128 Paseo Espada, Suite 1524
San Juan Capistrano, CA 92675
714.783.1863
Contact: Lindsay Ortega, AICP, Vice President

July 19, 2024

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ACRONYMNS

Acronym	Definition
AB 32	Assembly Bill 32
AB 52	Assembly Bill 52
AER	Annual Emission Reporting
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AFY	Acre Feet Per Year
AQMP	Air Quality Management Plan
APE	Area of Potential Effect
APN	Assessor Parcel Number
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Board
CDF	California Department of Finance
CDFW	California Department of Fish and Wildlife
CERCLA	Comprehensive Environmental Response, Compensation, & Liability Act
CEQA	California Environmental Quality Act
City	City of Buena Park
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CRHR	California Register of Historic Resources
CVC	California Vehicle Code
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DF	Design Features
DOSH	California Division of Safety and Health
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping Management Program
GHG	Greenhouse Gas
HCP	Habitat Conservation Plan
gpd/acre	Gallons per Day per Acre
ITE	Institute of Transportation Engineers
LID	Low Impact Design
LOS	Level of Service
LST	Localized Significance Threshold

mgd	Millions of Gallons per Day
MMRP	Mitigation Monitoring and Reporting Program
MRZ	Mineral Resources Zone
MS4	Municipal Separate Storm Water Sewer System
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO2	Nitrogen Dioxide
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
OSHA	Occupational Safety and Health Administration
Pb	Lead
PM-2.5	Particulate Matter Less Than 2.5 Microns in Diameter
PM-10	Particulate Matter Less Than 10 Microns in Diameter
PRIMMP	Paleontological Resource Impact Mitigation Monitoring Program
RCRA	Resource Conservation and Recovery Act
RTP	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB 18	Senate Bill 18
SB 100	Senate Bill 100
SARWQCB	Santa Ana Regional Water Quality Control Board
SGMA	Sustainability Groundwater Management Act
SF	Square Feet
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SLF	Sacred Lands File
SO2	Sulfur Dioxide
SO_x	Sulfur Oxide
SRA	Source Receptor Areas
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis
VOC	Volatile Organic Compounds
USDA-NRCS	U.S. Department of Agriculture, Natural Resources Conservation Service
UWMP	Urban Water Management Plan

1 INTRODUCTION

Brandywine Homes (Applicant) proposes to develop a 93-unit townhome development, consisting of 14, 2- and 3- story, townhome buildings, 212 parking spaces, 26 of which are open parking spaces and 186 enclosed attached garage parking spaces, as well as associated on-site improvements (Proposed Project). The Project Site is located on the southeast corner of North Dale Street and West La Palma Avenue at 8030 North Dale Street (APN 070-501-01), currently containing an approximately 44,064 square-foot commercial building previously used as a grocery store, bank, and hardwood store and a paved parking lot with 11 trees dispersed throughout. The Project site is currently located within the Commercial General Plan Land Use designation and is zoned CS (Community Shopping). The surrounding sites consist of single-family residential uses to the east and south boundaries, a community shopping center and single-family residential uses to the north, across La Palma Avenue. To the west of the site is North Dale Street, followed by a commercial shopping center use known as the Buena Park Downtown Mall. The existing landscaping is limited on the current project site and is located along the north and west sides of the perimeter.

The City of Buena Park is the Lead Agency under the California Environmental Quality Act (CEQA) and is responsible for reviewing and approving the Initial Study/Mitigated Negative Declaration (IS/MND). The City will consider the following discretionary approvals for the proposed Dale Townhomes Project:

- **General Plan Amendment GP-23-1** to amend the existing General Plan Land Use designation from Commercial to High-Density Residential;
- **Zone Change No. Z-23-1** to amend the existing zoning district from CS (Community Shopping) to RM-20 (Medium Density Multifamily Residential), which allows a density of 20 DU/net acre;
- **Tentative Tract Map No. TT-24-1** to subdivide an existing parcel containing approximately 3.82-acres into a single lot for condominium purposes (93-unit townhomes); and
- **Conditional Use Permit No. CU-24-1** to review and permit the proposed 93-unit townhomes residential development and associated on-site improvements;

Additional permits will be required upon review of construction documents. Other permits required for the Project include, but are not limited to, the issuance of building permits, encroachment permits for driveways, sidewalks, utilities, and off-site improvements.

The Proposed Project is a project under the California Environmental Quality Act (Public Resource Code § 21000 et seq.: "CEQA"). The primary purpose of CEQA is

to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision-making. CEQA requires all state and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid any significant environmental impacts resulting from the implementation of projects subject to CEQA.

Pursuant to Section 15367 of the Guidelines for Implementation of the California Environmental Quality Act ("State CEQA Guidelines"), the City of Buena Park (City) as the lead agency for the Proposed Project has retained Sagecrest Planning + Environmental to prepare an Initial Study. Sagecrest Planning + Environmental is responsible for preparing environmental documentation in accordance with CEQA to determine if approval of the discretionary actions requested and subsequent development and operation of the Proposed Project would have a significant impact on the environment.

1.1 California Environmental Quality Act Compliance

In accordance with CEQA, this Initial Study has been prepared to analyze and determine any potential significant impacts upon the environment that would result from construction and implementation of the Proposed Project. In accordance with State CEQA Guidelines Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the Proposed Project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Proposed Project.

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

This Initial Study has been prepared for the Proposed Project, in conformance with Section 15070(b) of the State CEQA Guidelines. The purpose of the Initial Study is to identify potentially significant impacts associated with the construction and operation of the Proposed Project and incorporate mitigation measures into the

Proposed Project as necessary to eliminate the potentially significant effects of the Proposed Project or to reduce the effects to a less than significant level.

1.2 Content and Format of the Initial Study

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

The Initial Study is organized as follows:

- **Section 1 – Introduction.** This section introduces the scope of the Proposed Project and the City's role in the project, as well as a brief summary of findings.
- **Section 2 – Project Summary and Environmental Determination.** This section summarizes the Proposed Project and actions to be undertaken by the City. This section also provides the determination of the environmental document to be approved by the City.
- **Section 3 – Project Description.** This section details the Proposed Project components and general environmental setting.
- **Section 4 – Environmental Impacts**. This section contains the Environmental Checklist Form (Form), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form is based on the current State CEQA Guidelines Appendix G Environmental Checklist Form and it evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level. The form requires an analysis in 20 subject categories as well as Mandatory Findings of Significance.
- **Section 5 – List of Preparers.** This section summarizes the professionals who contributed to the preparation of this report and its technical appendices.
- **Section 6 – References.** This section identifies the references used in the preparation of this Initial Study.

1.3 Initial Study Summary of Findings

Based on the analysis in Section 4, there were no environmental factors that could potentially affect ("Potentially Significant") the environment. Mitigation measures were identified to reduce some impacts to Less Than Significant. Therefore, the

determination, based on the Initial Study, is that a **Mitigated Negative Declaration** would be prepared.

1.4 Documents Incorporated by Reference

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

- *City of Buena Park 2035 General Plan,* City of Buena Park, adopted on December 7, 2010 (GP). (Available at https://www.buenapark.com/city_departments/community_development/planning_division/general_plan.php#outer-544)
- *Final Environmental Impact Report, SCH No. 2009111026, for the City of Buena Park 2035 General Plan,* City of Buena Park, certified November 2010 (GP EIR). (Available at https://www.buenapark.com/city_departments/community_development/planning_division/general_plan.php#outer-545)
- *Technical Studies:*
    - *Cultural and Paleontological Resources Assessment for the Brandywine Buena Park Project, City of Buena Park, Orange County, California*, Cogstone, dated June 2024.
    - *8030 Dale Street Multifamily Residential Project – Noise Impact Study*, RK Engineering Group, Inc., dated May 31, 2024.
    - *8030 Dale Street Multifamily Residential Project – Air Quality, Greenhouse Gas, and Energy Impact Study*, RK Engineering Group, Inc., dated May 6, 2024.
    - *8030 Dale Street Multifamily Residential Project Trip Generation & Vehicle Miles Traveled (VMT) Screening Analysis, City of Buena Park*, RK Engineering Group, Inc., dated April 5, 2024.
    - *8030 Dale Street, City of Buena Park, Project No. 1-0472 – Geotechnical Investigation Report*, Alta California Geotechnical, Inc., dated January 30, 2024.
    - *Priority Project Preliminary Water Quality Management Plan (WQMP) for 8030 Dale Street, Buena Park, CA*, C&V Consulting, Inc., dated January 2024.
    - *Hydrology & Hydraulics Study – 8030 Dale Street, Buena Park, California 90620*, C&V Consulting, Inc., dated January 2024.
    - *Preliminary Sanitary Sewer Analysis for 8030 Dale Street, Buena Park, California*, C&V Consulting, Inc., dated January 2024.

- *Phase I Environmental Site Assessment – 8030 and 8060 Dale Street, Buena Park, California*, Stantec Consulting Services, Inc., dated February 22, 2023.
- *Shallow Sampling and Petromat Assessment – 8030 and 8060 Dale Street, Buena Park, California* (Phase II Environmental Site Assessment), Stantec Consulting Services, Inc., dated May 12, 2022.

1.5 Contact Person

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

Attn: Harald Luna, Senior Planner
City of Buena Park- Community and Economic Development
6650 Beach Blvd, Buena Park
CA, 90621
Phone: (714).562.3618
Email: hluna@buenapark.com

2 PROJECT SUMMARY AND ENVIRONMENTAL DETERMINATION

2.1 Project Summary

1. Project Number: General Plan Amendment (GP-23-1), Zone Change (Z-23-1), Tentative Tract Map (TT-24-1), Conditional Use Permit (CU-24-1), and Mitigated Negative Declaration (MND-24-2)

2. Project Title: Dale Townhomes

3. Hearing Date: August 28, 2024

4. Lead Agency Name: City of Buena Park
Community and Economic Development Department
Planning Division

Address 6650 Beach Boulevard
Buena Park, CA 90621

5. Contact Person: Harald Luna, Senior Planner
hluna@buenapark.com
(714).562.3618

6. Project Location: 8030 Dale Street, City of Buena Park, Orange County, California 90620.

The Project site is developed with an approximately 44,064 square-foot commercial building on a 3.872-gross acres/3.869-net acres lot located at 8030 Dale Street, in the City of Buena Park, Orange County, California, Assessors Parcel Number (APN: 070-501-01); refer to **Figure 1, Regional Vicinity**. The Project site has been heavily disturbed, and native habitat nor ornamental habitat occurs onsite. The Project site is surrounded by single-family residential dwelling units to the east and south, with La Palma Avenue directly adjacent to the North followed by a commercial shopping center and single-family dwellings; directly adjacent to the west is Dale Street followed by commercial uses; refer to **Figure 2, Site Location.** The nearest natural water source is Coyote Creek which is west of the Project site.

Topographic Quad (USGS 7.5"): *Anaheim*

Topographic Quad Coordinates: T4 South, R11 West

Latitude: 33.846160°N, Longitude: -117.983930°W

Assessor's Parcel Number (APN): 070-501-01

7. Project Applicant/Project Sponsor's Name and Address:

Brandywine Home

2355 Main Street, Suite 220

Irvine, CA 92614

8. General Plan Land Use Designation: Commercial

9. Zoning: CS (Community Shopping)

10. Description of Project:

The Dale Townhome Residential Project involves the construction of 14 two and three-story buildings with 39 two-bedroom and 54 three-bedroom units, totaling 93 residential townhomes. Each building will contain up to 10 townhouse units. The Project would total approximately 187,534 square feet of building space and would include attached two-car garages at ground level and one to two above ground floors of living space. The Project would include landscaping and green spaces throughout the site with specific landscaping along the east and south to buffer the Project from the single-family residential dwelling units. The Project would include pedestrian walkways, open parking, and perimeter/security fencing and lighting; refer to **Figure 3, Conceptual Site Plan**, **Figure 4 A-D Floor Plans**, **Figure 5 Landscape Plan**, and **Figure 6 Open Space Plan.**

The City is the Lead agency under CEQA. The Proposed Project includes (1) demolition of the existing structure and parking lots; (2) utility improvements; (3) construction of fourteen new two and three-story residential townhome buildings, trash enclosures and paved driveways; and (4) project site amenities and landscaping.

Construction

The Proposed Project site consists of a vacant commercial building with associated surface parking. The commercial structure and associated surface parking is proposed to be demolished to allow for the development of the residential community. Grading the site for the project is anticipated to reach an average excavation depth of ten feet within the project site.

Project construction would occur in five phases. The duration of construction activities for the Project would be approximately 14 months, beginning in November 2024 and culminate construction in December 2025.

Site Access

Regional access is provided on Interstate 5 (I-5) via La Palma Avenue ramps. Local access is provided via Beach Boulevard (Highway 39), La Palma Avenue and Dale Street. Main Project site vehicular access would be provided via two 24-foot-wide paved driveways located on La Palma Avenue and Dale Street. The Project driveways would be designed in accordance with the City of Buena Park Municipal Code (BPMC) Sections 18.92.010 (Access Requirements) and 19.436.040 (Residential Driveway Standards), by providing emergency vehicle access and mobility through a 24-foot-wide internal driveway/aisle.

Parking

The Project would provide a total of 212 automobile parking spaces of which 186 of the parking spaces would be enclosed attached garage parking spaces and 26 would be outdoor (open) parking spaces. The 26 open parking spaces would be dispersed throughout the Project site.

Building Design, Elevations and Landscaping

The architectural design for the Project assumes a Spanish colonial architectural style that consists of light and warm-toned materials, such as stucco in various off-white tones, concrete S-tile roofing, vinyl windows, shutters, gable accents, decorative corbels, lighting and wrought-iron railing, which is consistent to the surrounding neighborhood. This warmth is repeated in its variety of window placements, balconies, and landscaping. The buildings would utilize individualization to break volume massing to create unique building identity. The buildings along the south would subtract upper story volume to reduce vertical height physically and visually from the pedestrian level, and the Project would add green space to beautify ground level and upper levels to provide visual and auditory buffer with landscaping. The total building height for the two-story units are 29'-6" and the three-story units are 37'-7" maximum; refer to **Figures 7A, 7B, and 7C Building Elevations, and Color and Material Board**.

Approximately 32% of the 3.87-acres site would be landscaped. Landscaping around the buildings would include irrigated trees and various low water use shrubs and ground cover. The Project site also provides mature landscaping to buffer from the single-family residential dwellings located to the east and south perimeter of the site with trees such as theme

trees, vertical trees, accent trees, specimen trees, raised planter trees, and street parkway trees, groundcovers such as shrubs and grasses, and a block wall. Landscape plant material will be in compliance with the Buena Park Municipal Code (BPMC) and design guidelines. Two large open spaces with lawn areas, amenities, seating areas would be provided at the center and southern portion of the site. A walking path will be provided throughout the Project site; refer to **Figure 5, Landscape Plan,** and **Figure 6 Open Space Plan**.

Lighting

Indoor and outdoor Project site lighting would be used to provide adequate lighting for living space areas, circulation, and security. Outdoor lighting for the parking areas would be provided consistent with the requirements set forth in the City's Municipal Code Section 19.444.030 (Lighting) which requires that lighting is controlled to prevent glare on driveways, walkways, and public thoroughfares. A lighting plan is required by the City and would be submitted with construction plans.

Infrastructure and Off-site Improvements

The site is in an existing urban developed area served by existing utilities. The Project site would be served via water, sewer, and utility extensions, as available, to the Project site from existing lines located in Dale Street and La Palma Avenue. The Project would include new off-site improvements including a raised landscaped center median along La Palma Avenue – northerly adjacent to the Project site.

Project Approvals

The City of Buena Park is the Lead Agency under the California Environmental Quality Act (CEQA) and is responsible for reviewing and approving the Initial Study/Mitigated Negative Declaration (IS/MND). The City will consider the following discretionary approvals for the Dale Townhomes Project:

- **General Plan Amendment GP-23-1** to amend the existing General Plan Land Use designation from Commercial to High-Density Residential;

- **Zone Change No. Z-23-1** to amend the existing zoning district from CS (Community Shopping) to RM-20 (Medium Density Multifamily Residential), which allows a density of 20 DU/net acre;
- **Tentative Tract Map No. TT-24-1** to subdivide an existing parcel containing approximately 3.82-acres into a single lot for condominium purposes (93-unit townhomes); and
- **Conditional Use Permit No. CU-24-1** to review and permit the proposed 93-unit townhomes residential development and associated on-site improvements;

11. Surrounding Land Uses and settings: Briefly describe the project's surroundings:

The Project Site has an existing Commercial General Plan Land use designation and a CS (Community Shopping) zoning district and requires a General Plan Amendment (GP-23-1) to High Density Residential and a Zone Change (Z-23-1) to RM-20 (Medium Density Multifamily Residential) as noted below. The surrounding land uses are identified in **Table 1** – Existing and Proposed General Plan Land Use and Zoning, and Surrounding Land Uses. The Project Site is currently vacant.

Table 1 – Existing and Proposed General Plan and Zoning, and Surrounding Land Uses

Location	Existing General Plan Land Use Designation	Proposed General Plan Land Use Designation	Existing Zoning District	Proposed Zoning District
Project Site	Commercial	High Density Residential	CS (Community Shopping)	RM-20 (Medium-Density Multifamily Residential)
North	Commercial/Low Density Residential	No Change	CS (Community Shopping)/ RS-6 (One-Family Residential)	No Change
South	Low Density Residential	No Change	RS-6 (One-Family Residential)	No Change
East	Low Density Residential	No Change	RS-6 (One-Family Residential)	No Change
West	Entertainment Mixed-Use	No Change	CR (Regional Commercial)	No Change
Source: City of Buena Park Zoning/Land Use GIS Application, accessed July 2024.				

12. Other Public Agencies Whose Approval is Required: (permits, financial approval, or participation agreement)

The following discretionary approvals are required for the Proposed Project:

Federal Agencies:

- There are no federal agencies in which discretionary approvals are required.

State Agencies:

- State Clearinghouse
    - SB 69 requires local agencies to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the County Clerk.

Local Agencies:

- City of Buena Park:
    - Adopt CEQA compliance documents;
    - Approval of General Plan Amendment No. GP-23-1 to amend the General Plan land use designation from Commercial to High Density Residential;
    - Approval of Zone Change No. Z-23-1 to change the zoning district of the Subject Site from CS (Community Shopping) to RM-20 (Medium-Density Multifamily Residential);
    - Approval of a Conditional Use Permit CU-24-1 and TT-24-1 to allow development of a 93-unit townhouse development;
    - Airport Land Use Commission (ALUC)
    - Orange County Fire Authority

13. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significant impacts to tribal cultural resources, procedures regarding confidentiality, etc.?:

On March 29, 2024, the City of Buena Park provided written notices to interested California Native American Tribes on the list provided by the Native American Heritage Commission (NAHC). Consistent with the NAHC list California Native American Tribes were contacted pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18. The following tribes were notified: Campo Band of Diegueno Mission Indians, Ewiiaapaaya Band of Kumeyaay Indians, Gabrieleno Band of Mission Indians – Kizh Nation, Gabrieleno Tongva Indians of California Tribal Council, Gabrieleno Tongva Nation, Gabrieleno Tongva San Gabriel Band of Mission Indians, Gabrieleno Tongva Tribe, Juaneno Band of Mission Indians Acjachemen Nation – Belardes, Juaneno Band of Mission Indians Acjachemen Nation 84A, La Posta band of Diegueno Mission Indians, Manzanita Band of Kumeyaay Nation, Mesa Grande Band of Diegueno Mission Indians, Pala Band of Mission Indians, Santa Rosa Band of Cahuilla Indians, and Soboba Band of Luiseno Indians.

As of March 29, 2024, only one written response was received from the Gabrieleno Band of Mission Indians – Kizh Nation on April 4, 2024, which noted that the Project site is in their Ancestral Tribal Territory and therefore is seeking further consultation with the Lead Agency. Please refer to Section 4.5 Cultural Resources, for further details on Tribal Consultation.

2.2 Organization of Environmental Analysis

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

Section 4 provides a discussion of the potential environmental impacts of the Proposed Project. The evaluation of environmental impacts follows the questions provided in the Checklist provided in Appendix G to the State CEQA Guidelines.

2.3 Evaluation of Environmental Impacts

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

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.

Once the Lead Agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant.

"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.

"Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." Mitigation measures are

identified and explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).

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

a) Earlier analyses were used where they are available for review.

b) Which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and whether such effects were addressed by mitigation measures based on the earlier analysis.

c) The mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project for effects that are "Less than Significant with Mitigation Measures Incorporated".

References and citations have been incorporated into the checklist references to identify information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document, where appropriate, include a reference to the page or pages where the statement is substantiated.

Source listings and other sources used, or individuals contacted are cited in the discussion.

The explanation of each issue should identify:

1. The significance criteria or threshold, if any, used to evaluate each question.
2. The mitigation measure identified, if any, to reduce the impact to less than significant.

2.4 Environmental Factors Potentially Affected

Based on the analysis in Section 4, the Proposed Project could potentially affect ("Potentially Significant") the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor and identifies where mitigation measures would be necessary to reduce all impacts to less than significant levels.

☐ 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

2.5 Determination

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

	The proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	Although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
	The proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	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.
	Although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature

JULY 17, 2024
Date

Harald Luna / Senior Planner
Name & Title

City of Buena Park
Lead Agency

3 PROJECT DESCRIPTION

3.1 Background

The 3.87-acre Subject Site is located on a rectangular shaped parcel (Assessor Parcel Number 070-501-01) and is developed with a one-story, 44,064 square feet commercial building with a loading/shipping area and associated surface parking and landscaping. The Subject Property is located at an elevation of approximately 95 feet above sea level with a flat gradient. The Subject Property is owned by OSHDALE LLC, and formerly operated as a hardware supply store.

Based on historical aerial photographs provided by Environmental Database Resources (EDR) and analyzed in the February 2023 Phase I Environmental Site Assessment (ESA) by Stantec, the Project Site was undeveloped land from 1928-1953, consisting of orchards with few structures noted in the surrounding area. In 1963, the Project Site and surrounding area appear nearly fully developed with a few sparse lots consisting of crops to the North, where the current Buena Park Downtown is located. The first commercial structure was developed in the eastern portion on the Project Site along with the parking lot in the western portion. The aerial photographs from 1972 through 2016 show the Project Site has not undergone any observable developmental changes besides the surrounding parcels being fully developed with no remaining agricultural use.

Project Site Setting

The Proposed Project would be constructed on the parcel (APN: 070-501-01) located on the southeast corner of Dale Street and La Palma Avenue, currently zoned for commercial use. Surrounding the Project Site on the Eastern and Southern borders are single-family houses. Across La Palma Avenue on the northern side of the Project Site is a small commercial use parcel as well as single-family housing. To the west of the Project Site across Dale Street is the City of Buena Park's downtown, zoned for CR (Commercial Regional) and General Plan Land Use for Entertainment Mixed-Use. The Project Site is proposed to be redesignated to High-Density Residential General Plan Land Use designation and rezoned to RM-20 (Medium-Density Multifamily Residential). Development in the High-Density Residential land use designation is characterized by condominium and apartment development with a base density of 20 dwelling units per acre (**Figures 8 & 9 – Existing General Plan Designation/Zoning Maps** and **Figures 10 & 11 – Proposed General Plan Designation/Zoning Maps**).

The project site is underlain by recent-aged alluvial floodplain and stream-terrace deposits consisting of undissected to laterally dissected gravels, sands, and silts originating from the San Gabriel River to the west (approximately 7 miles) and the Whittier hills to the north (approximately 8 miles), according to the geological maps published (DWR, 2010). According to groundwater monitoring reports,

groundwater beneath the Project Site is approximately 15 to 20 feet below ground surface.

Site General Plan Land Use and Zoning

The City of Buena Park 2035 General Plan Land Use & Community Design Element map designates the Project Site as Commercial and the Project Site is zoned CS (Community Shopping). Developing the Project Site with residential uses would require a General Plan Amendment (GP-23-1) to change the land use designation to High Density Residential and a Zone change (Z-23-1) to RM-20 (Medium-Density Multifamily Residential). Within the High Density Residential land use designation, housing density would be permitted up to 20 dwelling units per acre and could be increased to as high as 30 dwelling units per acre with the Affordable Housing Area Bonus (BPMC Section 19.408.030). The Proposed Project would provide 15% (14 in total) of the 93 units to be designated as affordable housing and will have a density of 24 units per acre, thus falling within the allowable density range. Of the 15% (14 units) of affordable housing proposed, 13% (12 units) are designated as moderate-income and 2% (2 units) are designated as low-income. The project would be developed in compliance with the development standards under the proposed RM-20 zone and Affordable Housing Density Bonus provisions. According to BPMC Section 19.408.030, an applicant may submit to the Community Development Department a proposal for specific incentives and concessions. The Proposed Project requests the following incentives and concessions:

- Adjustment or waiver to maximum building height;
- Adjustment or waiver to maximum building height within 50 feet of an RS zone;
- Adjustment or waiver to side yard abutting street;
- Adjustment or waiver to the minimum required total open space;
- Adjustment or waiver to parking stall size;
- Adjustment or waiver to drive aisle width;
- Adjustment or waiver to building coverage;
- Adjustment or waiver to garage door size;
- Adjustment or waiver to minimum space in between buildings with windows or doorways facing each other.

3.2 Project Characteristics

The Proposed Project includes the following:

Site Plan: The Proposed Project would involve the demolition of a single 44,064 square-foot vacant commercial structure to allow for the construction of a 93-unit, two- and three-story semi-attached townhomes comprised of different floors

plans of 2- and 3- bedroom units. The proposed Townhouse unit sizes would range from 1,222 sq. ft. up to 1,701 sq. ft. The proposed mix of residential units is summarized in **Table 2** - Proposed Development and shown in **Figure 3 - Conceptual Site Plan**, and **Figure 7 A-C** - **Typical Building Elevations**.

Table 2 - Proposed Development

Plan Type	Number of Units	Floor Plan	Garage Type	Unit Size (SF)
Plan 1	7	2 bed/2.5 bath	Side by Side	1,233
Plan 1X	4	2 bed/2.5 bath	Tandem	1,222
Plan 2	28	2 bed/2.5 bath	Tandem	1,319
Plan 3	6	3 bed/2.5 bath	Side by Side	1,419
Plan 4	7	3 bed/2.5 bath	Side by Side	1,502
Plan 4X	4	3 bed/2.5 bath	Tandem	1,531
Plan 5	9	3 bed/3.5 bath	Side by side	1,556
Plan 6	28	3 bed/3.5 bath	Side by Side	1,701
Totals (Entire Project)				
Units	93			
Units Size Range	1,222 SF to 1,701 SF			
Building Area	187,534 SF			
Landscaped Area	27,963 SF			
Open Space	53,688 SF			
Parking Spaces	186 covered parking spaces via private garages 26 open surface parking spaces			
Building Coverage	69,014 SF (41%)			

Height	29'6" – two-story units 37'7" – three-story units
Driveways (2)	24-feet wide driveways – one on La Palma Avenue and one on Dale Street
Private drive aisle	24-feet wide for internal vehicular circulation

Setbacks by Building and Directional Site Boundary (not including drive aisles)

	North (La Palma Avenue)	East (Single-Family Residential)	West (Dale Street)	South (Single-Family Residential)
Building 1	--	--	20'4"	--
Building 2	15'-4"	18' from Bldg 3	25'2"	--
Building 3	15'-3"	14' from drive aisle	18' from Bldg 2	--
Building 4	15'-3"	12'	--	--
Building 5	--	--	--	30'-3" from Bldg 14
Building 6	--	--	63'-8" from Bldg 14	--
Building 7	--	20'-1"	--	20' from Bldg 8
Building 8	20' from Bldg 7	20'-1"	--	20'8"
Building 9	--	--	46' from Bldg 10	12'-1"
Building 10	--	46' from Bldg 9	--	12'-1"
Building 11	--	--	25' from Bldg 12	12'-1"
Building 12	--	25' from Bldg 11	--	12'-1"
Building 13	--	--	20'6"	12'-1"

Building 14	30'-3" from Bldg 5	63'8" from Bldg 6	--	--

Off-Site Improvements: Off-site improvements are proposed adjacent to the north and west of the Project Site boundaries. The Project will require the closure of the four existing driveways located along La Palma Avenue and Dale Street, as well as, the reconstruction of the sidewalks along property boundaries within the public right-of-way on Dale Street and La Palma Avenue. Landscaped planters will also be implemented along the bounding sidewalks on the northern and western curbs with tree cover. Street improvements include curb, gutter associated with closure of existing driveways along Dale Street and La Palma Avenue. The Proposed Project includes a new landscaped raised center median along La Palma Avenue to allow for left-out/right-out and left-in/right-in from La Palma Avenue into the Project site.

Parking and Circulation: Per AB 2097, no minimum parking is required for projects within a half-mile radius of major transit stops. For comparison, the parking per State Density Bonus Law (California Government Code Sections 65915 – 65918) would be 1.5 spaces for units both two- and three-bedrooms. With a total of 39 two-bedroom units and 54 three-bedroom units, a total of 140 on-site parking spaces are required. The Proposed Project provides a total of 212 parking spaces that consist of 186 parking spaces within enclosed garages and 26 open parking spaces, averaging 2.28 parking spaces per dwelling unit. Each unit will contain a private 2-car garage, either side by side or tandem, depending on unit floor plans.

Access to the site is proposed via one (1) right-in/right-out only unsignalized driveway located along Dale Street and via one (1) full-access unsignalized driveway located along La Palma Avenue.

The driveway access on La Palma Avenue will be between buildings 3 and 4 on the northern boundary. Current traffic street design would allow entering vehicles to turn left or right into and out of the project site from the proposed driveway on La Palma Avenue. The Proposed Project includes a new landscaped raised center median that will allow for vehicles to turn left-in/left-out and right-in/right-out from La Palma Avenue. Current traffic street design on Dale Street only allows vehicles to turn right into the site going north bound on Dale Street, and only turn right on N. Dale Street exiting the project site, due to an existing raised center median. The drive aisles throughout the site will be 24' wide besides the entry point on La Palma Ave, which is proposed with a 30' entry, narrowing to 26' before entering the 24' drive aisles.

Landscaping and Hardscape: Landscaping and open space areas will be dispersed throughout the Project site. All common landscaping and open space

areas shall have on-going landscape maintenance by an appointed professional landscaping company as selected by the Homeowner's Association (HOA) and Buena Park Municipal Code.

The Proposed Project will also include off-site landscaping that borders the Project site with planters and trees as well as landscaped sections throughout the site, in the form of passive walking paths, landscaped setbacks, and private side yards for units 63, 68, 73, 78, and 83. The Project will also consist of landscaped common areas in the center of the site as well as in the southern portion of the site between buildings 9 and 10.

The off-site landscaping will consist of planted parkways along Dale Street and La Palma Avenue, containing a total of 21 Tuscarora Crape Myrtle trees and Water Gum trees (8 along Dale St and 13 along La Palma Ave). The common passive walkways paths and landscaped setbacks will be equipped with common shrubs that are in compliance with the Buena Park and State Code and design guidelines. Private side yards for units will be homeowner maintained. The common open space areas will be designed to accommodate people to spend time in open space.

The larger open space landscaped area will be located in the center of the site, containing walkways between buildings 5 and 14 that lead to a common open space with raised planters, seating, BBQ's, trellis, a play structure, and bike racks. The walkway will contain 8 Saratoga Laurel Vertical trees, 1 Marina Strawberry Trees, and 3 Southern Magnolia Tree. The trees in the common area will consist of 1 Orchid Tree and 2 Marina Strawberry Trees. The northern portion of the common area will contain 2 BBQ's, 2 trach locations, and 2 picnic tables that are covered with an overhead trellis shade structure. The middle will be a grass lawn and on the southern end of the common area will be the play structure and 2 seating benches, one of which located under a Marina Strawberry Tree and an Orchid tree. The play structure will be placed on a safety surface with a mow curb around it. There will be a pet waste station provided for residents with pets. The smaller common open space area between buildings 9 and 10 near the southern boundary of the site will contain one BBQ and one picnic table with a lawn and planter space. There will be a total of 5 Saratoga Laurel Trees and 2 Orchid trees planted in the area. Refer to **Figure 5** - Landscape Plan, for details on specific landscape planting details.

In total, there will be 98 trees planted throughout the site, including the 21 off-site trees located in the planters boarding the site. It is noted that all trees located within 5' from any hardscape walls, buildings, and/or utilities shall receive root barriers, all aboveground utilities are to be screened with appropriate plant material and tree locations will be coordinated with utilities during construction document development, and lastly, that the plant palette listed provides a list of

plant material to select from when preparing landscape construction, however, substitutions may be required to availability, soils tests, and/or other conditions. See **Figure 5** – Landscape Plan, for details on specific landscape planting details.

Architecture: The 93 dwelling units will be located in fourteen (14) detached buildings with a Spanish colonial architectural style. The building tops will have concrete S-Tile roofing with stucco finished walls. There will be vinyl windows with top and bottom borders of stucco over foam as well as some with dark blue and dark red window shutters. Windows on the front of buildings will be shorter in comparison to the taller windows located on the rear end of buildings. The taller windows on the rear will add more aesthetics to the garage side of the building front, whereas the front of the building is designed with the unit's front doors, building lights, and another larger window, complementing the smaller windows. Buildings will also have added depth with different colored stucco finishes, from tan to white/cream, including balconies with iron railings. Garages will alternate in two different shades of brown and in size depending on the building type.

Site Lighting: Site lighting will consist of light fixtures attached to townhomes at each unit and throughout the Project site (Refer to **Figure 7 A-C** – Building Elevations and **Figure 5** – Landscape Concept Plans).

Stormwater Management: C & V Consulting, Inc. prepared a Preliminary Low Impact Development Plan (LID) (**Appendix A** – Approved Priority Project Preliminary Water Quality Management Plan, 8030 Dale Street, C & V Consulting, Inc., January 2024, revised April 2024) and Hydrology & Hydraulics Study (**Appendix B** – Preliminary Hydrology & Hydraulics Study 8030 Dale Street, C& V Consulting, Inc., January 2024, revised June 2024) which identifies stormwater management for post construction building operations. The existing site is flat in nature and sheet flows to an existing concrete gutter that drains southwest across the site and discharges over the existing driveway to Dale Street. No underground storm drains exist in the project site or the surrounding streets. The proposed project will be designed to match existing drainage conditions via surface flow, sump condition catch basins, and an onsite area drain system.

The project will be serviced by an on-site "private" domestic water and an on-site "private" sanitary sewer system. The water system will connect to the public 6" water main on Dale Street and the public 8" main on La Palma Avenue. The project proposes an extension of the existing sewer main on La Palma Avenue, 400' west of the site. This extension will extend east on La Palma Avenue to Dale Street where it will turn south and into the project. The sewer lines in the public right-of-way will be public and the sewer line onsite will be private.

Per the Hydrology and Hydraulic Study prepared by C&V Consulting, the Proposed Project is designed and planned in accordance with the Orange County Hydrology Manual and the City of Buena Park drainage requirements. The

site has been divided into three drainage areas based on the proposed grading and drainage design. The three drainage areas are as follows: (1) Catch basins are located within drive aisles at Dale Street and La Palma Avenue to pick up the surface runoff and convey it to the southwest corner of the site. (2) Roof runoff will be conveyed towards existing storm drain lines within the street to proposed catch basins. (3) Landscaped areas will contain area drains to collect and convey stormwater runoff to the proposed underground storm drain system. The proposed underground storm drain system will convey stormwater runoff to underground detention/ infiltration systems sized to capture the required water quality volume. When underground detention/ infiltration systems reach capacity, stormwater will bypass through an overflow pipe and out a parkway drain onto Dale Street. In a rare case of emergency overflow, stormwater will be conveyed through the driveway entrances, wall knockouts, and/or through drainage swales. The site's grading designates high points throughout the site to allow for the overflow condition.

The site discharges to Coyote Creek (approximately 4.5-miles west) and is then conveyed to the San Gabriel River and ultimately the Pacific Ocean. According to the Susceptibility Analysis of San Gabriel-Coyote Creek, these waterways are not susceptible to hydromodification and therefore hydraulic conditions of concern is not considered for this project. The site is located within Hydraulic Soil Group A per USDA Natural Resources Conservation Service (NRCS) Web Soil Survey Map. An estimated 85% impervious coverage was assigned to the proposed condition of the project site. There is no off-site drainage that enters the property.

Utilities and Services: Water and sewer services would be served by the City of Buena Park Public Works Department. The City of Buena Park receives its electrical power service via generation and transmission infrastructure owned by Southern California Edison (SCE). The City receives its natural gas from the Southern California Gas Company (SCGC). Telecommunication services are provided via a number of private companies.

3.2.1 Construction Timing

Construction is anticipated to occur in five phases, beginning in the second half of 2024, lasting approximately 14 months, with operations anticipated to begin in the first quarter of 2025. Construction activities are expected to consist of demolition, site preparation, grading, building construction, paving, and architectural coating. The project is expected to import approximately 8,300 cubic yards of earthwork material during the grading phase of construction. Project construction will require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks.

Construction activities include the following:

Construction activities for the Proposed Project are anticipated to begin February 2025 and buildout is expected to be completed by early 2026. Construction duration is estimated to be approximately 14 months.

Demolition: Start February 2025 and would take approximately four (4) weeks to complete. Demolition would consist of removing the surface asphalt paving and demolishing existing structures on-site.

Site Preparation: The Project Site is currently developed and would not require site preparation activities that consist of removal of rocks. Existing trees will be replaced with new trees per the Proposed Project's landscape concept plans.

Grading: The grading phase would occur after completion of the demolition phase in May 2025 and is anticipated to take place over approximately four (4) weeks. Project grading will include 8,300 cubic yards of import to the site.

Building Construction: The building construction would occur after the completion of the grading phase in June 2025 and is anticipated to take place over approximately 12 months.

Paving: The paving of the interior drive aisles would occur after the completion of the building construction phase in winter/spring of 2025/2026 and is anticipated to take place over approximately four (4) weeks.

Application of Architectural Coatings: The application of architectural coatings would occur after the completion of the building construction phase in spring of 2026 and is anticipated to take place over approximately four (4) weeks.

Although the paving and architectural coating phases are projected to occur consecutively after the completion of the building construction phase, it is possible that all three phases may occur concurrently.

3.2.2 Best Management Practices During Construction

The following best management practices would be incorporated into the Proposed Project's construction specifications to identify how the Proposed Project would conform to Federal, State, and Local regulations:

- Construction Water Quality Control: The site must be consistent with the current Orange County Drainage Area Management Plan and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the incorporated Cities of Orange County within the Santa Ana Region Stormwater Runoff Management Program. Impervious area dispersion has been incorporated wherever feasible in order to provide onsite retention.

- Water Quality Management Plan: The project will be required to retain Urban Runoff onsite in conformance with local ordinance.

The Proposed Project would comply with South Coast Air Quality Management District (SCAQMD) standards and therefore would not contribute to 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. Additionally, the Project must follow all SCAQMD rules and requirements with regards to fugitive dust control. Compliance with dust control is considered a standard requirement and is included as part of the Project's design features. The construction activities would have less than significant regional air quality impact and a less than significant localized impact.

3.3 Project Operations

The project site in Buena Park is designed to accommodate for the development of 93 townhome dwelling units, ranging from 1,222 SF to 1,701 SF.

The project would include activities typical of residential development, such as landscape maintenance, daily vehicle trips as residents leave and return, street cleaning on private streets, and common area recreational activities. The population increase from the proposed project relies on the assumption that each dwelling unit would contain 3.36 people (Buena Park average household size per U.S. Census Bureau Quick Facts Table 2018-2022), increasing the population approximately 312 people with 93 dwelling units (City of Buena Park).

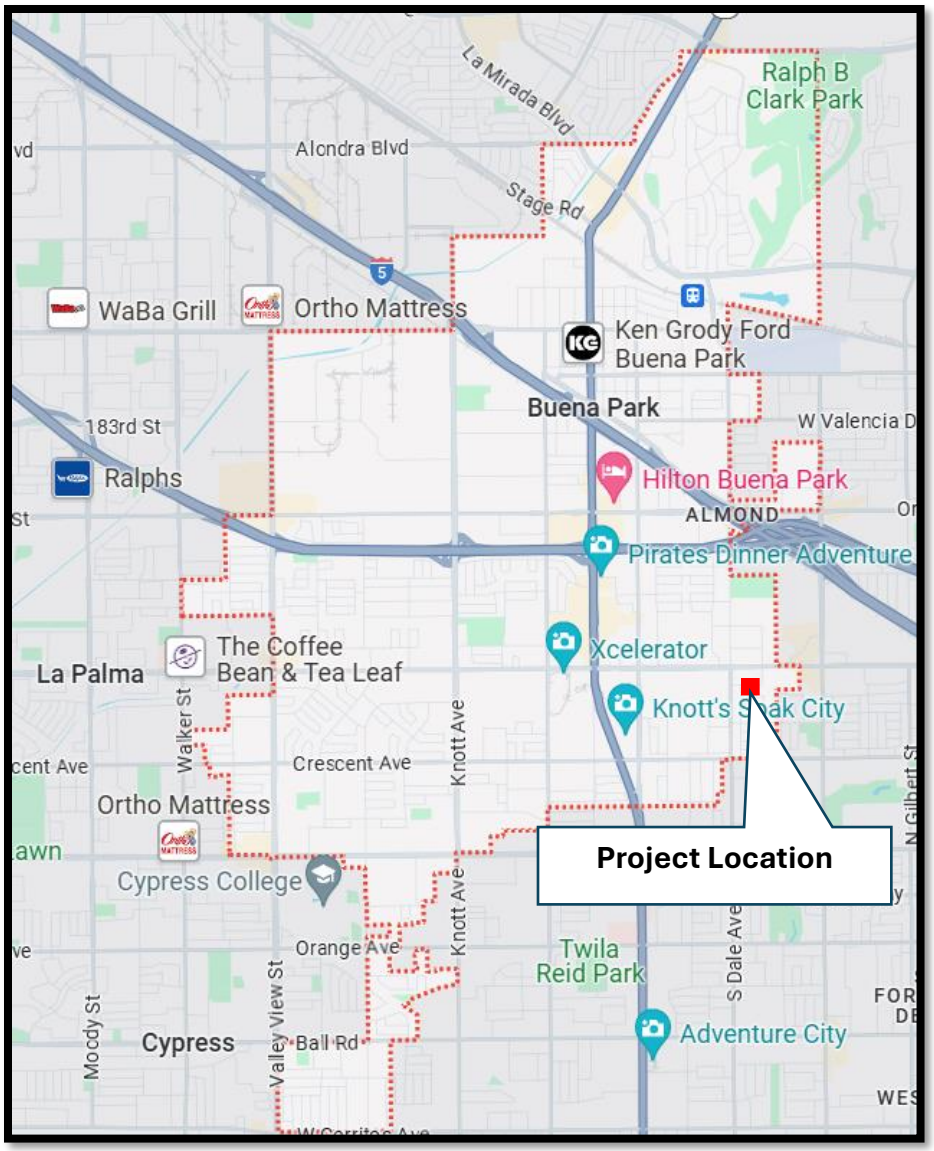
Operation of the Proposed Project would require electricity for multiple purposes, including cooling, lighting, appliances, and various equipment. The Project will be fully operated through electricity; therefore, project operation will not require natural gas for water heating or appliances. During operation, the majority of fuel consumption resulting from the proposed Project would involve the use of motor vehicles for residential use. Petroleum fuel consumption associated with motor vehicles traveling to and from the Project Site is a function of VMT as a result of the Project operation. The project has a main goal to provide affordable housing to residents.

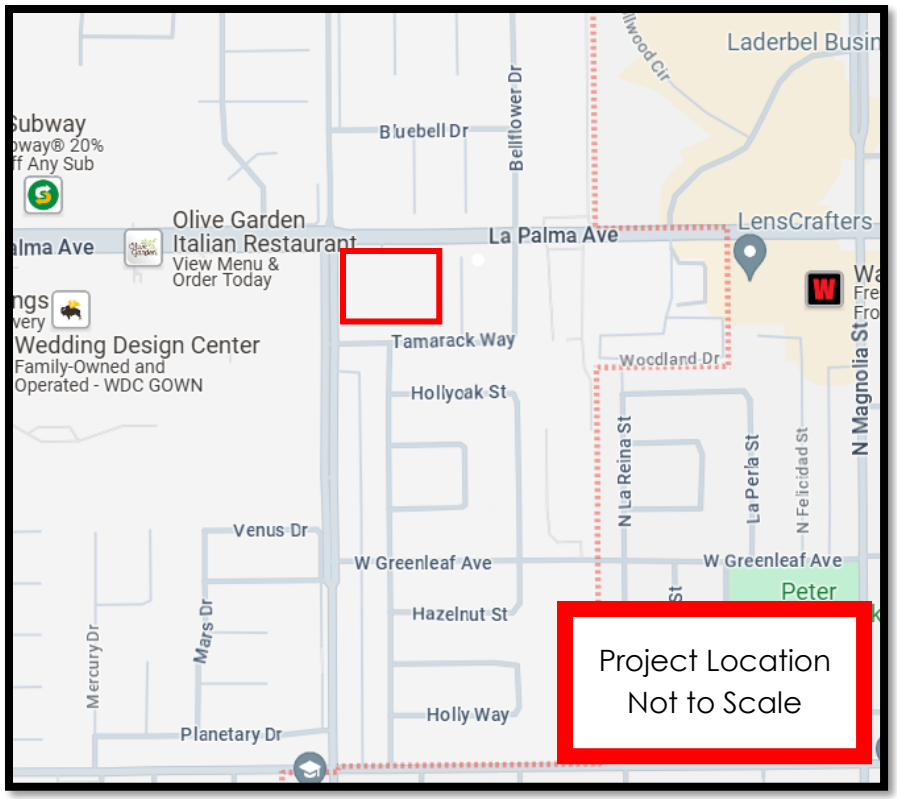
3.4 Project Approvals

The following approvals and permits are required from the City of Buena Park to implement the Proposed Project:

- **General Plan Amendment GP-23-1** to amend the existing General Plan Land Use designation from Commercial to High-Density Residential;

- **Zone Change No. Z-23-1** to amend the existing zoning district from CS (Community Shopping) to RM-20 (Medium Density Multifamily Residential), which allows a density of 20 DU/net acre;
- **Tentative Tract Map No. TT-24-1** to subdivide an existing parcel containing approximately 3.82-acres into a single lot for condominium purposes (93-unit townhomes); and
- **Conditional Use Permit No. CU-24-1** to review and permit the proposed 93-unit townhomes residential development and associated on-site improvements;
- Adopt Mitigated Negative Declaration (MND) with the determination that the MND has been prepared in compliance with the requirements of CEQA;
- Approval of Density Bonus Development
- Approval of Hydrology and Soil Reports
- Approval of Preliminary Water Quality Management Plan



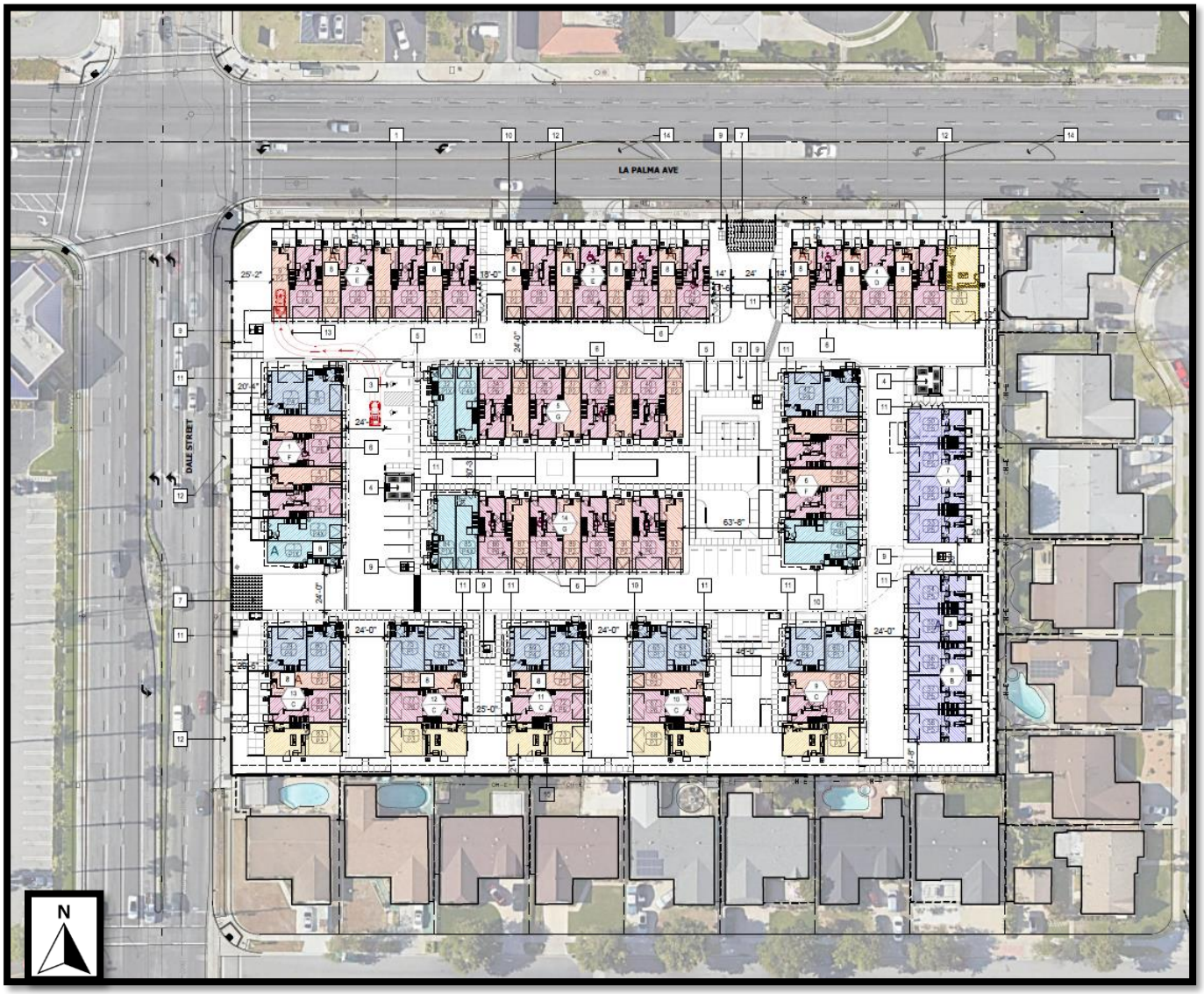


Project Address: 8030 N. Dale Street, Buena Park

Figure 1: Regional Vicinity
Source: *Google Maps*

Project Address: 8030 N. Dale Street, Buena Park

Figure 2: Site Location – Aerial View
Source: *Google Earth*



Site Summary

Site Area:	3.87 Acres; 168,536 sf
Dwelling Units:	93 Units
Net Density:	24 du/ac
Product Type:	2 & 3 Story Townhomes
Occupancy Type:	R2
Construction Type:	Residential: Type VB
Sprinkler Type:	NFPA 13
Building Height:	38'
Lot Coverage:	±69,014 sf (41%)
Total Building Area:	±187,534 sf

Building Setbacks:

	Required	Proposed
Front (Dale Street):	19'	15' Min.
Street Side (La Palma):	19'	15' Min.
Rear (East):	10'	12' at 2 story, 20' at 3 story
Side (South):	10'	15' at 2 story, 20' at 3 story

Unit Summary

Plan	Type	Garage	Stories	Net Area	#
1	2 bd/2.5 ba	Side by Side	3	1,233 sf	7 Du
1x	2 bd/2.5 ba	Tandem	3	1,222 sf	4 Du
2	2 bd/2.5 ba	Tandem	3	1,319 sf	28 Du
3	3 bd/2.5 ba	Side by Side	2	1,419 sf	6 Du
4	3 bd/2.5 ba	Side by Side	3	1,502 sf	7 Du
4x	3 bd/2.5 ba	Tandem	3	1,531 sf	4 Du
5	3 bd/3.5 ba	Side by Side	3	1,556 sf	9 Du
6	3 bd/3.5 ba	Side by Side	3	1,701 sf	28 Du
Total					93 Du

Parking Summary:*

*Per AB 2097, no minimum parking required for projects within a half-mile radius of a major transit stop. For comparison, the parking standard per State Density Bonus Law would be:

2 Bed: 39 Du x 1.5 Sp/Unit:	59 Spaces
3 Bed: 54 Du x 1.5 Sp/Unit:	81 Spaces
Total Spaces:	140 Spaces (1.5/Unit)

Parking Provided:

Private Garages:	186 Spaces
Open Parking:	26 Spaces
Total:	212 Spaces (2.28/Unit)

Legend

1. Property Line
2. Parking Space - 9'x18'
3. Accessible Parking Space
4. Trash Enclosure
5. Accessible Path of Travel
6. Accessible Ground Floor Unit
7. Decorative Paving (Stamped Concrete or equal)
8. Affordable Units
9. Transformers
10. AC Condensers
11. Electrical Cabinet and Fire Riser
12. Existing Driveway to be Removed
13. Turning Path of a Toyota 4Runner
14. Proposed Raised Landscape Median

Density Bonus Calculation:

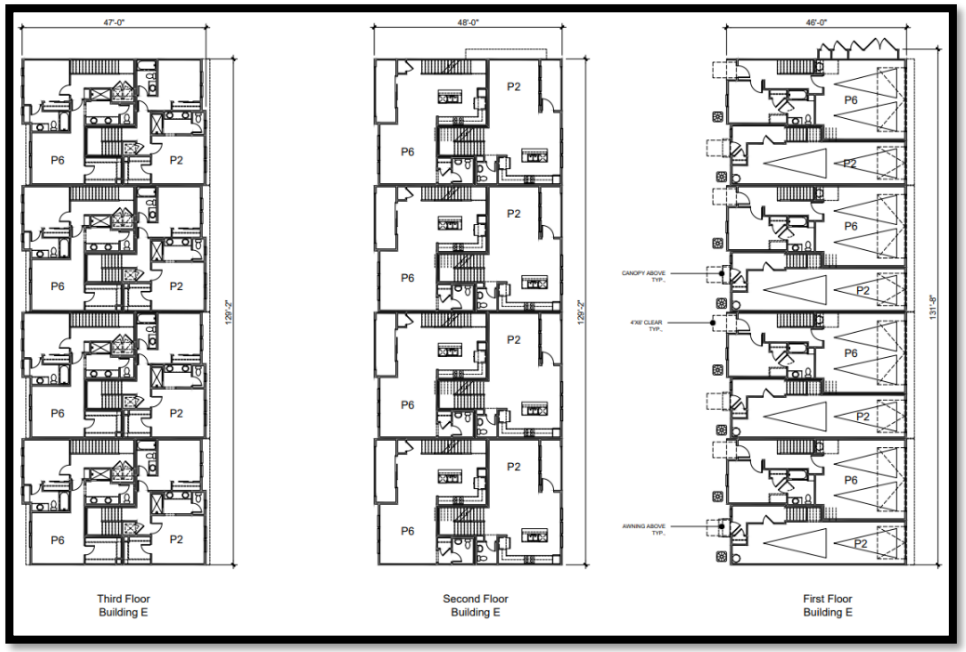
Site Area=3.87 Acres x 24 du/ac = 92
13% moderate affordable income provided, allows 8% density bonus
8% of 92.928 = 7.43 additional units
92.928+7.43 =100.36 du
≈100 du Allowable

1 / A — Building Number / Building Type
1 / P3 — Unit Number / Plan Type

Figure 3: Conceptual Site Plan
Source: *KTGY*

Figure 4A: Floor Plans- Building A and B
Source: *KTYG*

Figure 4B: Floor Plans- Buildings C & D
Source: *KTYG*



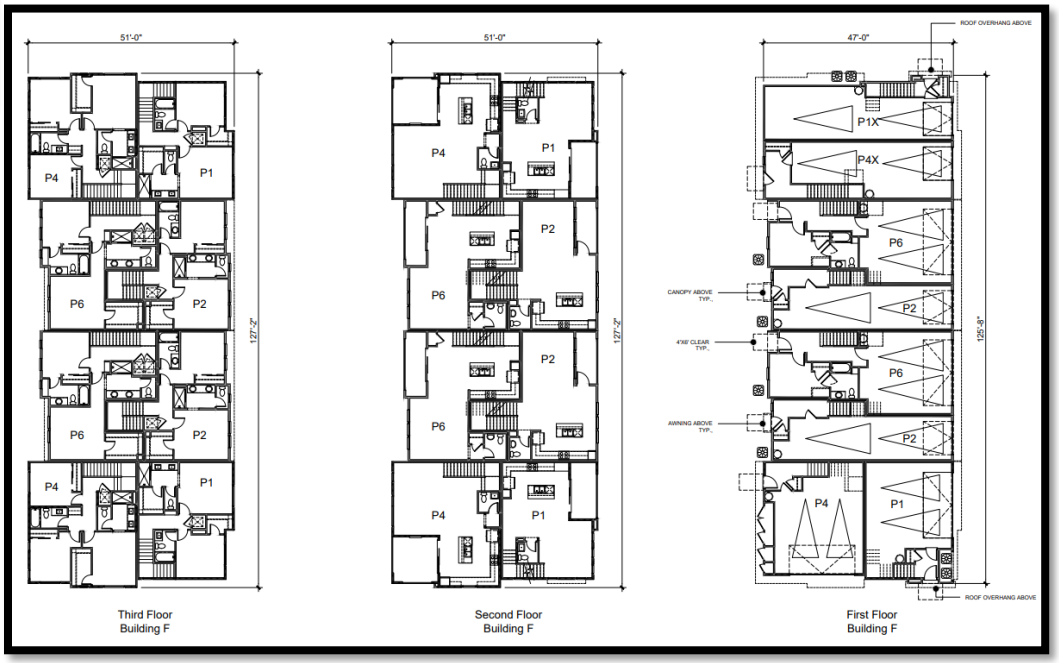
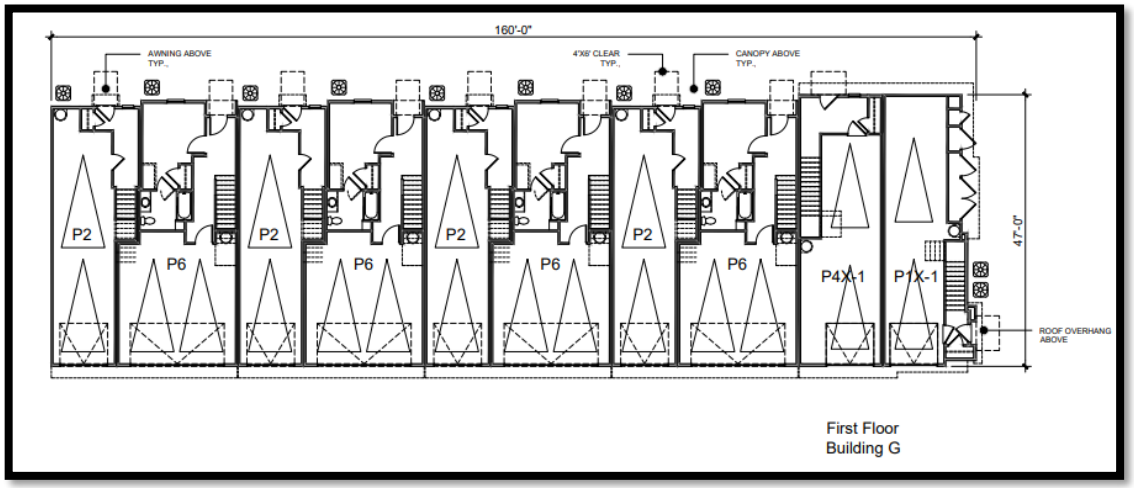
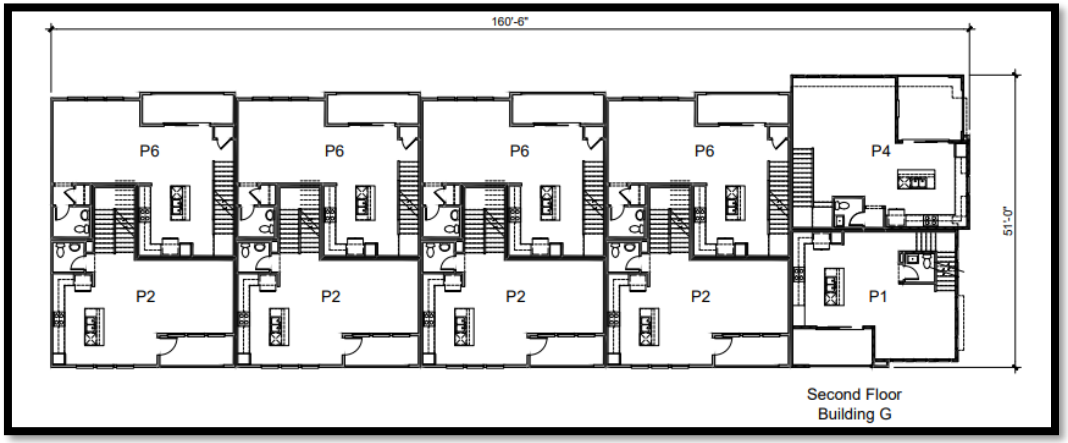


Figure 4C: Floor Plans Building E & F

Source: *KTYG*





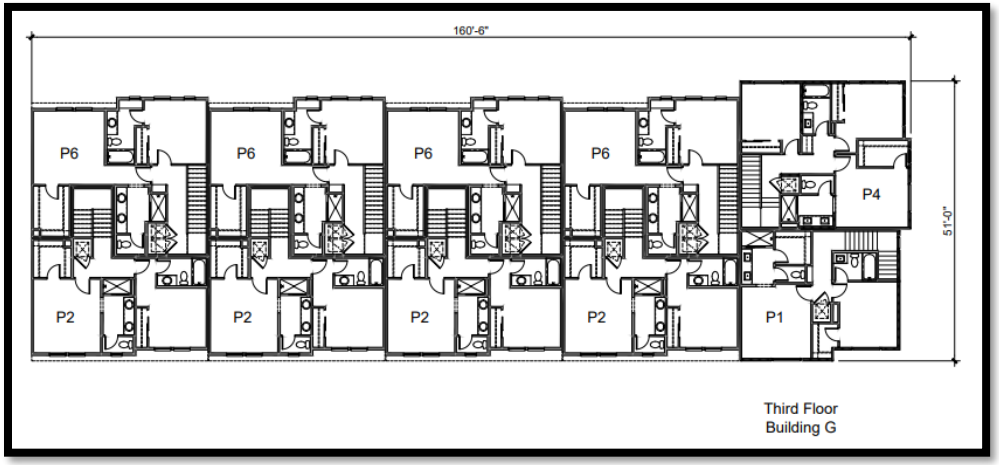


Figure 4D: Floor Plans Building G
Source: *KTYG*

SITE FEATURES KEY

1. PLANTED PARKWAY – TYPICAL (TYP.)
2. PUBLIC SIDEWALK – TYP.
3. DECORATIVE STAMPED CONCRETE PAVING AT DRIVE ENTRY – TYP. SYMBOL (SYM.)
4. MONUMENT PILASTER SIGN – TYP. SYM.
5. DRIVE LANE PER CIVIL SITE PLAN – TYP.
6. PARKING STALLS PER CIVIL SITE PLAN – TYP.
7. RESIDENTIAL BUILDING PER ARCHITECTURE PLANS – TYP.
8. DRIVEWAY PER CIVIL SITE PLANS – TYP.
9. PRIVATE COURT YARD WITH LOW STUCCO WALL (APPROX. 42" HT.) AND PATIO GATE- TYP. SYM.
10. PRIVATE SIDE YARD. HOMEOWNER MAINTAINED – TYP.
11. 42" HT. RAISED PLANTER – TYP. SYM.
12. 6' HT. MIN. NEW PRECISION BLOCK WALL (TO BE STUCCOED AND PAINTED TO MATCH BUILDING FINISH) – TYP. SYM.
13. 5'-6" HT. TAN VINYL FENCE – TYP. SYM.
14. 6' HT. TUBULAR STEEL FENCE – TYP. SYM.
15. EXISTING WALL TO BE RAISED TO 6' HT. MINIMUM TO 7' HT. MAXIMUM AND PAINTED – TYP. SYM.
16. TRASH ENCLOSURE WITH CONC. PAD – TYP. SYM.
17. DRY UTILITIES PER SCE PLANS – TYP.
18. PLANTING AREA – TYP. SYM.
19. CONCRETE WALKWAY – TYP. SYM.
20. OPEN SPACE WITH RAISED PLANTER, SEATING, BBQ'S, TRELLIS, PLAY STRUCTURE, AND BIKE RACKS (SEE ENLARGEMENT "A" ON SHEET L-02)
21. OPEN SPACE WITH BBQ AND PICNIC TABLE (SEE ENLARGEMENT "B" ON SHEET L-02)
22. STREET PARKWAY TREE – TYP. SYM.
23. THEME TREE – TYP. SYM.
24. VERTICAL TREE – TYP. SYM.
25. ACCENT TREE – TYP. SYM.
26. SPECIMEN TREE – TYP. SYM.
27. RAISED PLANTER TREE – TYP. SYM.
28. EXISTING TREE
29. PROJECT BOUNDARY PER CIVIL SITE PLAN – TYP. SYM.
30. UTILITIES PER CIVIL UTILITY PLANS – TYP. SYMBOLS
31. EXISTING WALL WITH METAL SCREENS/TOPPERS TO BE REMOVED AND WALL RAISED TO 6' HT. MIN. TO 7' HT. MAX. – WALL TO BE PAINTED – TYP. SYM.
32. DECORATIVE METAL SCREEN – TYP. SYM.
33. VINE PLANTER POCKET – TYP. SYM.
34. LINE OF SIGHT PER CIVIL SITE PLANS – TYP. SYM.
35. ACCESSIBLE UNIT – TYP. SYM.
36. DECORATIVE CROSS WALK – TYP. SYM.

PROPOSED PLANT PALETTE

SYMBOL — BOTANICAL NAME / COMMON NAME

THEME TREES (24" BOX) – QUANTITY (QTY.) 6
ARBUTUS 'MARINA' / MARINA STRAWBERRY TREE
LYONOTHAMNUS F. SSP. A. / FERN LEAF CATALINA IRONWOOD
(SPACING AS SHOWN ON PLANS)

VERTICAL TREES (24" BOX) – QTY. 48
LAURUS 'SARATOGA' / SARATOGA LAUREL
LOPHOSTEMON CONFERTUS / BRISBANE BOX
PALM SPP. / PALM SPECIES
PRUNUS ILICIFOLIA SSP. LYONII / CATALINA CHERRY
(SPACING AS SHOWN ON PLANS)

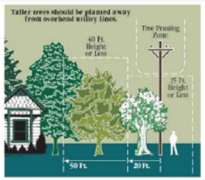
ACCENT TREES (24" BOX) – QTY. 16
BAUHINIA SP. / ORCHID TREE
GINKGO BILOBA / MAIDENHAIR TREE
PRUNUS CAROLINIANA / CAROLINA CHERRY LAUREL
(SPACING AS SHOWN ON PLANS)

SPECIMEN TREES (24" - 36" BOX) – QTY. 3
MAGNOLIA GRANDIFLORA / SOUTHERN MAGNOLIA VAR.
PLATANUS RACEMOSA / CALIFORNIA SYCAMORE
ULMUS PARVIFOLIA / CHINESE ELM
(SPACING AS SHOWN ON PLANS)

RAISED PLANTER TREES (15 GAL. MIN.) – QTY. 3
CERCIS OCCIDENTALIS / WESTERN REDBUD
HETEROMELES ARBUTIFOLIA / TOYON
(SPACING AS SHOWN ON PLANS)

STREET PARKWAY TREES (24" BOX MIN. STD) – QTY. 21
LAGERSTROEMIA 'TUSCARORA' / TUSCARORA CRAPE MYRTLE (LA PALMA AVE)
TRISTANIOPSIS LAURINA / WATER GUM (DALE STREET)
(STREET PARKWAY TREES SPECIES SELECTED PER THE URBAN FOREST MANAGEMENT PLAN, SPACING AS SHOWN ON PLANS)

COMMON SHRUB AREAS
ALL PLANT MATERIAL WILL BE IN COMPLIANCE WITH THE BUENA PARK, CA MUNICIPAL CODE AND DESIGN GUIDELINES, INCLUDING BPMC CHAPTER 19.432 (DEVELOPMENT STANDARDS – LANDSCAPING)
ALL PLANT MATERIAL WITHIN THE SCE EASEMENT AREA SHALL HAVE A MAX. HEIGHT OF 15' AND MAINTAINED IN COMPLIANCE WITH THE SCE EASEMENT / ROW GUIDELINES



ALL TREES PROPOSED ADJACENT TO THE SCE EASEMENT SHALL BE MAINTAINED TO THESE MINIMUM SCE GUIDELINES.

SCE EASEMENT AND ROW LANDSCAPE NOTES

1. ALL LANDSCAPE PROPOSED ALONG THE EAST AND SOUTH PROPERTY LINES SHALL COMPLY WITH SCE EASEMENT LAND USE GUIDLINES AND SHALL TAKE INTO CONSIDERATION TO NOT IMPACT THE EXISTING SCE EASEMENTS AND ROW WITHIN THE PROPERTY.
2. TREES AND PLANTS WITHIN THE ROW SHALL BE MAINTAINED BY THE DEVELOPER/OWNER AND MUST NOT EXCEED 15-FEET IN HEIGHT AT MATURITY UNLESS OTHERWISE SPECIFIED IN THE EASEMENT. A LIST OF ALL PROPOSED TREES, SHRUBS AND ALL ITEMS TO BE PLANTED WITHIN THE SCE ROW, INCLUDING MAX HEIGHT AND GROWTH RATE, MUST BE INCLUDED ON PLANS. IN THE OPINION OF SCE, IF SAID TREES OR PLANTS BECOMES AN INTERFERENCE, THEY WILL HAVE THE RIGHT TO TRIM AND OR REMOVE AT THE SOLE COST OF THE DEVELOPER/OWNER.
3. TREES PROPOSED WITHIN THE ROW OR UP TO 10' OUTSIDE OF THE ROW SHALL BE PLANTED WITH ROOT BARRIERS AND NO PORTION OF ANY MATURE TREE WILL BE PERMITTED UNDER OR WITHIN 10-FEET OF CONDUCTOR DRIP LINES AND SUBSTRUCTURES. NOTE: PLANTS WITH MATURE ROOT SYSTEMS THAT DO NOT EXCEED 24 INCHES IN DEPTH ARE EXEMPT FROM THIS REQUIREMENT.
4. NO ENVIRONMENTALLY PROTECTED PLANT SPECIES OR SPECIES WHICH ATTRACT AND SUPPORT ENVIRONMENTALLY PROTECTED BIOLOGICAL SPECIES WILL BE ALLOWED WITHIN THE ROW.
5. TREES PROPOSED AS A PART OF THIS PLAN ARE LOCATED OUTSIDE OF THE SCE EASEMENT / ROW.

NOTES

1. ALL TREES LOCATED WITHIN 5' FROM ANY HARDSCAPE, WALLS, BUILDING AND/OR UTILITIES SHALL RECEIVE ROOT BARRIERS – TYP.
2. ALL ABOVEGROUND UTILITIES ARE TO BE SCREENED WITH APPROPRIATE PLANT MATERIAL. TREE LOCATIONS WILL BE COORDINATED WITH UTILITIES DURING CONSTRUCTION DOCUMENT DEVELOPMENT.
3. THE PLANT PALETTE LISTED PROVIDES A LIST OF PLANT MATERIAL TO SELECT FROM WHEN PREPARING FINAL LANDSCAPE CONSTRUCTION DOCUMENTS FOR THIS PROJECT. HOWEVER, SUBSTITUTIONS MAY BE REQUIRED DUE TO AVAILABILITY, SOILS TESTS, OR OTHER CONDITIONS.
4. ALONG DALE STREET AND LA PALMA AVE, BUSHES, SHRUBS, AND TREES WILL BE SELECTED AND MAINTAINED TO ADHERE TO THE 2½' RULE. BUSHES AND SHRUBBERY ALONG THESE STREETS SHALL BE MAINTAINED AT 2 FEET OR LESS AND TREES/TREE CANOPIES SHALL BE TRIMMED TO BE 6 FEET AND ABOVE.
5. THE LANDSCAPE PLAN WILL COMPLY WITH BPMC CHAPTER 19.432 (DEVELOPMENT STANDARDS – LANDSCAPING).
6. THE OWNER SHALL MAINTAIN LANDSCAPING AREA PER BPMC CHAPTER 19.1112.070 (MULTIFAMILY STANDARDS – LANDSCAPE MAINTENANCE)

SCALE - 1" = 30'-0"

0 15' 30' 60' 90'

NORTH

Call before you Dig
Avoid cutting underground utility lines. It's costly.
Call 811
1-800-422-4133

Figure 5: Landscape Plan
Source: Brandywine Homes

Figure 6: Open Space Landscape Plan
Source: Brandywine Homes

Figure 7A: Building Elevations
Source: *KTGY*

Building E

Building F

Building E Enhanced


Left Enhanced Elevation @ bldg #3
Facing drive aisle entry from La Palma Avenue


Right Enhanced Elevation @ bldg #2 Facing Dale Street

Building F Enhanced

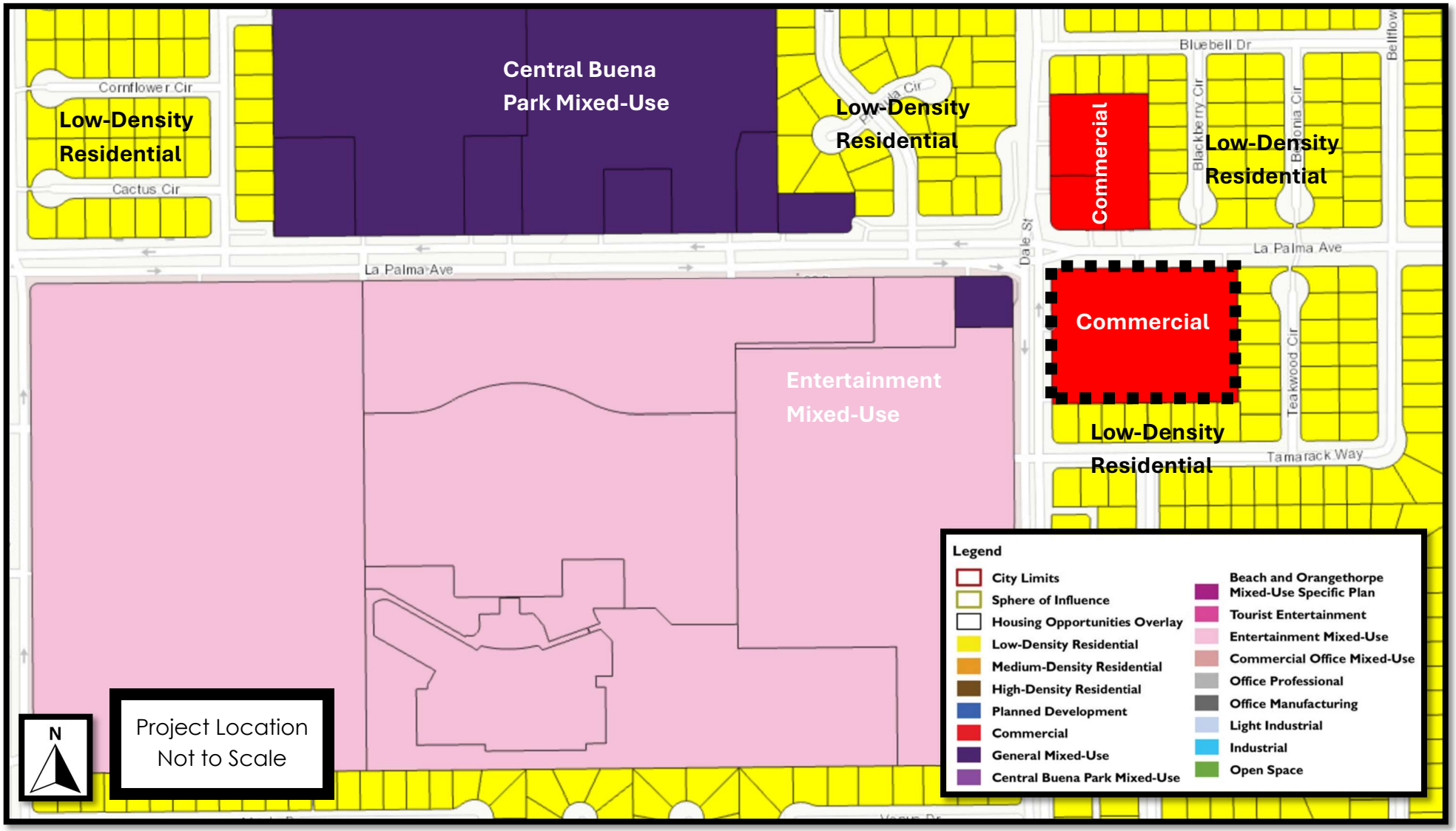

Left Enhanced Elevation @ bldg #1 Facing
corner of La Palma Avenue and Dale Street


Right Enhanced Elevation @ bldg #1
Facing drive aisle entry from Dale Street

Building G

Figure 7B: Building Elevations
Source: *KTGY*

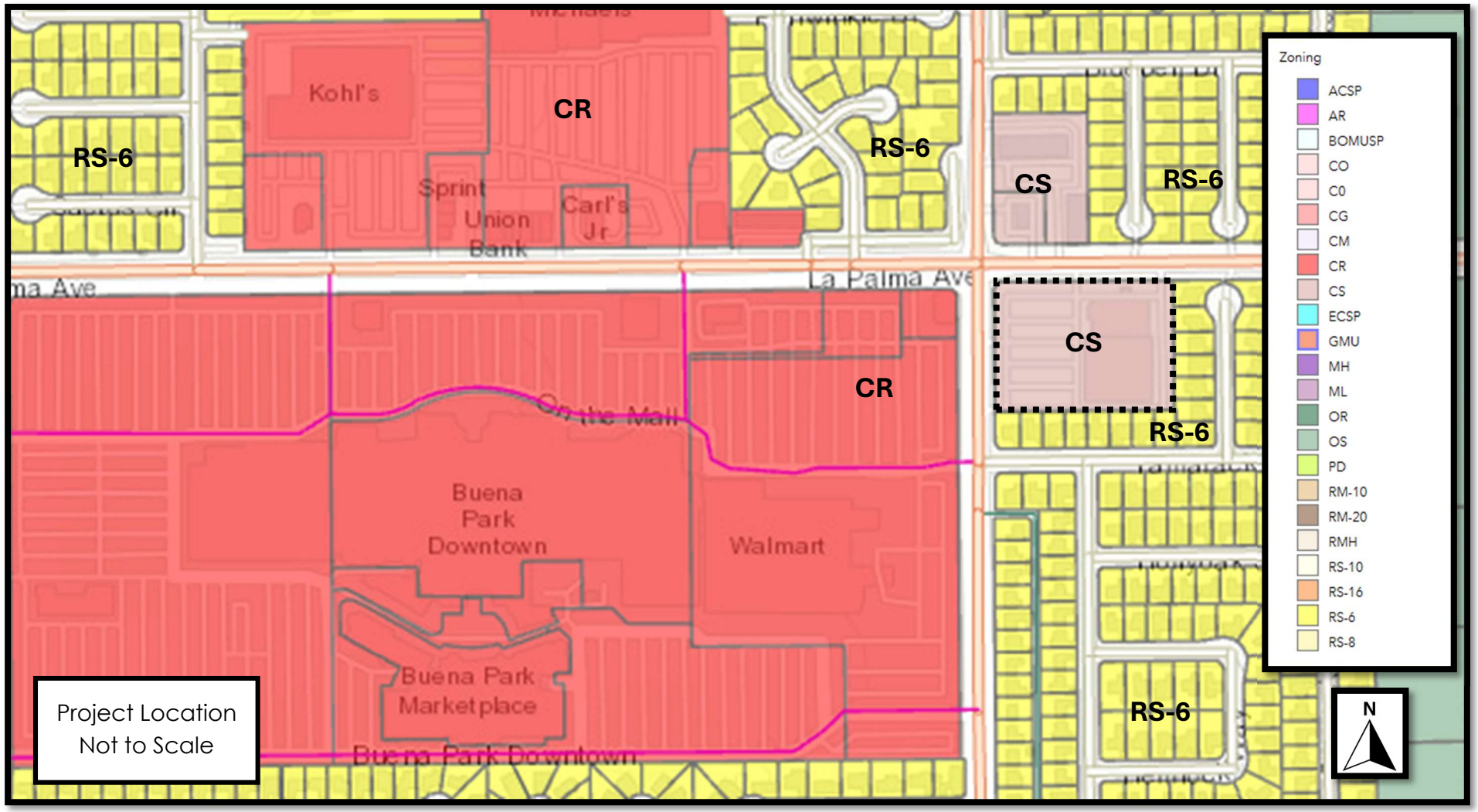
Figure 7C: Materials and Color Board
Source: *KTGY*



- Project Site

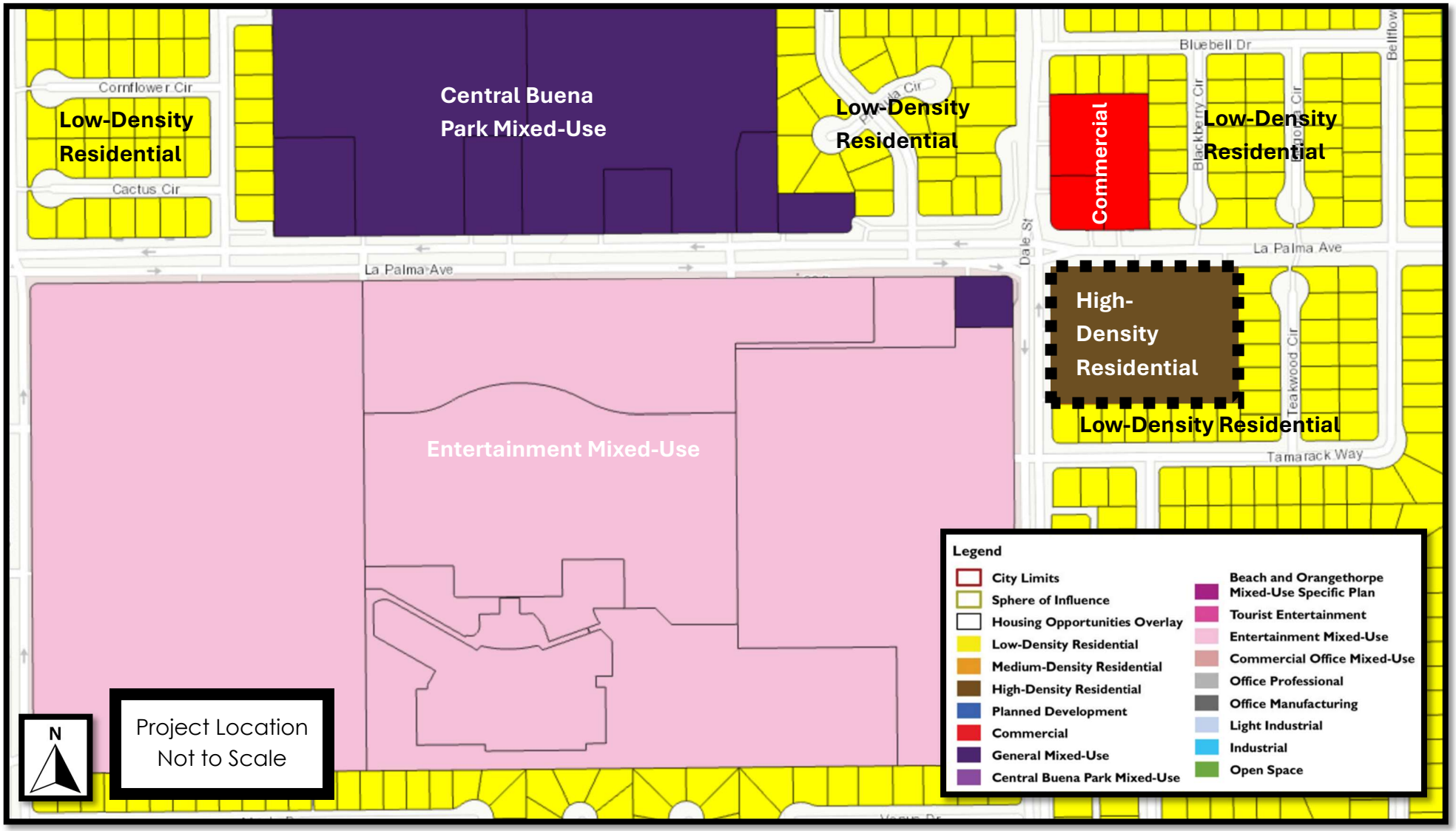
Figure 8: Existing General Plan Land Use Designation

Source: *City of Buena Park*



- Project Site

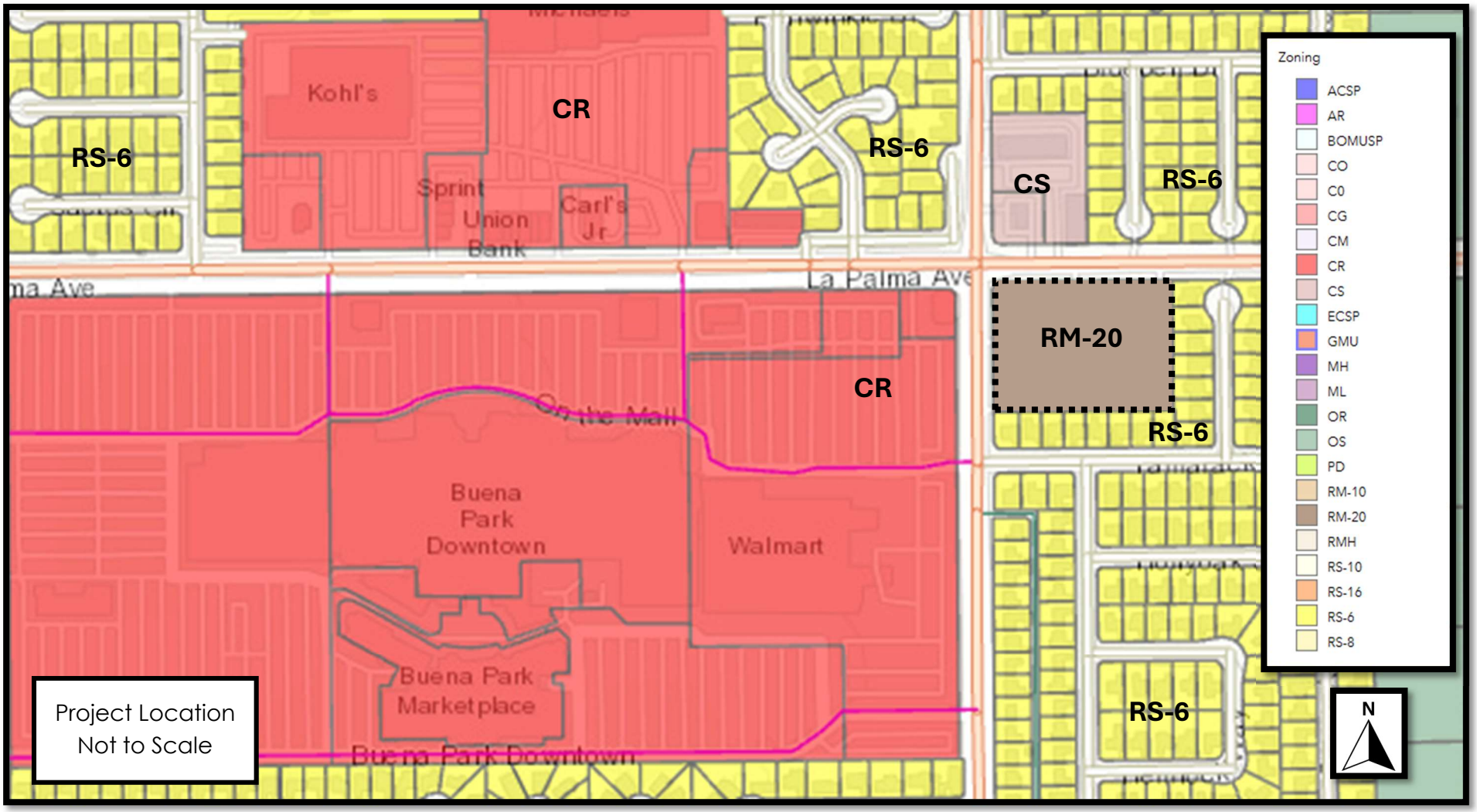
Figure 9: Existing Zoning Map
Source: *City of Buena Park*



- Project Site

Figure 10: Proposed General Plan Land Use Designation

Source: *City of Buena Park*



- Project Site

Figure 11: Proposed Zoning Map
Source: *City of Buena Park*

4 ENVIRONMENTAL IMPACTS

4.1 Aesthetics

Environmental Setting

The Project Site is located on the southeast corner of N. Dale Street and W. La Palma Avenue at 8030 N. Dale Street (APN: 070-501-01), currently developed with an approximately 44,064 square-foot commercial building previously used as a grocery store, bank, and hardwood store and a paved parking lot with 11 trees dispersed throughout. The site is zoned Community Shopping and has a Land Use designation of Commercial. The surrounding sites consist of single-family residential on the east and south boundaries, and additional community shopping and single-family residential uses to the north, across La Palma Avenue. The western side of the site is bounded by N. Dale Street, with regional commercial zoning, used as the Downtown of Buena Park Mall. Landscaping is limited on the current project site and is seen on the northern and western perimeter.

Regulatory Framework

The Buena Park 2035 General Plan discusses the goals and policies in place for land use, urban design, and open space and recreation in order to ensure compatible development throughout the City, ensure quality and design to promote a positive image, and to support the provision and maintenance of open space areas within Buena Park.

The City Municipal Code Title 19 – Zoning provides specific development standards for redevelopment projects to ensure attractive growth and development of the City. More specifically, these development standards include things like building design, yards and related encroachments, outdoor improvements, surrounding fences and walls, landscaping, vehicular provisions, and utilities and mechanical equipment. The code also goes into detail about site lighting, parking improvements, and sign regulations in order to provide aesthetically pleasing development.

Impact Analysis

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

Discussion

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

No Impact. A scenic vista is the view of an area that is visually or aesthetically pleasing from a certain vantage point, typically viewed from some distance away. Aesthetic components of a scenic vista include (1) scenic quality, (2) sensitivity level, and (3) view access. A scenic vista can be impacted by a development project having visual impacts by directly diminishing the scene quality of the vista or by blocking the view corridors or "vista" of the scenic resource. Important factors to determine whether a proposed project would have effect on a scenic vista include the project's proposed height, mass and location relative to surrounding land uses and travel corridors.

Buena Park's topography is relatively flat and the City is densely developed. Buildings and the adjacent roadways are the dominant visual elements in the City's environment because distant views are obstructed by existing

development. The proposed project does not contain a scenic vista nor are there any designated publicly accessible scenic vistas in the vicinity of the Project Site where the Proposed Project would disrupt the view. Therefore, the proposed project would have no impact associated with scenic vistas, and no mitigation would be required.

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

No Impact. The California Scenic Highway program was created in 1963 to preserve and protect highway corridors located in areas of outstanding natural beauty from changes that would diminish the aesthetic value of adjacent lands. The California Department of Transportation (Caltrans) designated highways based on how much of the landscape can be seen by travelers, the scenic quality of landscape, and the extent to which views are compromised by development. According to Caltrans' State Scenic Highway Map, there are no officially designated scenic highways within or adjacent to the Project Site. Additionally, there are no roadways near the Project Site currently eligible for scenic highway designation. The nearest officially designated state scenic highway is a portion of SR-91 where it meets SR-241, over 15 miles to the east of the project site. Finally, there are no significant natural scenic resources on the site as it currently contains one large commercial building and a paved parking lot with dispersed landscaping throughout. The existing building is not eligible as a historic resource. Therefore, no impacts associated with the damage of scenic resources, rock outcroppings, or historic buildings would occur, and no mitigation would be required.

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

Less than Significant Impact. The Proposed Project requires a General Plan amendment to change the land use designation from Commercial to High-Density Residential and a Zone Change to amend the zoning district from Community Shopping to RM-20 (Medium Density Multifamily Residential). The Project Site is currently developed with a commercial building and is surrounded by commercial uses and single-family residential. Although the Proposed Project would substantially alter the existing character of the site, it would not degrade the aesthetic quality of the Project Site surroundings. The Proposed Project would provide a multi-family development consisting of fourteen two- and three-story buildings, for a total of 93 townhome dwelling units. The buildings would be aesthetically appealing with neutral color tones, varied roof lines, and

architectural pop-out elements. The Proposed Project would also provide perimeter landscaping consisting of ornamental trees, shrubs, and groundcover.

The Proposed Project will comply with several General Plan policies regarding scenic quality and aesthetics:

Policy	Project Compliance
Goal LU-1: A complementary balance of land uses throughout the community.	
Policy LU-1.3: Establish a wide range of residential density and nonresidential intensities to encourage a wide range of development opportunities.	The project will provide a new higher density residential development in an area previously developed with a commercial use.
Goal LU-21: Distinctive and attractive design of the public realm that promotes a positive image and identity.	
Policy LU-21.1: Focus on improving the appearance of corridors in the City by implementing landscaping, enhanced paving, unique streetscape amenities, appropriately-scaled lighting, and placement of utility connections underground.	The project will improve the appearance along La Palma Avenue and Dale Street with the addition of new streetscaping and structural improvements, such as the new raised center median, on and along the project site.
Policy LU-21.3: Support landscaping treatments that complement a comprehensive streetscape program and that maximize water conservation through plant species and irrigation techniques.	The project will abide with all applicable landscape design regulations and guidelines for water-efficient landscaping, insuring streetscape landscape design that maximizes water conservation through plant species and irrigation techniques.
Goal LU-24: Existing and new neighborhoods that are attractive, well maintained, and promote unique identities.	
Policy LU-24.3: Support development and implementation of a uniform street tree program in residential neighborhoods and main boulevards that will ultimately provide shade canopies across roadways and provide inviting and walkable parkways.	The proposed project will provide 21 street trees and 25 sidewalk-adjacent trees which will create a shaded and inviting walkable parkway.

Compliance with the 2035 General Plan Goals and Policies will ensure the project does not conflict with applicable regulations governing scenic quality. Therefore, the impact is 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 located on a commercially-zoned parcel developed with a commercial shopping building. The Project Site currently emits light via parking lot and building lights. The Project would remove all existing light sources and introduce new sources of nighttime light and glare into the area from adding lighting throughout the townhomes and common areas. However, all lighting would be consistent with the requirements of the Buena Park Municipal Code, Section 19.444.030, lighting. Generally, the standards state that lighting on

premise shall be directed, controlled, screened, or shaded from trespass onto surrounding properties. Moreover, building materials would not be reflective in nature which could cause glare impacts. As such, the Project would not create a new source of substantial light or glare that would adversely affect day or nighttime view in the area and impacts are anticipated to be less than significant.

Mitigation Measures

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

Conclusion

There will be no impacts of the Proposed Project associated with Aesthetics, and no mitigation would be required.

4.2 Agriculture and Forestry Resources

Environmental Setting

The Project Site is located at the southeast corner of Dale Street and La Palma Avenue. The Proposed Project would be constructed on a 3.87-acre parcel previously used as an Orchard Supply Hardware store. The Project Site has a General Plan land use designation of Commercial and is zoned Community Shopping (CS). The Commercial land use designation includes a wide range of general commercial land uses, and the CS zone allows for larger, more intensive regional commercial development situated on large sites. The Project Site is proposed to be redesignated to High-Density Residential General Plan Land Use designation and rezoned to RM-20 (Medium-Density Multifamily Residential). Development in the High-Density Residential land use designation is characterized by condominium and apartment development with a base density of 20 dwelling units per acre. The RM-20 zone allows a density of 20 dwelling units per acre. Within the High Density Residential land use designation, housing density would be permitted up to 20 dwelling units per acre and could be increased to as high as 30 dwelling units per acre with the Affordable Housing Area Bonus (BPMC Section 19.408.030). The Proposed Project would provide 15% (14 in total) of the 93 units to be designated as affordable housing and will have a density of 24 units per acre, thus falling within the allowable density range. Of the 15% (14 units) of affordable housing proposed, 13% (12 units) are designated as moderate-income and 2% (2 units) are designated as low-income. The project would be developed in compliance with the development standards under the proposed RM-20 zone and Affordable Housing Density Bonus provisions.

According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) California Important Farmland Finder (CIFF), accessed May 2024, the Project Site is identified as Urban and Built-Up Land (**Figure 12** – *Project Site Agricultural Designation*). FMMP CIFF identifies Urban and Built Up as "Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes."

On site soils as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS) Web Soil Survey data sets, accessed May 2024, are identified in **Table 3 -** *On-Site Soils Classification* and are depicted on **Figure 13** – *Soil Map*.

Table 3 - On-Site Soils Classification

Map Unit Symbol	Map Unit Name
146	Corralitos loamy sand

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X

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

Discussion

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

No Impact. The Project Site is in an urbanized area of the City. According to the California Department of Conservation FMMP CIFF, the Project Site is identified as Urban and Built-up Land. FMMP identifies Urban and Built-Up as land occupied by structures for residential, commercial, industrial, or other uses. Because the Project Site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the FMMP, there would be no impact to convert such lands to nonagricultural use, and no mitigation would be required.

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

No Impact. The Project Site is developed with urban uses and there are no current agricultural operations existing on or in the vicinity of the project site. The Project Site is zoned Community Shopping (CS) and will be rezoned to RM-20 (Medium-Density Multifamily Residential). Agricultural uses are not permitted within the current or proposed zones. According to the California Department of Conservation Williamson Act map viewer, the Project Site does not have an active Williamson Act contract in place. Therefore, no impacts associated with existing zoning for agricultural use, or a Williamson Act contract would occur, and no mitigation would be required.

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

No Impact. The Project Site is in an urbanized area and is not zoned for forestland, timberland, or timberland production. The Project is zoned Community Shopping (CS) and will be rezoned to RM-20 (Medium-Density Multifamily Residential). The surrounding parcels are zoned Regional Commercial (CR), Community Shopping

(CS), and Single Family Residential (RS-6). No additional changes would occur from Project implementation that would conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Therefore, no impacts associated with forest land or timberland would occur, and no mitigation would be required.

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

No Impact. The Project would not result in the loss of forest land or conversion of forest land to non-forest use. The Project Site and surrounding land uses are not designated as forest land or timberland. The Project Site is relatively flat and is developed with a 44,064 square foot retail commercial building with associated paved parking and ornamental landscaping. Therefore, no impacts would occur and no mitigation measures are required.

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

No Impact. The Project Site is in an urbanized area, is identified as Urban and Built-Up land, and does not support agricultural resources. The Project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to a non-agricultural use because there are no parcels within the vicinity of the subject property that are designated as Farmland of any kind or used for agricultural purposes. Therefore, no impacts would occur, and no mitigation measures are required.

Mitigation Measures

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

Conclusion

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

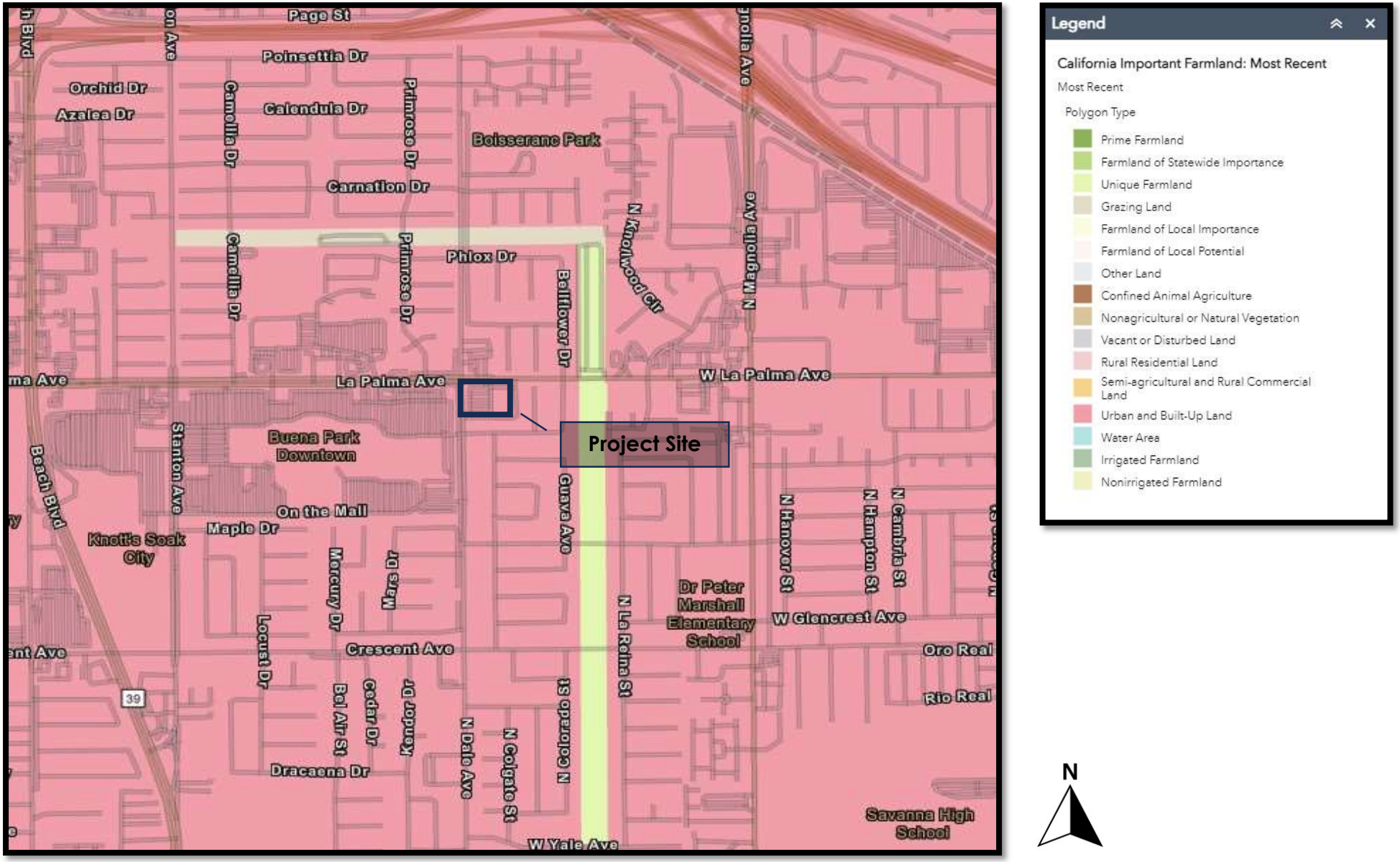


Figure 12: Project Site Agricultural Designation

Source: *Department of Conservation*

Figure 13: Soil Map
Source: *USDA, NRCS*

4.3 Air Quality

RK Engineering Group, Inc. performed an Air Quality Assessment for the Proposed Project to assess potential impacts to air quality (**Appendix C** – *8030 Dale Street Multifamily Residential Project Air Quality, Greenhouse Gas, and Energy Impact Study*, RK Engineering Group, Inc., May 6, 2024).

Regulatory Setting

Air pollutants are regulated at the national, state, and regional level. The United States Environmental Protection Agency (EPA) regulates at the national level under the Clean Air Act of 1970. It is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. The California Air Resources Board (CARB), which is a part of the California Environmental Protection Agency, is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, establishes emission standards, develops suggested control measures, provides oversight of local programs, and prepares the State Implementation Plan. The South Coast Air Quality Management District (SCAQMD) is responsible for comprehensive air pollution control in the South Coast Air Basin (SCAB). The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources.

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

- Ozone (O_3)
- Nitrogen Dioxide (NO_2)
- Carbon Monoxide (CO)
- Sulfur Dioxide (SO_2)
- Lead (Pb)
- Particulate Matter (PM10 and PM2.5)

The EPA and CARB designate air basins where ambient air quality standards are exceeded as "nonattainment" areas. If standards are met, the area is designated as an "attainment" area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered "unclassified." National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

The Project Site is in the City of Buena Park, which is part of the SCAB region that includes the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties and all of Orange County. The SCAQMD's 2022 Air Quality Management Plan (AQMP) assesses the attainment status of the SCAB. The 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emission technologies, when cost-effective and feasible, and low NOx technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other Clean Air Act measures to achieve the 2015 8-hour ozone standard. The 2022 AQMP was approved and adopted by CARB on January 26, 2023.

Environmental Setting

The South Coast Air Basin is a 6,600-square-mile coastal plain bounded by the Pacific Ocean to the southwest and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The ambient concentrations of air pollutants are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, existing air quality conditions in the area are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources.

Atmospheric conditions such as wind speed, wind direction, and air temperature gradients interact with the physical features of the landscape to determine the movement and dispersal of air pollutants. The topography and climate of southern California combine to make the Basin an area of high air pollution potential. The Basin is a coastal plain connecting broad valleys and low hills, bounded by the Pacific Ocean to the west and high mountains around the rest of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific, resulting in a mild climate tempered by cool sea breezes with light average wind speeds.

The usually mild climatological pattern is disrupted occasionally by periods of extremely hot weather, winter storms, or Santa Ana winds. During the summer months, a warm air mass frequently descends over the cool, moist marine layer produced by the interaction between the ocean's surface and the lowest layer of the atmosphere. The warm upper layer forms a cap over the cool marine layer and inhibits the pollutants in the marine layer from dispersing upward. In addition, light winds during the summer further limit ventilation. Furthermore, sunlight triggers

the photochemical reactions that produce ozone. The region experiences more days of sunlight than any other major urban area in the nation except Phoenix[1].

Local Air Quality

The air quality at any site is dependent on the regional air quality and local pollutant sources. Regional air quality is determined by the release of pollutants throughout the air basin. Area sources, including architectural coatings and consumer products subcategories, are the major contributor to VOC emissions. Mobile sources, stationary point source, and stationary area source categories are the top contributors to NOx, SOx, and PM2.5 emissions, respectively[2].

Estimates of the existing emissions in the Basin provided in the 2022 AQMP indicate that collectively, mobile sources account for 46 percent of the VOC, 85 percent of the NOx emissions, 89 percent of the CO emissions and 29 percent of directly emitted PM2.5, with another 18 percent of PM2.5 from road dust. Stationary sources are responsible for most of the SOx emissions in the Basin, with the point source category (larger facilities subject to AER requirements) contributing 49 percent of total SOx emissions. Non-vehicle related area sources, such as commercial cooking are the predominant source of directly emitted PM2.5 emissions, contributing 41 percent of total emissions.

The SCAQMD has divided the South Coast Air Basin into fourteen general forecasting areas and 38 Source Receptor Areas (SRA) for monitoring and reporting local air quality. The SCAQMD provides daily reports of the current air quality conditions in each general forecast area and SRA. The monitoring areas provide a general representation of the local meteorological, terrain, and air quality conditions within the SCAB.

The Project Site is in the Metropolitan Area general forecasting area and the North Orange County air monitoring area (Area SRA-16). The nearest air monitoring stations to the Project Site are the Central Los Angeles County (SRA-1) and South Central Los Angeles County (SRA-12) stations.

Project Design Features

The following design features (DF) include several standard rules and requirements, best practices and building code requirements for reducing air quality and GHG emissions. Design features are assumed to be integrated into

[1] 2022 Air Quality Management Plan, South Coast Air Quality Management District (2022). Accessed on May 3, 2024. https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/final-2022-aqmp.pdf?sfvrsn=16

[2] *Ibid.*

the project design and required as part of the conditions of approval of the project. Design features are not considered to be mitigation under CEQA.

Construction Design Features:

DF-1 The project will follow the SCAQMD rules and requirements for fugitive dust control, which includes, but are not limited to the following:

1. All active construction areas shall be watered two (2) times daily.
2. Speed on unpaved roads shall be reduced to less than 15 mph.
3. Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.
4. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.
5. All operations on any unpaved surface shall be suspended if winds exceed 15 mph.
6. Access points shall be washed or swept daily.
7. Construction sites shall be sandbagged for erosion control.
8. Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
9. Cover all trucks hauling dirt, sand, soil, or other loose materials, and maintain at least 2 feet of freeboard space in accordance with the requirements of California Vehicle Code (CVC) section 23114.
10. Pave or gravel construction access roads at least 100 feet onto the site from the main road and use gravel aprons at truck exits.
11. Replace the ground cover of disturbed areas as quickly possible.

DF-2 All diesel construction equipment should have Tier 4 low emission "clean diesel" engines (OEM or retrofit) that include diesel oxidation catalysts and diesel particulate filters that meet the latest CARB best available control technology.

DF-3 Construction equipment shall be maintained in proper tune.

DF-4 All construction vehicles shall be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.

DF-5 Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.

DF-6 The use of heavy construction equipment and earthmoving activity shall be suspended during Air Alerts when the Air Quality Index reaches the "Unhealthy" level.

DF-7 Establish an electricity supply to the construction site and use electric-powered equipment instead of diesel-powered equipment or generators, where feasible.

DF-8 Establish staging areas for the construction equipment that are as distant as possible from adjacent residential homes.

DF-9 Utilize zero VOC and low VOC paints and solvents, where feasible.

Impact Analysis

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

Discussion

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

Less Than Significant Impact. The Proposed Project would not conflict with or obstruct implementation of the SCAQMD Air Quality Management Plan (AQMP). The AQMP establishes thresholds for criteria pollutants. Projects that exceed any of the indicated daily thresholds should be considered as having an individually and cumulatively significant air quality impact and are not in compliance with the AQMP. The primary purpose of the air quality plan is to bring an area that does

not attain federal and state air quality standards into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act. A Proposed Project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

> Criterion 1: Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
>
> Criterion 2: Whether the project will exceed the assumptions in the AQMP, or increments based on the years of project buildout and phase.

Based on the air quality modeling analysis contained in **Appendix C** – *8030 Dale Street Multifamily Residential Project Air Quality, Greenhouse Gas, and Energy Impact Study* and included in tables 4 to 8 below, neither short-term construction impacts, nor long-term operations would result in significant impacts based on the SCAQMD regional and local thresholds of significance. Therefore, the Proposed Project is not projected to contribute to the exceedance of any air pollutant concentration standards and is found to be consistent with the AQMP for Criterion 1.

Regarding Criterion 2, the AQMP incorporates land use assumptions from local general plans and regional growth projections developed by SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses, namely SCAG's 2020 Regional Transportation Plan/Sustainable Communities Strategy (RTP). If the proposed land use is consistent with the local general plan, then the impact of the project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporates projections from local general plans.

The Project Site has an existing land use designation of Commercial and is zoned Community Shopping (CS). The Proposed Project would require a General Plan Amendment to change the land use designation to High-Density Residential and a Zone Change to rezone to RM-20 (Medium-Density Multifamily Residential). Although the High-Density Residential land use designation allows for residential development which will lead to population growth as compared to a commercial designation, the maximum population growth associated with Project implementation would be approximately 316 persons[3]. According to the

[3] Assumes 3.4 persons per household, as per United States Census QuickFacts, https://www.census.gov/quickfacts/fact/table/buenaparkcitycalifornia/EDU685222. Accessed May 3, 2024.

California Department of Finance[4], the City's population decreased between 2021 and 2024 to an estimated population of 82,689 persons in 2024, which is lower than the 2016 population used in the RTP growth forecasts[5]. Therefore, the Project would not cause exceedances in the population growth projection assumed by the SCAQMD to develop the AQMP. Thus, 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 Criterion 2.

Based on the above, the Proposed Project will not result in an inconsistency with the SCAQMD AQMP. A less than significant impact will occur, and no mitigation will be required.

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

Less Than Significant Impact. Air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The nonattainment status of regional pollutants is a result of past and present development, and the SCAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are used to determine whether a project's individual emissions would have a cumulatively considerable contribution to air quality. If a project's emissions exceeded the SCAQMD's significance thresholds, it would be considered to have a cumulatively considerable contribution. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant. Regional screening thresholds for construction and daily operations are shown in **Table 4.**

Table 4 - SCAQMD Regional Air Quality Significance Thresholds

Mass Daily Thresholds (Pounds per Day)		
Pollutant	**Construction**	**Operation**
Nitrogen Oxide (NOx)	100	55
Volatile Organic Compounds (VOCs)	75	55
Respirable Particulate Matter (PM10)	150	150

[4] E-5 City/County Population and Housing Estimates, California Department of Finance (CDF), January 2021-2024, with 2020 Benchmark, May 2024, https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/. Accessed May 3, 2024.

[5] Southern California Association of Governments (SCAG), Demographics and Growth Forecast, September 3, 2020. Accessed May 3, 2024. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579

Respirable Particulate Matter (PM2.5)	55	55
Sulfur Oxide (SOx)	150	150
Carbon Monoxide (CO)	550	550

The Project Site is in the SCAB, which the California Ambient Air Quality Standards (CAAQS) designates as a nonattainment area for O3, PM10, and PM2.5 while the National Ambient Air Quality Standards (NAAQS) designates the area as nonattainment for O3 and PM2.5.

CalEEMod, Version 2022.1.1, was used to estimate emissions from construction and operation of the project. The following discussion summarizes the quantitative project-generated construction and operational emissions and impacts that would result from implementation of the project. Detailed assumptions and results of this analysis are provided in **Appendix C**. Based on the analysis provided in **Appendix C**, the Proposed Project would result in short-term emissions from construction associated with demolition, site preparation, grading, building construction, paving, and architectural coating. The Proposed Project would also generate operational emissions associated with new vehicle traffic and energy use.

Construction Impacts

Regional air quality emissions include both on-site and off-site emissions associated with construction of the Proposed Project. Construction activities would result in emissions of volatile organic compounds (VOC), nitrogen oxides (NOx), carbon (CO), sulfur dioxide (SO_2), PM10, and PM2.5, however, none are above the SCAQMD thresholds, as shown in **Table 5** – *Regional Construction Emissions.* Therefore, potential impacts associated with construction emissions would be less than significant, and no mitigation would be required.

Table 5 - Regional Construction Emissions

Maximum Daily Emissions (lbs/day)						
Activity	**VOC**	**NOx**	**CO**	**SO2**	**PM_{10}**	**$PM_{2.5}$**
Demolition	1.01	18.14	24.49	0.10	10.49	2.18
Site Preparation	0.56	2.67	29.22	0.05	7.99	4.09
Grading	0.60	14.12	23.59	0.09	5.52	2.24
Building Construction	0.75	3.86	18.89	0.03	1.08	0.34
Paving	0.68	2.55	10.32	0.01	0.37	0.16
Architectural Coating	32.45	0.94	1.79	0.00	0.20	0.07
Maximum[1]	**32.45**	**14.12**	**29.22**	**0.09**	**7.99**	**4.09**
SCAQMD Threshold	75	100	550	150	150	55

Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[1] Maximum daily emission during summer or winter; includes on-site project emissions only.

Operational Impacts

Operational activities associated with the Proposed Project would result in emissions of VOC, NOx, CO, SO_2, PM10, and PM2.5, however, none are above the SCAQMD thresholds as shown in **Table 6 -** *Regional Operational Emissions*.

Table 6 - Regional Operational Emissions

Maximum Daily Emissions (lbs/day)[1]						
Activity	**VOC**	**NOx**	**CO**	**SO2**	**PM10**	**PM2.5**
Mobile Sources	1.85	1.20	13.94	0.03	3.24	0.84
Area Sources	3.75	1.59	5.93	0.01	0.13	0.13
Energy Sources	0.02	0.28	0.12	0.00	0.02	0.02
Total	**5.62**	**3.07**	**19.99**	**0.04**	**3.39**	**0.99**
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[1] Maximum daily emissions during summer or winter; includes both on-site and off-site project emissions

Since the Proposed Project would not introduce any substantial stationary sources of emissions, CO is the benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. No violations of the state and federal CO standards are projected to occur, based on the magnitude of traffic the Proposed Project is anticipated to generate. Operation of the Proposed Project would not result in a cumulatively considerable net increase for nonattainment of criteria pollutants or ozone precursors. Therefore, potential impacts associated with regional air quality would be less than significant, and no mitigation would be required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Those who are sensitive to air pollution include children, the elderly, and persons with preexisting respiratory or cardiovascular illnesses. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities (South Coast Air Quality Management District 2008). Commercial and industrial facilities are not included in the definition because employees do not typically remain on-site for 24 hours.

Project-related construction and operational air emissions may have the potential to exceed the State and Federal air quality standards in the vicinity of the Project

Site, even though these pollutant emissions would not be significant enough to create a regional impact to the SCAB. In order to assess local air quality impacts the SCAQMD has developed Localized Significant Thresholds (LSTs) to assess the Proposed Project-related air emissions. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. LSTs are developed based on the ambient concentrations of four applicable air pollutants for source receptor area (SRA-16) – North Orange County.

There are several sensitive land uses adjacent to the project site, including the following:

> **Northern Receptors:** Existing residential land uses located approximately 100 feet (~31 meters) north of the project site's northern boundary, approximately 50 feet north of the centerline of La Palma Avenue.
>
> **Eastern Receptors:** Existing residential land uses located along the eastern boundary of the project site (0 feet), and approximately 50 feet to 400 feet south of the centerline of La Palma Avenue.
>
> **Southern Receptors:** Existing residential land uses located along the southern boundary of the project site (0 feet), and approximately 400 feet south of the centerline of La Palma Avenue.

The nearest existing sensitive receptors are located along the eastern and southern boundaries of the project site, less than 25 meters (82 feet) from potential areas of on-site construction and operational activity. Although receptors are located closer than 25 meters (82 feet) to the site, SCAQMD LST methodology states that projects with boundaries located closer than 25 meters (82 feet) to the nearest receptor should use the LSTs for receptors located at 25 meters (82 feet).

Construction

The data provided in **Table 7** – *Localized Construction Emissions* shows that none of the analyzed criteria pollutants would exceed the local emissions thresholds during construction at the nearest sensitive receptors. The project must follow all standard SCAQMD rules and requirements with regards to fugitive dust control. Compliance with the dust control is considered a standard requirement and included as part of the project's design features.

Table 7 - Localized Construction Emissions

Maximum Daily Emissions (lbs/day)[1]				
Activity	**NOx**	**CO**	**PM_{10}**	**$PM_{2.5}$**
On-site Emissions	5.47	28.31	7.77	4.04
SCAQMD Construction Threshold[2]	180.7	1,026.6	8.4	4.9
Exceeds Threshold?	**No**	**No**	**No**	**No**

[1] Maximum daily emission during summer or winter; includes on-site project emissions only.

[2] Source: SCAQMD Mass Rate Localized Significance Thresholds for 3.5 acres/day in SRA-16 at 25 meters.

Operations

Operational emissions are calculated within CalEEMod. The program is largely based on default settings which are automatically populated throughout the model based on the imputed land use. Southern California Edison averages for utility emissions were utilized for the calculations throughout the model. CalEEMod utilized the proposed land use and then estimates worst-case air quality emissions from trip generations built into the model and includes vehicle emission rates from Emission Factors 2021. The data provided in **Table 8** – *Localized Operational Emissions* shows that the on-going operations of the Proposed Project would not exceed SCAQMD local operational thresholds of significance.

Table 8 - Localized Operational Emissions

Maximum Daily Emissions (lbs/day)[1]				
LST Pollutants	**NOx**	**CO**	**PM_{10}**	**$PM_{2.5}$**
On-site Emissions[2]	2.75	6.75	0.31	0.19
SCAQMD Construction Threshold[3]	180.7	1,026.6	2.4	1.6
Exceeds Threshold?	**No**	**No**	**No**	**No**

[1] Maximum daily emission in summer or winter.

[2] Mobile source emissions include on-site vehicle emissions only. It is estimated that approximately 5% of mobile emissions will occur on the project site.

[3] Source: SCAQMD Mass Rate Localized Significance Thresholds for 3.5 acres/day at 25 meters.

Potential impacts associated with exposing sensitive receptors to substantial pollutant concentrations during construction or from operation of the Proposed Project would be less than significant, and no mitigation would be required. Therefore, the on-going operations of the Proposed Project would create a less than significant operations-related impact to local air quality due to on-site emissions and no mitigation would be required.

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

Less Than Significant Impact. The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor producing materials. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the Proposed Project. Diesel exhaust and VOCs would be emitted during construction of the project, which are objectionable to some; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors.

Established requirements addressing construction equipment operations, and construction material use, storage, and disposal requirements act to minimize odor impacts that may result from construction activities. Moreover, construction-source odor emissions would be temporary, short-term, and intermittent in nature and would not result in persistent impacts that would affect substantial numbers of people. Potential construction-source odor impacts are therefore considered less than significant.

The Proposed Project does not propose any uses or activities that would result in potentially significant operational-source odor impacts. Potential sources that may emit odors during the on-going operations of the Proposed Project would include odor emissions from the intermittent diesel delivery truck emissions and trash storage areas. Due to compliance with SCAQMD's Rule 402, no significant impact related to odors would occur during the on-going operations of the Proposed Project. Potential operational-source odor impacts are therefore considered less than significant.

Mitigation Measures

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

Conclusion

The air quality impacts of the Proposed Project would be less than significant, and no Project-specific mitigation is required.

4.4 Biological Resources

Environmental Setting

The Project Site consists of approximately 3.87 gross acres developed with a one story, 44,064 square foot commercial building with shipping area and parking lot. The surrounding area is developed with urban land uses including commercial and residential.

Regulatory Setting

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

Migratory Bird Treaty Act

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

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion

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

No Impact. Implementation of the Proposed Project will have no significant impacts on Federal or State species known to occur in the general vicinity of the Project Site. No native undisturbed suitable habitat, soils or sensitive plant/wildlife species exist on or in the vicinity of the Project Site. As shown in **Figure 2**, Site Location Aerial Photograph, the Project Site is in a highly urbanized area of the City and is fully developed. The Project Site is surrounded by a mix of commercial and residential uses. According to the City's General Plan, no rare or endangered plant or animal species occur within the City. Therefore, no impact would occur and no mitigation measures are necessary.

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

No Impact. The Project Site is entirely developed and surrounded by extensive urban development. The Project area does not contain, nor is it adjacent to, any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. No other local or regional plans, policies or regulations would be affected by the Proposed Project. Therefore, the project will have no impact on sensitive biological communities and no further environmental analysis 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 does not contain any drainages or state or federally protected wetlands. Therefore, no impacts associated with wetlands would occur, and no mitigation would be required.

d) Interfere substantially with the movement of any native resident or 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 with Mitigation Incorporated. A wildlife corridor is defined as a linear landscape element which serves as a linkage between historically connected habitats/natural areas and is meant to facilitate movement between these natural areas. The Proposed Project will not 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, because there are no such corridors or nursery sites within or near the Project Site. The site has sparse existing ornamental vegetation that does not provide substantive vegetation for wildlife nesting or other activities.

As discussed in Threshold 4(a), the City of Buena Park is highly urbanized and lacks native habitat throughout most of the City. Implementation of the Project would be confined to existing Project site boundaries (refer to Figure 1 and Figure 2) that have been heavily disturbed and are isolated from regional wildlife corridors and linkages. In addition, there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the site to a recognized wildlife corridor or linkage. As such, implementation of the proposed Project is not expected to impact wildlife movement opportunities.

Nevertheless, construction of the Proposed Project will comply with the Migratory Bird Treaty Act (MBTA) and California Fish and Game Codes 3503 and 3513 prohibits the take, possession, or destruction of birds, their nests, or eggs). In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, projects should be constructed outside of this time to avoid impacts to nesting birds. If the Project cannot be constructed outside of nesting season, the Project site shall be surveyed for nesting birds by a qualified avian biologist prior to initiating the construction activities. Although the Project site does not provide habitat for migratory birds, for abundance of caution, Mitigation Measure (MM) BIO-1 would be implemented, and a less than significant impact would occur. In order to comply with the Migratory Bird Treaty Act, the Applicant/Developer shall perform a general pre-construction nesting bird survey in compliance CDFW protocols, as outlined in mitigation measure **MM BIO-1**.

Therefore, potential impacts associated with movement of native wildlife would be less than significant with mitigation incorporated.

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

No Impact. Buena Park does not require a tree removal permit or any other type of permit to remove trees. The City does not have any policies or ordinances that would conflict with the development of Proposed Project. Therefore, no conflicts with local policies or ordinances protecting biological resources 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 and its surroundings are built out. The project site is not located in a Habitat Conservation Plan (HCP), Natural Communities Conservation Plan (NCCP), or other approved HCP area. Therefore, no impact would occur, and no mitigation measures are necessary.

Mitigation Measures:

MM BIO-1:

If site-preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) are proposed between February 1st and August 31st, the Project proponent shall retain a qualified biologist to conduct a pre-activity field survey for nesting birds three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction and/or prior to the issuance of grading permits for the Project to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone.

If active nests are located during the pre-activity field survey, the Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Biologist determines that such project activities may be causing an adverse reaction, the Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest).

The on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to the City of Buena Park for mitigation monitoring compliance record keeping.

Conclusion

The Proposed Project is required to comply mitigation measure **MM BIO-1** to ensure that Project-specific impacts to nesting birds would be less than significant. No other biological issues were identified with construction or operation of the Proposed Project.

4.5 Cultural Resources

A Cultural and Paleontological Resources Assessment for the Proposed Project was performed for the Project in May 2024 (**Appendix D -** *Cultural and Paleontological Resources Assessment Report for the Dalel Townhomes Residential Project,* Cogstone, May 2024).

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

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

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

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

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

Regulatory Setting

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

National Historic Preservation Act

Section 106 (Protection of Historic Properties) of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. The Advisory Council on Historic Preservation, an independent federal agency, administers the Section 106 review process with assistance from State Historic Preservation Offices to ensure that historic properties are considered during federal project planning and implementation. The National Register of Historic Places is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture.

California Register of Historical Resources

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. The California Register was established to serve as an authoritative guide to the state's significant historical and archaeological resources (PRC § 5024.1). The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation (DPR), implements the policies of the NHPA on a statewide level.

Environmental Setting

Site History

The Project is located within the Peninsular Range Geomorphic Province, which extends from Mount San Jacinto in the north to Baja, California in the south and includes the Inland Empire, Los Angeles, Orange County, and San Diego areas of California. Prior to development on the Project Site, the native vegetation on the Project area consisted of California coastal sage scrub, with a variety of native plants. Modern vegetation in the area includes grasslands and California coastal sage scrub with non-native species mixed in. With increased urban development, most native animals have been driven out of the area, but some still are seen in the surrounding hills.

The Cultural and Paleontological Resources Assessment for the Project mentions the Project area is located within the traditional territory of the Gabrielino (Tongva), who were semi-sedentary hunters and gatherers with the best-known artifacts made of steatite, decorated with inlaid shells or carvings reflecting an elaborately developed artisanship. The tribe's food sources came from animals, fruits and nuts from on land and a variety of shellfish from marine food sources. Over time, the land has been used for agriculture with the earliest development within the Project area depicted in 1935 in the United States Geological Survey (USGS) topographic map as a single structure located in the northwest corner of the parcel. A 1942 map further indicated the land still being used for agricultural uses and the United States Department of Agriculture (USDA) aerial photographs show single family residence, several ancillary buildings, and possible a secondary residence all fronting a long driveway in 1954. The current commercial building was developed in 1960 for use as a supermarket.

Impact Analysis

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

Discussion

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

No Impact: The development of the Proposed Project is not expected to adversely affect the change in the significance of a historical resource. To be eligible for the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) a resource must be a building, site, structure, object, or historic district that retain historical integrity and are historically significant at the local, state or national level under one or more of the following criteria:

1. be associated with events that have made a significant contribution to the broad patterns of history;
2. be associated with the lives of significant persons of the past;
3. embody distinctive characteristics of type, period, or method of construction or represent the work of a master, or possess high artistic value, or represent a significant and distinguishable entity those components may lack individual distinction; or
4. yielded or may likely yield information important in history or prehistory.

In addition to having significance using the above criteria, resources must have "integrity of location, design, setting, materials, workmanship, feeling, and association" to the period of significance (OHP 2011). The period of significance

is the date or span of time within which significant events transpired, or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance. Simply, resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

The commercial building was built as a supermarket, a thrift store, and a hardware store. The building does not possess an important association with events that have made significant contributions to the broad patterns of history. Therefore, the building and project area is recommended not eligible for listing in the NRHP or CRHR under criteria 1. The building was not associated with the lives of people considered significant to history; therefore, the building is recommended not eligible for listing in the NRHP or CRHR under criteria 2. The building has gone through redevelopment to change the exterior architecture of the building; therefore, due to the building's loss of original design and workmanship, the building is recommended not eligible for listing in the NRHP or CRHR under criteria 3. The building does not exhibit a local variation of a standard design or construction technique that can yield important information; therefore, this building is recommended not eligible for listing in the NRHP and CRHR under criteria 4.

A record search was requested to CHRIS and SCCIC to search the project area as well as a half-mile search radius. Results of the record indicate there have been no previous studies on the project site, while three studies have been conducted within a half-mile radius, shown in the table below (**Table 9**).

Table 9- Previous Studies within a half-mile radius of the Project area

Report No. (XX-)	Author(s)	Title	Year	Distance (miles) from Project area
02094	Ashkar, Shahira	Cultural Resources Inventory Report for Williams Communications, Inc. Proposed Fiber Optic Cable System Installation Project, Los Angeles to Anaheim, Los Angeles and Orange Counties	1999	0.5 miles
02756	Keas, Nicole	Proposed Einstein Cellular Site (Nextel #7610a) Anaheim, CA	2001	0.5 miles
03023	Bonner, Wayne H.	Cultural Resources Records Search Results and Site Visit for T-Mobile Candidate La02954a (SC495 Buena Park Mall), 8308 Buena Park Mall, Buena Park, Orange County, California	2006	0.5 miles

No cultural resources were previously documented within the Project area or within a half-mile radius. A variety of sources were consulted in April of 2024 to obtain information regarding the cultural context of the Project vicinity (**Table 10** & **Table 11**), including sources of the National Register of Historic Places (NRHP), California Register of Historic Places (CRHP), Built Environment Resource Directory (BERD), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI).

Table 10 - Additional Sources Consulted

Source	Results
National Register of Historic Places (NRHP)	Negative
Historic USGS Topographic Maps	See Cultural and Paleontological Resources Assessment
Historic US Department of Agriculture Aerial Photographs	See Cultural and Paleontological Resources Assessment
California Register of Historical Resources (CRHR)	Negative
Built Environment Resource Directory (BERD)	Negative
California Historical Landmarks (CHL)	Negative
California Points of Historical Interest (CPHI)	Negative
Bureau of Land Management (BLM) General Land Office Records	See Cultural and Paleontological Resources Assessment
Local Registers (Historical Societies/Archives)	Negative
Local Historical Societies	Two attempts were made to contact the Buena Park Historical Society with a request for information regarding the Project area ((April 5th (USPS) and May 3, 2024 (USPS)). No response has been received.

Table 11 - Land Patents

Name(s)	Year	Accession Number	Type	T; R; Section
Federal Farm Mortgage Corp. USA.	1957	CACAAA 084689 04 CACAAA 084689 05 CACAAA 084689 06	September 6, 1950: Acquired- FFMC (Federal Farm Mortgage Corporation) (mineral Int (64 Stat. 595)	T4S, R11W, S12
IPS	1908	04-80-0025	October 21, 1976: Sale-Sec 209 Minerals-FLPMA (Federal Land Policy and Management Act) (90 Stat. 2743)	T4S, R11W, S12
Francesca Uribe Ocampo Francisco Pico	1875	CACAAA 084788	March 3, 1851: Grant-Spanish/Mexican (9 Stat. 631)	T4S, R11W, S12

A Sacred Lands File (SLF) search was requested from the Native American Heritage Commission (NAHC) on March 28, 2024 (**Appendix D**). On April 17, 2024, the NAHC responded that the SLF search was completed with negative results and provided a list of 18 Native American tribal organizations and individuals that may have information about the Project area. The City of Buena Park will conduct Native American consultation in accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18.

Based on review of the records conducted, the Project is assessed to have a low sensitivity for pre-contact and historic-age resources. No further work is recommended in association with cultural resources.

No cultural resources have been recorded within the Project area and within a half-mile search radius from the Project area (**Appendix D**, Table 3, June 2024). Additionally, a consultation with the Buena Park Historical Society reveals that the Historical Society does not consider the buildings within the Project site to be considered historically significant under the criteria. The resource is recommended not eligible for listing in the California Register of Historical Resources (CRHR) at the national, state, and local level due to a lack of historic significance and lack of integrity (**Appendix D**, DPR 523 – Appendix F).

The analysis in **Appendix D** evaluated the resources against federal and State historic criteria and determined that there are no historic resources as defined by CEQA that exist within the Project Site. Therefore, there would be no potential impacts associated with an adverse change to historical resources, and no mitigation would be required.

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

Less Than Significant with Mitigation Incorporated: The Proposed Project's Cultural and Paleontological Resources Assessment did not discover any significant cultural resources, from paleontological resources, historical resources, tribal resources, or cultural resources. Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (indigenous sites) or after the arrival of Europeans (historical sites). No archaeological resources were determined present on the Project Site. The review of SCCIC record search results, review of historic USGS topographic quadrangle maps, and USDA aerial photographs assessed the Project area to have low sensitivity for pre-contact and historic-age resources.

While the Project area was determined to have low sensitivity for pre-contact and historic-age resources, the possibility of tribal cultural resources that are unknown to the SCCIC may elevate the cultural sensitivity of the area. For this reason, Mitigation Measure CR-1 (**MM CR-1**) would apply to the Proposed Project to manage unanticipated discoveries of archaeological and Native American resources in order to reduce potential impacts to a less than significant level.

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

Less Than Significant with Mitigation Incorporated: Based on the analysis of records and the archaeological survey of the property, it has been determined that the Project site does not include a formal cemetery or any archaeological resources that might contain inferred human remains. Mitigation Measure CR-2

(**MM CR-2**) would apply to the Proposed Project in the unlikely event that human remains are encountered during project development. With the implementation with MM CR-2, potential impacts to unanticipated discovery of human remains will be reduced to a less than significant level.

Mitigation Measures:

MM CR-1

In the event of an unanticipated discovery, all work must be suspended within 50-feet of the find until a qualified archaeologist evaluates it. Full-time cultural resources and Native American monitoring shall be required should the cultural sensitivity of the Project Area be enhanced by the results of government-to-government Native American consultation.

MM CR-2

In the unlikely event that human remains are encountered during Project development, all work must cease near the find immediately.

In accordance with California Health and Safety Code Section 7050.5, the Los Angeles County Coroner must be notified if potentially human bone is discovered. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner determines that the remains are of Native American origin, the Coroner will notify the Native American Heritage Commission (NAHC) by phone within 24 hours, in accordance with PRC § 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains. The MLD then will recommend to the property owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and associated grave foods. In the event that there is a disagreement regarding the disposition of the remains, State law will apply and a mediation with the NAHC will make the applicable determination (PRC § 5097.98(e) and 5097.94(k)). Work may not resume in the vicinity of the find until all requirements of the Health and Safety Code have been met.

Conclusion

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

4.6 Energy

RK Engineering Group, Inc. performed an Energy Assessment for the Proposed Project to review the energy implications of the Proposed Project and provide recommendations to reduce wasteful, inefficient, and unnecessary consumption of energy during the operation of the project (**Appendix C** – *8030 Dale Street Multifamily Residential Project Air Quality, Greenhouse Gas, and Energy Impact Study*, RK Engineering Group, Inc., May 6, 2024).

Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency are three federal agencies with substantial influence over energy policies and programs. On the state level, the California Public Utilities Commission (CPUC) and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. The discussion below provides a summary of key standards relative to this Project.

Building Energy Efficiency Standards

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were established in 1978 to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current 2022 Building Energy Efficiency Standards became effective on January 1, 2023. The core focus of the building standards has been efficiency, expanded solar standards, and the move to onsite energy storage that will help Californians save on utility bills while bolstering the grid.

The 2022 Energy Code update focuses on four key areas in new construction of homes and businesses:

- Encouraging electric heat pump technology and use, which consumes less energy and produces fewer emissions than traditional HVACs and water heaters.
- Establishing electric-ready requirements when natural gas is installed, which positions owners to use cleaner electric heating, cooking and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
- Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the state's progress toward a 100 percent clean electricity grid.
- Strengthening ventilation standards to improve indoor air quality.

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a

statewide mandatory construction code that went into effect on January 1, 2023. The CALGreen Code is intended to reduce greenhouse gas emissions from buildings; promote environmentally responsible, cost-effective, healthier places to live and work; reduce energy and water consumption; and respond to the environmental directives of the State. The 2022 CALGreen Code includes mandatory measures for new residential and commercial buildings related to site development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

Environmental Setting

Energy use directly relates to environmental quality since it can adversely affect air quality and generate greenhouse gas emissions that contribute to climate change, especially through the combustion of fossil fuels. Electrical power is generated through a variety of sources, including fossil fuel combustion, hydropower, wind, solar, biofuels, and others. Natural gas is widely used to heat buildings, prepare food, and fuel vehicles. Transportation generally uses petroleum-based fuels, such as diesel and gasoline, and fuel consumption is related to the mode of transportation, vehicle fuel efficiency, and vehicle miles traveled. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

California is one of the nation's leading energy-producing states and California's per capita energy use is among the nation's most efficient. California's estimated annual energy use as of 2022 included:

- Approximately 287,220 gigawatt hours of electricity
- Approximately 2,056,267 million cubic feet of natural gas
- Approximately 17.2 billion gallons of transportation fuel

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VI. ENERGY: Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of			X	

energy resources, during project construction or operation?				
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Discussion

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

Less Than Significant Impact. The Proposed Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. The three main types of energy expected to be consumed by the Project include electricity and petroleum products in the form of gasoline and diesel fuel. Project electricity would be provided by Southern California Edison (SCE). SCE is an investor-owned public utility operating as a subsidiary of Edison International. As of 2022, SCE's energy comes from 8.4% Nuclear, 0.1% Biomass and Waste, 5.5% Geothermal, 15.1% Solar, 9.4% Wind, 15.2% Natural Gas, 0.8% Eligible Hydroelectric, 3.3% Large Hydroelectric, and 42% unspecified sources. The Project will be fully operated through electricity. Project-related vehicle trip energy consumption would be predominantly gasoline and diesel fuel. Gasoline and other vehicle fuels are commercially provided commodities and would be available to the patrons and employees of the Proposed Project via commercial outlets.

Information from the CalEEMod version 2022.1.1 output (**Appendix C**) was utilized to generate estimates of the Proposed Project's electricity, natural gas, and fuel consumption for construction and operational aspects of the Proposed Project.

Construction Energy

Construction of the proposed project will include demolition, site preparation, grading, building construction, paving, and application of architectural coatings. The Proposed Project is anticipated to start construction no sooner than November 2024 with completion estimated by late-2025. It is anticipated to be operational in 2026. The modeling assumed 93 residential units.

The project's energy consumption from petroleum products is primarily associated with transportation-related activities. This includes gasoline and diesel fuel usage for auto and truck trips during construction and operation, and off-road equipment usage during construction, which is anticipated to be completed in one phase. Project construction would represent a "single event"

diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources once construction is completed. The Proposed Project's estimated energy consumption during construction is provided in **Appendix C.** In summary, the usage was estimated as follows:

- Construction Equipment Fuel Consumption Estimates: 31,980 gallons of diesel fuel.
- Construction Worker, Vendor, and Haulage Fuel Consumption Estimates – 11,731.60 gallons of gasoline and 15,327.64 gallons of diesel fuel.

Construction equipment used over the approximately 14-month construction phase would conform to CARB regulations and California emissions standards. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the project would therefore not result in inefficient, wasteful, or unnecessary consumption of fuel.

The Proposed Project would utilize construction contractors which practice compliance with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with these measures would result in a more efficient use of construction-related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

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

Therefore, potential impacts associated with wasteful, inefficient, or unnecessary consumption of energy resources during construction of the Proposed Project would be less than significant, and no mitigation would be required.

Operations

Energy consumption in support of or related to project operations would include transportation energy demands (energy consumed by employee and patron

vehicles accessing the Project Site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

The Proposed Project is anticipated to generate 636 trips per day and consume an estimated 63,423 gallons of gasoline and 3,834 gallons of diesel fuel per year for the operation of the Proposed Project (**Appendix C**). Trip generation and VMT generated by the Proposed Project are consistent with other similar residential uses of similar scale and configuration. That is, the Proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. Furthermore, the California Energy Commission reports the state of California consumed approximately 3.6 billion gallons of diesel and 13.6 billion gallons of gasoline in 2022. The increase in fuel consumption from the Proposed Project is insignificant in comparison to the State's demand. Therefore, project transportation energy consumption would not be considered wasteful, inefficient, or otherwise unnecessary.

Building operation and site maintenance (including landscape maintenance) would result in the consumption of electricity (provided by SCE). The annual natural gas and electricity demands are provided in **Appendix C**. The estimated electricity demand for the Proposed Project is approximately 431,548 kWh per year, inclusive of demand for both the residences and shared parking lot and site amenities. By comparison, the residential sector of Orange County consumed approximately 7,830 million kWh of electricity[6]. In addition, the estimated natural gas consumption for the Proposed Project is approximately 1,110 MBTU per year. In 2022, the non-residential sector of Orange County consumed approximately 351.7 million MBTU of gas[7]. Therefore, the increase in both electricity and natural gas demand from the Proposed Project is insignificant compared to the County's 2022 residential sector demand.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). The Proposed Project would be required to comply with Title 24 standards.

Furthermore, the Proposed Project energy demands in total would be comparable to other residential projects of similar scale and configuration. Therefore, the project's energy demands and energy consumption would not be

[6] Electricity Consumption by County (ca.gov), California Energy Commission. Accessed May 6, 2024.

[7] Gas Consumption by County (ca.gov), California Energy Commission. Accessed on May 6, 2024.

considered inefficient, wasteful, or otherwise unnecessary, and no project-specific mitigation would be required.

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

Less Than Significant Impact. The Proposed Project would comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances in compliance with the State's Energy Plan and Title 24 CCR energy efficiency standards and energy efficiency programs.

An individual project does not have the ability to comply or conflict with Pavley (AB 1493) regulations because they are intended for agencies and their adoption of procedures and protocols for reporting and certifying GHG emission reductions from mobile sources. However, the vehicles associated with the Proposed Project would be required to comply with federal and state fuel efficiency standards.

The Proposed Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CALGreen Standards require new buildings to reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

Therefore, the Proposed Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and no mitigation would be required.

Mitigation Measures

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

Conclusion

The energy impacts of the Proposed Project would be less than significant, and no Project-specific mitigation is required.

4.7 Geology and Soils

A geotechnical investigation was prepared for the Proposed Project to assess the potential geologic and soils impacts of the Proposed Project (**Appendix E** - *Updated Geotechnical Investigation, 8030 Dale Street, City of Buena Park, County of Orange, California,* Alta California Geotechnical, Inc., January 30, 2024).

A paleontological report was prepared to assess the potential for paleontological resources within the Proposed Project Site (**Appendix D -** *Cultural and Paleontological Resources Assessment Report for the Dale Townhomes Residential Project,* Cogstone, May 2024).

Environmental Setting

Regional Geologic Setting

The Project Site is located in the Peninsular Ranges Physiographic Province of California. The Peninsular Ranges are mountainous areas that extend from the western edge of the continental borderland to the Salton Trough and from the Transverse Ranges Physiographic Province in the north to the tip of Baja California in the south. The Peninsular Ranges Physiographic Province is characterized by northwest-trending topographic and structural features. The province is characterized by elongated, northwest-southeast trending mountain ranges and valleys and is truncated at its northern margin by the east-west trending Transverse Ranges. The Peninsular Ranges Province is composed of plutonic and metamorphic rock, with lesser amounts of Tertiary volcanic and sedimentary rock, Quaternary drainage in-fills and sedimentary veneers.

On site soils as identified by the US Department of Agriculture are 100% Corralitos loamy sand. Based on literature review and subsurface investigation of the site, the site consists of undocumented artificial fill up to 5 feet below ground surface underlain with young alluvial fan deposit down to a depth of 51.5 feet.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VII. GEOLOGY AND SOILS: Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
• Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
• Strong seismic ground shaking?			X	
• Seismic-related ground failure, including liquefaction?		X		
• Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

Discussion

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- *Rupture of a known earthquake fault, as delineated on the most recent Alquist Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Less than Significant Impact. Surface rupture is expected to occur along preexisting, known active fault traces. However, surface rupture could potentially splay or step from known active faults or rupture along unidentified traces. Active faults are not known to exist within the Project Site and a review of Special Publication 42 indicates that the site is not within a California State designated earthquake Fault Rupture Hazard Zone[8]. Accordingly, the potential for fault surface rupture on the site is very low. Furthermore, no ground rupture has been observed nor is anticipated on the Project Site. Any structures developed as a part of the Project will be subject to seismic design criteria in accordance with the latest California Building Code (CBC). Therefore, potential impacts associated with adverse effects to people or structures from a surface rupture would be less than significant, and no mitigation would be required.

- *Strong seismic ground shaking?*

Less than Significant Impact. According to the 2035 General Plan Exhibit SAF-1, Regional Faults Map, the Norwalk Fault is located approximately 3 miles north of

[8] Earthquake Fault Zones. Department Of Conservation California Geological Survey. Accessed on May 17, 2024. Https://Www.Conservation.Ca.Gov/Cgs/Documents/Publications/Special-Publications/Sp_042-A11y.Pdf

the Project Site. The Geotechnical Investigation (**Appendix E**) noted the Project Site is located at located on the northern portion of the Santa Ana sub-block, where the Puente Hills, Elsinore, Newport-Inglewood, San Joaquin Hills, San Jose, Elysian Park, Palos Verdes, and Chino faults surround the site approximately 2.1, 7.9, 9.1, 10.8, 14.6, 16.8, 17.1, and 17.8 miles away, respectively. Active faults are not known to exist within the project and a review of Special Publication 42 indicates the site is not within a California State designated earthquake fault zone. Accordingly, the potential for fault surface rupture on the subject site is very low. The Project Site is located on an active seismic zone and will likely experience strong seismic shaking during the design life of the Proposed Project. In general, the intensity of ground shaking will depend on several factors including: the distance to the earthquake focus, the earthquake magnitude, the response characteristics of the underlying materials, and the quality and type of construction. The Project Site has been subjected to past ground shaking by faults that traverse through the region. Strong seismic shaking from nearby active faults is expected to produce strong seismic shaking during the design life of the Proposed Project. The Proposed Project is required to be constructed consistent with all applicable seismic design standards contained in the 2022 California Building Code (CBC), including Section 1613A Earthquake Loads, which would reduce impacts reduce risks associated with seismic activity, and in conformance with the most recently published City regulations and other applicable standards. Therefore, potential impacts associated with adverse effects to people or structures from seismic ground shaking would be less than significant, and no mitigation would be required.

- *Seismic related ground failure, including liquefaction?*

Less than Significant With Mitigation Incorporated. According to the Geotechnical Investigation (**Appendix E**) and the Buena Park 2035 General Plan Exhibit SAF-2, Liquefaction/Landslide Potential Map, the Project Site is located within a mapped zone for liquefaction potential. Liquefaction is the process in which loose, saturated granular soil loses strength as a result of cyclic loading. The strength loss is a result of a decrease in granular sand volume and a positive increase in pore pressures. In general, the more recent that a sediment has been deposited, the more likely it will be susceptible to liquefaction. Other factors that must be considered are groundwater, confining stresses, relative density, and the intensity and duration of seismically induced ground shaking. Groundwater was encountered during subsurface investigation at depths 32.0 to 34.0 feet below the ground surface.

There is a potential for liquefaction to occur at the site during seismic shaking, specifically, liquefaction could cause differential settlement. The Geotechnical Investigation recommends the artificial fill and upper portions of young alluvial fan deposits – roughly the upper ten feet of existing soils – be removed and recompacted. Additionally, the residential structures onsite shall be supported on

a posttensioned slab/foundation or mat slab system to reduce the potential dynamic settlement to within tolerable design levels.

Although the Project site is prone to liquefaction conditions, the Geotechnical Investigation concluded that development of the Proposed Project is feasible with implementation of recommended remedial grading, general earthwork, liquefaction mitigation, storm water infiltration systems, boundary conditions, design considerations, and lot maintenance. With implementation of **MM GEO-1**, the impacts related to seismic related ground failure will be less than significant.

- *Landslides?*

No Impact. The site is situated on relatively level ground and is not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. No signs of slope instability in the form of landslides, rock falls, earthflows or slumps were observed at or near the subject site. As such, risks associated with slope instability should be considered "negligible". Therefore, no impacts to people or structures from landslides would occur, and no mitigation would be required.

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

Less Than Significant Impact. The entire site is composed of map unit 146, Corralitos loamy sand[9]. During Project construction when soil is exposed, temporary soil erosion may occur which could be exacerbated by rainfall. To control the potential for soil erosion, wind, dust, and water quality impacts, the Proposed Project is required to comply with the City's Municipal Code provisions (including Sections 18.04.020, 18.204.030 and 19.444) requiring erosion control, SCAQMD rules relating to dust control (such as SCAQMD Rule 403), and rules to protect water quality including preparing a Stormwater Pollution Prevention Plan (SWPPP) to be approved by the Regional Water Quality Control Board (RWQCB). Compliance with Federal, State, and Local regulations will ensure potential impacts are less than significant. Therefore, potential impacts associated with soil erosion, or the loss of topsoil would be less than significant, and no mitigation would be required.

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

Less Than Significant Impact. Impacts related to liquefaction and landslides are discussed above. Mitigation measure **GEO-1** is recommended to address the potential for liquefaction associated with the project site.

[9] Natural Resources Conservation Service. United States Department of Agriculture. Accessed on May 17, 2024. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

Lateral spreading is horizontal/lateral ground movement of relatively flat or gently sloping surface sediment due to liquefaction in a subsurface level. Lateral spreading generally takes place toward a free face (excavation, channel, retaining wall, slope) but can occur on sites with gently sloping (1% or more) ground, such as the Project Site. Determination of the potential for lateral spread is based on the presence of continuous potentially liquefiable soil layers underneath the structures, the presence of lateral confinement, and various analyses such as empirical modeling. The Geotechnical Investigation concluded that upon completion of remedial grading, the potential for lateral spread to occur onsite is considered within design tolerances of the proposed foundation systems.

Subsidence is the sinking of the ground because of underground material movement and is most often caused by the removal of water, oil, natural gas, or mineral resources out of the ground by pumping, fracking, or mining activities. According to the California Geological Survey[10], the City of Buena Park is not mapped as an area containing any significant mineral aggregate resources. There are no known ongoing or planned large-scale extractions of groundwater, gas, oil, or geothermal energy that would cause subsidence within Buena Park.

In addition to implementation of **MM GEO-1**, the project would be constructed in accordance with the requirements of the City of Buena Park Municipal Code and the 2022 California Building Code, which are designed to assure safe construction and include building foundation requirements appropriate to site conditions. Therefore, potential impacts associated with unstable soils the would less than significant, and no mitigation would be required.

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

Less Than Significant Impact. Expansive soils shrink and swell with changes in soil moisture. The Geotechnical Investigation by Alta California Geotechnical, Inc., dated May 21, 2024, in **Appendix E** includes results of expansion index testing on samples taken during subsurface investigation. The testing determined that the majority of the Project Site soils have "very low" to low" expansion potential. Additionally, the 2035 General Plan Exhibit SAF-3 Differential Settlement and Expansion Potential indicates that there are no areas of moderately expensive soil potential or peat related deposits at or near the Project site. Compliance with the design, grading, and construction recommendations in **MM GEO-1**, and constructing the project in accordance with the requirements of the City of Buena Park Municipal Code and the 2022 California Building Code would reduce risks associated with expansive soils. Therefore, potential impacts associated with

[10] Department of Conservation. Accessed on May 8, 2024. https://www.conservation.ca.gov/cgs/maps-data

expansive soil that creates a substantial direct or indirect risk to life or property would be less than significant, and no mitigation would be required.

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

No Impact. The Proposed Project would not involve the installation of septic tanks or alternative wastewater disposal systems. Therefore, no impacts to soils associated with septic tanks or alternative wastewater disposal systems would occur, and no mitigation would be required.

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

Less than Significant With Mitigation. It is unlikely that the Proposed Project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature because the Project Site has previously been substantially altered from its prior use. The Native American Heritage Commission conducted a record search of its Sacred Lands File for the Project Site, and the search did not indicate the presence of Native American cultural resources within a 0.25-mile radius of the Project Site. Known paleontological resources within Buena Park include the Emery Borrow Pit Fossil site located in the Ralph B. Clark Regional Park, located over three miles north of the Project Site. Although no impacts to paleontological resources are anticipated, since grading activities always have a potential for encountering inadvertent resources in the Project site, the applicant will be required to comply with **MM GEO-2.** With implementation of **MM GEO-2**, the impacts related to paleontological or geologic sites or resources will be less than significant.

Mitigation Measures

MM GEO-1 During design, grading, and construction of the proposed project, the project applicant shall follow all recommendations, as listed in **Appendix L** – *Draft Mitigation Monitoring and Reporting Program,* in Section 6.0, Conclusions and Recommendations (pages 13-21), Section 7.0 Design Considerations (pages 21-31), and Section 8.0 Lot Maintenance (page 31) of the final geotechnical report **Appendix E** prepared for the project (*Updated Geotechnical Investigation, 8030 Dale Street, City of Buena Park, County of Orange, California,* Alta California Geotechnical, Inc., January 30, 2024). A final geotechnical report shall be submitted to the City and approved prior to issuance of grading and building permits and updated recommendations shall be implemented by the developer.

MM GEO-2 If paleontological resources are uncovered during construction activities, the contractor shall halt construction activities in the immediate area and notify the City of Buena Park. The on-call paleontologist shall be notified

and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that may be in the area.

Conclusion

The Proposed Project is required to comply with mitigation measure **MM GEO-1** and **MM GEO-2** to ensure that Project-specific impacts would be less than significant.

4.8 Greenhouse Gas Emissions

RK Engineering Group, Inc. performed an Energy Assessment for the Proposed Project to review the energy implications of the Proposed Project and provide recommendations to reduce wasteful, inefficient, and unnecessary consumption of energy during the operation of the project (**Appendix C** – *8030 Dale Street Multifamily Residential Project Air Quality, Greenhouse Gas, and Energy Impact Study*, RK Engineering Group, Inc., May 6, 2024).

Environmental Setting

Constituent gases of the Earth's atmosphere, called atmospheric greenhouse gases (GHG), play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate. GHGs comprise less than 0.1 percent of the total atmospheric composition, yet they play an essential role in influencing climate. Greenhouse gases include naturally occurring compounds such as carbon dioxide (CO2), methane (CH4), water vapor (H2O), and nitrous oxide (N2O), while others are synthetic. Anthropogenic (caused or produced by humans) emissions of these greenhouse gases in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. Emissions of gases that induce global warming are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses.

Regulatory Setting

Since 1987, many countries around the world have tried to reduce atmospheric greenhouse gas (GHG) emissions since climate change is a global issue. Over the past 35 years, the United States, and the State of California, have enacted a myriad of regulations that have evolved over time aimed at reducing GHG emissions in transportation, building and manufacturing. Some of the key climate legislation and regulation in California include the following:

- **Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006.** AB 32 set the stage for the State's transition to a sustainable, low-carbon future. AB 32 was the first program in the country to take a comprehensive, long-term approach to addressing climate change.
- **Senate Bill (SB) 375, Sustainable Communities & Climate Protection Act of 2008.** SB 375 requires the Air Resources Board to develop regional greenhouse gas emission reduction targets for passenger vehicles GHG

reduction targets for 2020 and 2035 for each region covered by the State's 18 metropolitan planning organizations.

- **Senate Bill (SB) 100, California Renewables Portfolio Standard Program.** SB 100 established a landmark policy requiring renewable energy and zero-carbon resources supply 100 percent of electric retail sales to end-use customers by 2045.
- **California Building Standards Code – Title 24.** The California Building Standards Code Title 24 Part 6 (Energy Code) and Title 24 Part 11 (CALGreen) requires multiple building provisions to reduce energy usage and GHG emissions and is updated on a triennial basis.

Impact Analysis

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

Discussion

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

Less Than Significant. SCAQMD published the *Interim CEQA Greenhouse Gas (GHG) Significance Thresholds, December 2008,* to assist local agencies with determining the impact of a project's GHG emissions. SCAQMD's objective in providing the GHG guidelines is to establish a performance standard that will ultimately contribute to reducing GHG emissions below 1990 levels, and thus achieve the requirements of the California Global Warming Solutions Act (AB 32).

SCAQMD Thresholds

In the absence of a formal threshold established by the State, SCAQMD's interim GHG threshold has been established for use by lead agencies in determining

significance of GHG emissions in CEQA. SCAQMD guidance describes a five-tiered approach for determining significance. Tier 3 is the primary method used for development projects of the Proposed Project's size. The Tier 3 approach limits the amount of GHG emissions from residential and commercial development projects to 3,000 metric tons of CO2 equivalents per year (MTCO2e/yr). If the project exceeds 3,000 MTCO2e/yr, then the impact is considered significant, and mitigation measures would be required to reduce emissions below the threshold.

Project and Construction GHG Emissions

The Proposed Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste disposal, water usage, and construction equipment. Greenhouse gas emissions were calculated for on-site and off-site construction and operations activity using CalEEMod 2022.1.1 (**Appendix C**). **Table 12** – *Construction Greenhouse Gas Emissions* shows the construction greenhouse gas emissions, including equipment and worker vehicle emissions for all phases of construction. Construction emissions are averaged over 30 years and added to the long-term operational emissions, pursuant to SCAQMD recommendations.

Table 12 - Construction Greenhouse Gas Emissions

Activity	Emissions ($MTCO_2e$)[1]		
	On-site	Off-site	Total
Demolition	31.18	95.28	126.46
Site Preparation	12.05	0.53	12.58
Grading	10.77	35.81	46.59
Building Construction	251.78	125.63	377.41
Paving	11.06	2.12	13.18
Architectural Coating	1.09	1.42	2.51
Total	**317.94**	**260.79**	**578.73**
Amortized over 30 years[2]	**10.60**	**8.69**	**19.29**

[1] $MTCO_2e$ = metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, nitrous oxide, and/or hydrofluorocarbon

[2] GHG emissions are amortized over 30 years and added to the operational emissions, pursuant to SCAQMD recommendations

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. However, SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime and added to the overall project

operational emissions. In doing so, construction GHG emissions are included in the overall contribution of the project.

Operational GHG Emissions

Greenhouse gas emissions from mobile sources, area sources and energy sources are shown in **Table 13** – *Operational Greenhouse Gas Emissions*. Operational emissions occur over the life of the Project and are considered "long-term" sources of emissions. Operational emissions include both direct and indirect sources, such as mobile sources, area sources, and energy sources.

Table 13 - Operational Greenhouse Gas Emissions

Emission Source	Unmitigated GHG Emissions ($MTCO_2e$)[1]
Mobile Source	550.97
Area Source	23.83
Energy Source	156.99
Water	11.18
Waste	21.46
Refrigerant	0.16
Construction (30-year amortization)	19.29
Total Annual Emissions	**783.89**
SCAQMD Tier 3 Significance Threshold	3,000 $MTCO_2e$/year
Exceeds Threshold?	**No**

Tables 12 and 13 show that the Proposed Project's total emissions would be well below 3,000 $MTCO_2e$ per year. According to the SCAQMD draft threshold of significance discussed above, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations of the Proposed Project would exceed the SCAQMD draft screening threshold of 3,000 MTCO2e per year for all land uses. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be less than significant.

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

Less Than Significant. The City of Buena Park does not have a Climate Action Plan to specifically address GHG reductions, but there are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, which focuses on reducing GHG emissions in California to 1990 levels by 2020. This goal is further supplemented by SB 32 and Executive Order B-30-15, which established a reduction target of at

least 40 percent below 1990 emissions by 2030, and Executive Order S-3-05, which established a reduction target of at least 80 percent below 1990 emissions by 2050.

A specific requirement of AB 32 was to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020. The City of Buena Park does not currently have a Climate Action Plan; therefore, the project has been compared to the goals of the CARB Scoping Plan. The CARB Board approved a Climate Change Scoping Plan in December 2008 and updated the plan in 2014, approved a new Climate Change Scoping Plan in 2017, and the most recent Climate Change Scoping Plan in 2022. As the 2022 Scoping Plan builds upon previous versions, project consistency with applicable strategies of the 2008, 2017, and 2022 Plan are assessed in **Table 14** – *Project Consistency with CARB Scoping Plan Policies and Measures*. As shown below, the project is consistent with the applicable strategies within the Scoping Plan.

Table 14 - Project Consistency with CARB Scoping Plan Policies and Measures

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
California Light-Duty Vehicle Greenhouse Gas Standards – Implement adopted standards and planned second phase of the program. Align zero- emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Energy Efficiency – Maximize energy efficiency building and appliance standards; pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	No Conflict. The project will be compliant with the current Title 24 standards.
No Conflict. The project will be compliant with the current Title 24 standards.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Vehicle Efficiency Measures – Implement light-duty vehicle efficiency measures.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.

Medium/Heavy-Duty Vehicles – Adopt medium and heavy-duty vehicle efficiency measures.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Green Building Strategy – Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	No Conflict. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that are mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. In addition, the 2022 edition of the Code took effect January 1, 2023. The project will be subject to these mandatory standards.
High Global Warming Potential Gases – Adopt measures to reduce high global warming potential gases.	No Conflict. CARB identified five measures that reduce HFC emissions from vehicular and commercial refrigeration systems; vehicles that access the project that are required to comply with the measures will comply with the strategy.
Recycling and Waste – Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero waste.	No Conflict. The project will participate in the City's existing waste, organics, and recycling program.
Water – Continue efficiency programs and use cleaner energy sources to move and treat water.	No Conflict. The project will comply with all applicable City ordinances and CAL Green requirements.
2017 Scoping Plan Recommended Actions to Reduce Greenhouse Gas Emissions	**Project Compliance with Recommended Action**
Implement Mobile Source Strategy: Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Car regulations.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025 and at least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.

Implement Mobile Source Strategy: Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOX standard.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: Last Mile Delivery: New regulation that would result in the use of low NOX or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Implement SB 350 by 2030: Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.	No Conflict. These are CARB enforced standards
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	No Conflict. The project will be required to comply with City programs which comply with the 75 percent reduction required by 2020 per AB 341.
2022 Scoping Plan Priority Key Actions and Recommendations	**Project Compliance with Recommended Actions**
100 percent of light-duty vehicle sales are ZEVs by 2035.	Not Applicable. This action is in regard to vehicle sales, with an aim to have 100 percent of light-duty vehicle sales be ZEVs by 2035. The Proposed Project is a multi-family residential development and would not interfere with such policymaking.
VMT per capita reduced 25 percent below 2019 levels by 2030 and 30 percent below 2019 levels by 2045.	No Conflict. The Project would not result in an unmitigated impact to VMT. The Project is a 93-unit residential development located in close proximity to existing roadways and residential and commercial uses. Therefore, the Project

	would be anticipated to contribute to a reduction in VMT per capita.
All electric appliances in new construction beginning 2026 (residential) and 2029 (commercial).	No Conflict. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that are mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. In addition, the 2022 edition of the Code took effect January 1, 2023. The project will be subject to these mandatory standards.
For existing residential buildings, 80 percent of appliance sales are electric by 2030 and 100 percent of appliance sales are electric by 2035 (appliances replaced at end of life). For existing commercial buildings, 80 percent of appliance sales are electric by 2030 and 100 percent of appliance sales are electric by 2045 (appliances replaced at end of life)	Not Applicable. This action is in regard to appliance sales and the Proposed Project would not interfere with such policymaking. Furthermore, although this action is not necessarily applicable on a project-specific basis, the Proposed Project is subject to the California Green Building Standards Code (proposed Part 11, Title 24) which was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that are mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. In addition, the 2022 edition of the Code took effect January 1, 2023. The project will be subject to these mandatory standards.

The project would not conflict with the goals of AB-32, SB-32, or the CARB Scoping Plan; therefore, the project would not conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and impacts are considered to be less than significant, and no mitigation would be required.

Mitigation Measures

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

Conclusion

The Proposed Project is consistent with the goals and objectives of AB 32, SB-32, the CARB Scoping Plan and the SCAQMD's 3,000 $MTCO_2e$ per year threshold for all land uses. Therefore, the Proposed Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. The Greenhouse Gas Emissions impacts of the Proposed Project would be less than significant, and no Project-specific mitigation would be required.

4.9 Hazards and Hazardous Materials

Stantec Consulting Services, Inc. prepared a Phase I Environmental Site Assessment (Phase I ESA) (**Appendix F** – *Phase I Environmental Site Assessment, 8030 and 8060 Dale Street, Buena Park, California*, Stantec Consulting Services, Inc., February 22, 2023) and a Shallow Sampling and Petromat Assessment (**Appendix G** – *Shallow Sampling and Petromat Assessment*, 8030 and 8060 Dale Street, Buena Park, California, Stantec Consulting Services, Inc., May 12, 2022) to determine potential impacts from hazardous materials associated with the development of the Proposed Project.

Environmental Setting

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

Typical equipment which may contain fuel or hydraulic oil that may be used during construction could include graders, loaders, dozers, cranes, forklift/pallet jack, and jackhammers.

Project Site

The Subject Property consists of approximately 3.87 acres of land developed with a one-story, 44,064 square foot commercial building with shipping area and parking lot. The Subject Property is zoned commercial. The Subject Property was formerly operated as a hardware supply store. Uses of adjoining properties, as well as that of the nearby area, include commercial and residential uses. The Subject Property and surrounding areas were used as agricultural land between at least 1928 until the early 1960s (i.e., orchards). Based on that historic use, there was a potential for organochlorine pesticides (OCPs) and metals (lead and arsenic) commonly associated with herbicide application to exist in shallow soils at the Subject Property at concentrations of concern to the proposed residential development. Additionally, there was a potential that Petromat may exist in the asphalt pavement and could contain asbestos.

To address these two issues, a Phase II ESA was completed on May 2, 2022. The Phase II ESA included ten (10) shallow soil borings analyzed for OCPs, lead and arsenic; and collection of Petromat samples from 10 asphalt cores for laboratory analysis of asbestos. Stantec concluded that the historical agricultural use is not considered an environmental concern, and no further investigation is warranted. Stantec also concluded that Petromat is considered asbestos containing construction material (ACCM), but based on the concentrations, can be disposed of as non-hazardous waste along with general construction debris.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X		

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

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

Less than Significant Impact.

The Subject Property consists of approximately 3.87 acres of land developed with a one-story, 44,064 square foot commercial building with its related parking lot and landscaping.

Short-Term Construction Impacts

Construction of the Proposed Project would involve the transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with the Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Occupational Safety and Health Administration (OSHA), Department of Toxic Substances Control (DTSC), California Division of Safety and Health (DOSH), South Coast Air Quality Management District (SCAQMD), and the Orange County Health Care Agency Environmental Health Division (EHD) requirements.

Long-Term Operational Impacts

Project operations could involve the use, transport, storage, and disposal of hazardous household materials used for cleaning and landscaping purposes, such as paint solvents, pesticides and fertilizers, and cleansers. The Proposed Project would not involve the routine transport, use, or disposal of quantities of hazardous materials that may create a significant hazard to the public or environment. The Phase I Environmental State Assessment by Stantec researched Envirostor, the DTSC public database, to evaluate if there are any reported releases at the Property or on adjacent properties. There were no release sites listed for the Subject Property or the adjacent properties within a 1/8-mile radius. Additionally, Stantec received a response by Julie Chandler, Regional Records Coordinator with DTSC dated June 6, 2023, stating that no records exist for this

Subject Property. With mandatory regulatory compliance with federal, State, and local laws, potential impacts associated with the handling, storage and disposal of hazardous materials would cause the Project be less than significant, and no mitigation would be required.

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

Less than Significant Impact. As identified in Response (a), above, the Project Site is currently developed with an approximately 3.87 acres of land developed with a one-story, 44,064 square foot commercial building, and the Phase II ESA report found no potential areas of concern on the Project Site. The Project Site is not listed on hazardous materials site lists compiled pursuant to Government Code Section 65962.5. Therefore, there is limited foreseeable upset regarding subsurface hazards being unearthed during excavation associated with construction or for hazardous materials to be released from existing materials.

Construction activities would require the temporary use of hazardous substances, such as fuel, lubricants, and other petroleum-based products for the operation of construction equipment as well as oil, solvents, or paints. The transportation, use, and handling of hazardous materials would be temporary and coincide with the short-term Project construction activities. These materials would be handled and stored in compliance with all applicable federal, state, and local requirements. Any handling of hazardous materials would be limited to the quantities and concentrations set forth by the manufacturer and/or applicable regulations.

All hazardous materials would be securely stored in a construction staging area or similar designated location within the Project Site. The handling, transport, use, and disposal of hazardous materials must comply with all applicable federal, state, and local agencies and regulations, including the Department of Toxic Substances Control; Occupational Health and Safety Administration (OSHA); Caltrans; and the County Health Department - Hazardous Materials Management Services.

<u>Operations Impacts</u>

The Proposed Project consists of a 93-unit residential housing development. No commercial activities will take place in the proposed development. Hazardous materials would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. These substances are required to comply with guidelines to minimize health risk to the public associated with hazardous materials. Therefore, there is limited reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant, and no mitigation would be required.

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

No Impact. The Proposed Project Site is not located within one-quarter mile of an existing or proposed school. The closest school is Dysinger Elementary School located at 7770 Camellia Drive, which is approximately .3 miles northwest of the Project Site. Considering that the existing use of the site which has not historically handled hazardous materials, that the site is not in a hazardous list site, and that the Project is not a use typically associated with the emission or handling of any hazardous materials, substances, or waste, aside from those identified in Response (a), above. Since there are no schools within one-quarter mile of the Project Site, no impacts would occur, and no mitigation would be required.

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

No Impact. Government Code Section 65962.5(a)(1) requires that the Department of Toxic Substance Control (DTSC) "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: (1) all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC")." The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. This is known as the "Cortese List." This is a very small and specific subgroup of facilities, and they are not separately posted on the DTSC or Cal/EPA's website. This includes the DTSC Envirostor database, California State Water Resources Control Board (CRWQCB) Geotracker database, and Los Angeles County Department of Public Works (DPW) databases.

Based on the results of the database review, the Project Site is not located on any site that has been identified in accordance with Government Code Section 65962.5. Therefore, the Project would have no impact to the public or environment directly, indirectly, or cumulatively.

e) For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The Project Site is approximately 1.6 miles south of the Fullerton Municipal Airport and is located within the Airport Environs Land Use

Plan (AELUP) for Fullerton Municipal Airport. According to the AELUP for Fullerton Municipal Airport, the Project site is outside of the impact zones and 60 Community Noise Equivalent Level (CNEL) noise contour, as seen in **Figure 14 – Airport Impact Zones and Noise Contours**. According to the 2035 General Plan Noise Element, no special noise reduction requirements apply to the Project Site, being outside of the 60 CNEL noise contour for the Fullerton Municipal Airport. This designation indicates low risk level and low noise impacts. Therefore, impacts associated with the airport would be unlikely. Additionally, the Project Site is within the 446-foot zone for the Fullerton Municipal Airport Obstruction Imaginary Surfaces, as seen in **Figure 15 - Fullerton Municipal Airport Obstruction Imaginary Surfaces**. The Proposed Project maximum height of 37'-7" would be consistent with the City's allowed maximum building height, subject to the approval of the Conditional Use Permit, under the proposed High Density Residential Land Use designation and RM-20 (Medium-Density Multiple-family Residential) zoning designation and therefore would not introduce height obstructions nor violate any height restrictions that would create a safety hazard. Because the Project is not located within a significant noise contour that would cause adverse noise impacts on the proposed residences, noise is not anticipated to impact the Project site. The Project would not create a safety hazard to the people residing or working in the Project area, and a less than significant impact would occur.

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

Less Than Significant Impact with Mitigation. The City of Buena Park adopted an Emergency Operations Plan (EOP) on June 8, 2021, to establish strategy and policy for the city's response to a disaster or major emergency. The City's Local Hazard Mitigation Plan (LHMP) was last updated in December 2022. It documents the hazard mitigation planning process and identifies hazards, potential losses, mitigation needs, goals, and strategies. The Proposed Project would not interfere with the City's EOP or LHMP, nor would it impede roadway access through removal or closure of any streets that provide through access. All construction activities would be required to be performed according to the standards and regulations of the City and county fire and local police departments. For example, the Property Owner/Developer and its construction contractor would be required to provide on- and offsite access and circulation for emergency vehicles and services during the construction and operation phases.

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

During the construction phase, the project could temporarily impact street traffic adjacent to the Project Site due to construction activities in the right-of-way (ROW). Project construction could reduce the number of lanes or temporarily close a portion of Dale Street or La Palma. Prior to the start of construction activity in the public right-of-way, the General Contractor shall submit a detailed Traffic Management Plan (TMP) to be reviewed and approved by the City of Buena Park Traffic Engineer. The typical TMP requires such things as the installation of K-Rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction. Emergency access must be maintained. Compliance with City of Buena Park requirements for traffic management during construction in the public ROW would ensure that the project would have a less than significant impact in this regard.

Overall, impacts to an emergency response plan would be less than significant with implementation of Mitigation Measure HAZ-MAT-1.

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

No Impact. Wildfires typically pose minimal threat to people and buildings in urban areas but increasing human encroachment into natural areas increases the likelihood of bodily harm or structural damage. This encroachment occurs in areas called the wildland-urban interface (WUI), which is considered an area within the high and very high fire hazard severity zone, as defined by the California Department of Forestry and Fire Protection (CAL FIRE). CAL FIRE developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Local Responsibility Areas (LRA). As shown in **Figure 19 – Fire Hazards Severity Map** and according to the Cal FIRE Fire Hazard Severity Zone Maps**,** the Project Site is not located in a Very High Fire Hazard Severity Zone, SRA or LRA. The Project Site is in an urbanized area where no wildfire hazards are present. Therefore, no impacts associated with wildland fires would occur and no mitigation would be required.

Mitigation Measures

HAZ-MAT-1: A Traffic Management Plan (TPM) must be reviewed and approved by the City's Traffic Engineer prior to the start of construction activity in the public ROW. Depending on the Project activities to take place during construction within the public ROW, the TMP could requires the installation of K-Rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction, if necessary. Emergency access must be maintained. Compliance with City requirements for traffic management during construction in the public ROW.

Conclusion

The Proposed Project is required to comply with mitigation measure **HAZ-MAT-1** to ensure that Project-specific impacts would be less than significant.

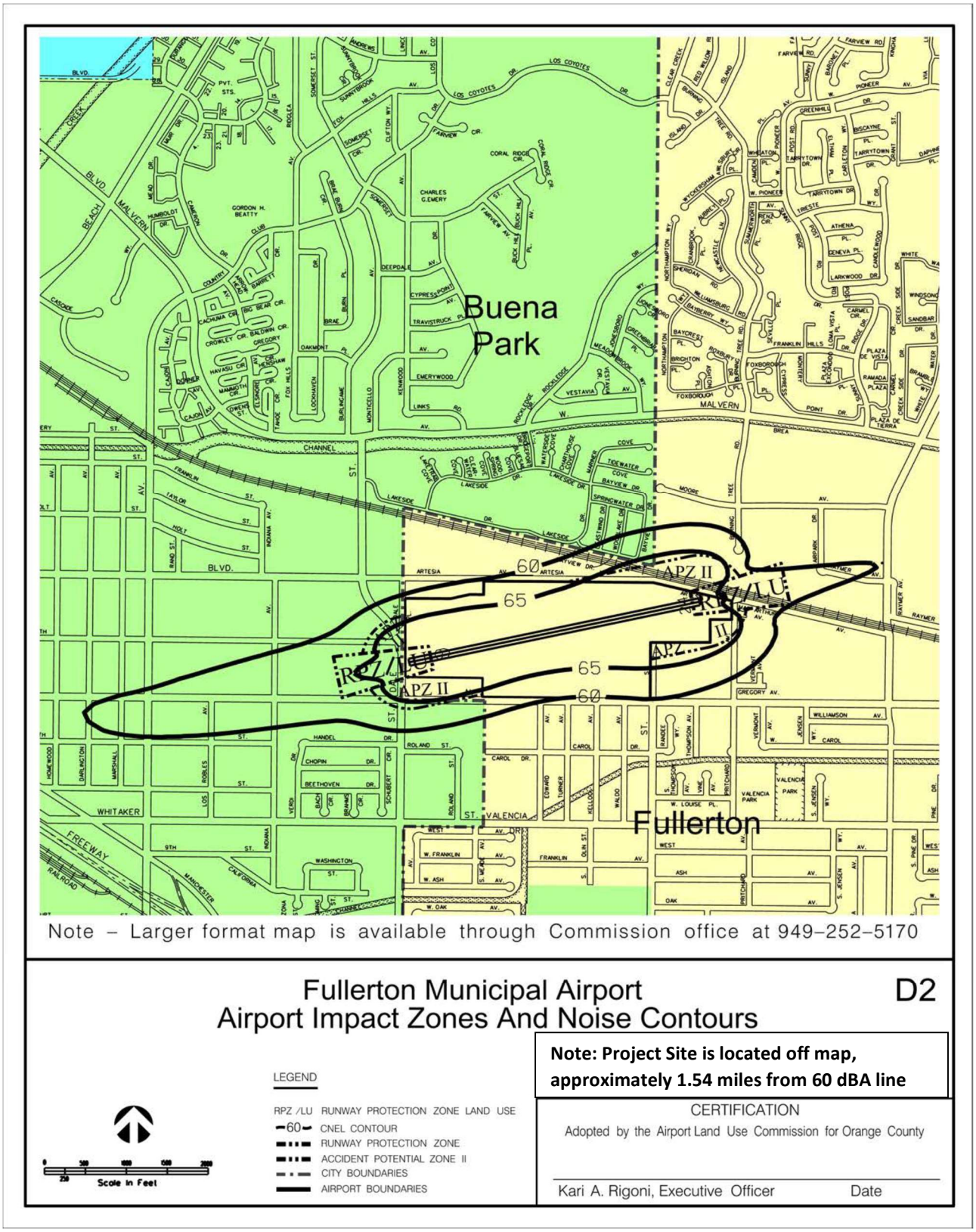
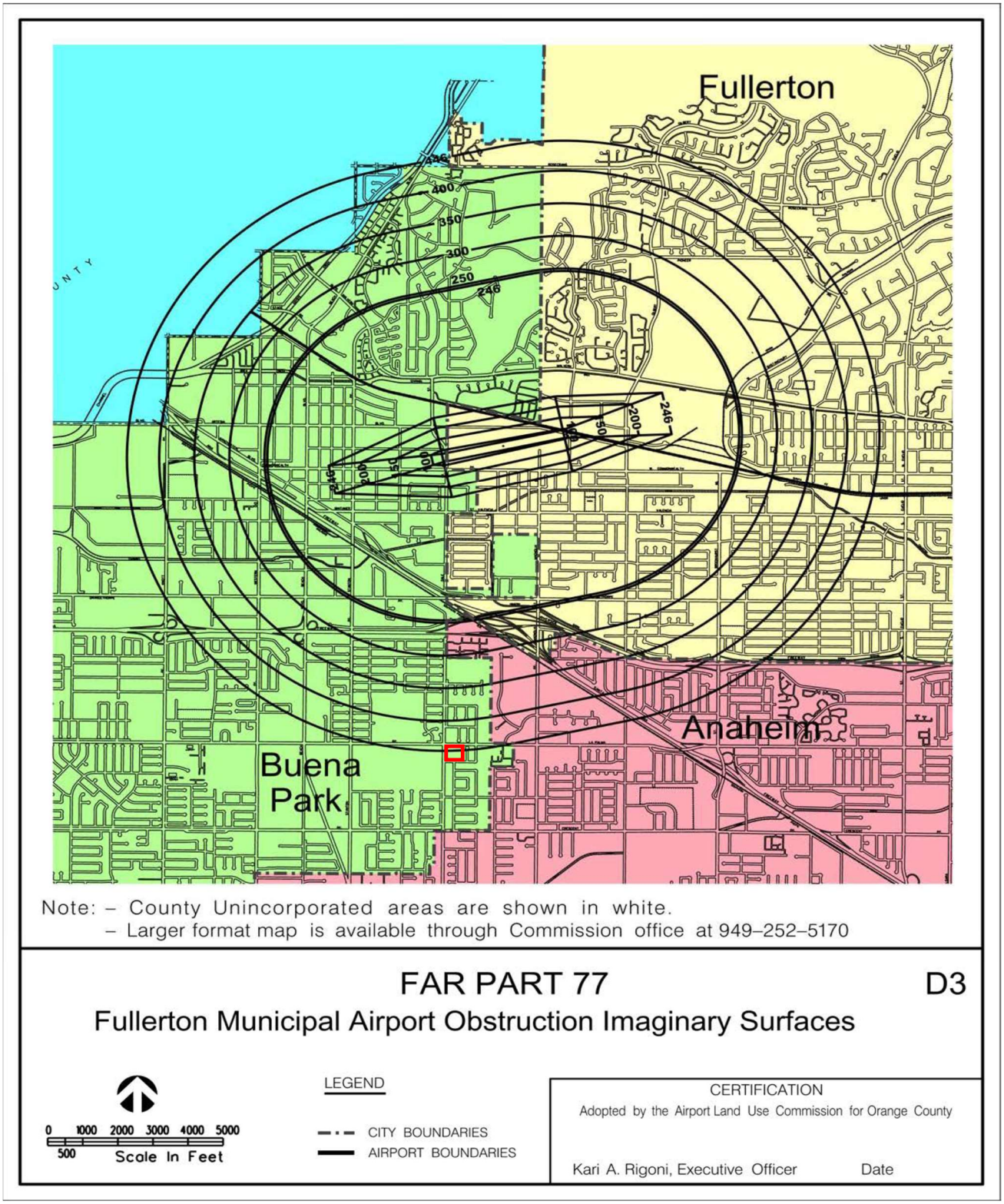


Figure 14: Airport Impact Zones and Noise Contours
Source: Airport Land Use Commission



- Project Site

Figure 15: Airport Obstruction Imaginary Surfaces
Source: Airport Land Use Commission

4.10 Hydrology and Water Quality

C & V Consulting, Inc. prepared a Preliminary Low Impact Development Plan (LID) (**Appendix A** – *Priority Project Preliminary Water Quality Management Plan, 8030 Dale Street*, C & V Consulting, Inc., January 2024) and Hydrology & Hydraulics Study (**Appendix B** – *Hydrology & Hydraulics Study 8030 Dake Street,* C& V Consulting, Inc., January 2024) to determine potential impacts to hydrology and water quality associated with the development of the Proposed Project.

Regulatory Setting

The City of Buena Park is within the Santa Ana River Basin watershed and is under the authority of the Santa Ana Regional Water Quality Control Board (SARWQCB). The SARWQCB is responsible for designing and implementing the Santa Ana River Basin Plan (Basin Plan), which is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan designates beneficial uses for surface and ground waters, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's antidegradation policy, and describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.

Urban stormwater runoff is the largest source of unregulated pollution to the waterway and coastal areas of the United States. Stormwater runoff can be contaminated with a variety of pollutants that contribute to increased health risks and environmental damage. The Clean Water Act (CWA) and other Federal, state and regional regulations require the City of Buena Park to control the discharge of pollutants to the storm drain system, including the discharge of pollutants from construction sites and areas of new development or significant redevelopment.

The CWA provides that states are authorized to operate their own National Pollutant Discharge Elimination System (NPDES) programs provided such programs meet minimum Federal requirements. The SARWQCB issues the municipal stormwater NPDES permit. Further, Permittees are to assure that stormwater discharges from the Municipal Separate Storm Water Sewer System (MS4) shall neither cause nor contribute to the exceedance of water quality standards and objectives, nor create conditions of nuisance in the receiving waters, and that the discharge of non-stormwater to the MS4 has been effectively prohibited.

The SARWQCB operates under MS4 permit, Order No. R8-2009-0030, NPDES Permit No. CAS618030, as amended by Order No. R8-2010-0062. This permit requires the creation of a Drainage Area Management Plan (DAMP) that reduces the

pollution content of stormwater to the Maximum Extent Practicable (MEP). The purpose of the Orange County Drainage Area Management Plan (DAMP) is to satisfy NPDES permit conditions for creating and implementing a Storm Water Management Plan/Program to reduce pollutant discharges to the MEP. The DAMP contains guidelines on structural and nonstructural BMPs for meeting the NPDES goals. The DAMP identifies activities required to implement the minimum control measures required under the Municipal Permit. In order to ensure that construction sites implement the appropriate pollution control measures, the DAMP details recommended BMPs to be applied to new development and significant redevelopment in Orange County. Projects are identified as either priority projects or non-priority projects. The City of Buena Park, as a Co-Permittee, participates in the implementation of the DAMP, by requiring a Water Quality Management Plan (WQMP).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
X. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
• result in substantial erosion or siltation onsite or offsite;			X	
• substantially increase the rate or amount of surface water runoff in a			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
manner which would result in flooding on or offsite;				
• create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
• impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion

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

Less Than Significant Impact.

Construction Impacts

Construction-related runoff pollutants are typically generated from waste and hazardous materials handling or storage areas, outdoor work areas, material storage areas, and general maintenance areas (e.g., vehicle or equipment fueling and maintenance, including washing). Construction projects that disturb 1 acre or more of soil, including the Proposed Project, are regulated under the Construction General Permit (CGP, Order No. 2022-0057-DWQ) issued by the State Water resources Control Board (SWRCB). Projects obtain coverage under the CGP by developing and implementing a SWPPP, estimating sediment risk from construction activities to receiving waters, and specifying best management practices that would be implemented as a part of the Proposed Project's

construction phase to minimize pollution of stormwater prior to and during grading and construction.

The Property Owner/Developer and its construction contractor would be required to prepare and implement a SWPPP and associated BMPs in compliance with the CGP during grading and construction. The SWPPP would specify BMPs that would be implemented for the Proposed Project to protect the water quality of receiving waters (Moody Creek, Coyote Creek Channel, San Gabirel River). Other construction BMPs that may be incorporated into the Proposed Project's SWPPP and implemented during the construction phase include but are not limited to:

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

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

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

Operations Impacts

The Priority Project Water Quality Management Plan (WQMP) (**Appendix A**) identifies stormwater management for post construction building operations. It incorporates low-impact development (LID) BMPs to reduce the quantity of rainfall runoff and improve the quality of water that leaves the Project Site. As described in the WQMP, non-structural source control BMPs for the Proposed Project include:

- Education for Property Owners, Tenants and Occupants
- Activity Restrictions
- Common Area Landscape Management
- BMP maintenance
- Title 22 California Code of Regulations (CCR) Compliance

- Uniform Fire Code Implementation
- Common Area Litter Control
- Employee Training
- Common Area Catch Basin inspection
- Street Sweeping Private Streets and Parking Lots

Structural Source Control BMPs for the Proposed Project include:

- Provide storm drain system stenciling and signage
- Design and construct outdoor material storage areas to reduce pollution introduction
- Use efficient irrigation systems & landscape design, water conservation, smart controllers, and source control
- Incorporate requirements applicable to individual priority projects categories (from SARWQCB NPDES Permit)

Therefore, with implementation of the BMPs in the WQMP and compliance with NPDES MS4 permit requirements with the standard condition of approval, potential impacts associated with water quality and waste-discharge impacts would be less than significant, and no mitigation would be required.

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

Less Than Significant Impact. The City of Buena Park receives its water through a combination of local groundwater from the Orange County Groundwater Basin and supplemental imported water obtained from its regional wholesaler, the Municipal Water District of Orange County. According to the City's Urban Water Management Plan (UWMP)*, in fiscal year 2019-20, the City relied on approximately 80% groundwater and 20% imported water. It is projected that by 2045, the water portfolio will shift to 90% groundwater and 10% imported water [11]. The UWMP states that the City of Buena Park will have adequate water supplies through normal and dry years for all users, including multi-family residences, through the year 2045.

The existing 3.8-acre Project Site is developed with an approximately 46,064 square foot commercial building and approximately 115,738 square foot parking lot. Under current conditions, 96% of the site is impervious. The Project Site is flat and sheet flows to an existing concrete gutter that drains southwest across the

[11] *City of Buena Park 2020 Urban Water Management Plan.* https://cms7files1.revize.com/buenaparkca/BuenaPark2020UWMPFINALDRAF.pdf. Accessed on May 17, 2024.

site and discharges over the existing driveway to Dale Street. There are no existing underground storm drains in the Project Site or the surrounding streets.

The Proposed Project would be required to connect to the City's municipal water system. Proposed drainage will be designed to match existing drainage conditions via surface flow, sump condition catch basins, and an onsite area drain system. Under proposed conditions, 80% of the site will be impervious and all runoff will be captured onsite and sent to pervious areas or an underground retention basin for infiltration.

Future residential structures would be developed in compliance with the California Green Building Code, which implements water efficiency standards for appliances and fixtures, and would constitute a minor portion of the total water used in the City. The LID BMPs described above in Section a) would retain most stormwater runoff generated onsite and allow it to percolate through the soil and add to the volume of the aquifer.

Groundwater Recharge

The Project Site is currently developed and highly disturbed. The Project Site is flat and does not contain any discernable streams or rivers. Per the Geotechnical Investigation, "groundwater was encountered at a depth of 32.0 to 34.0 feet below the ground surface during subsurface investigation. Based on state-provided information, the historic high groundwater is approximately 10 to 20 feet below ground surface (CFS, 1997)." Alta performed a liquefaction analysis utilizing data from the subsurface investigation to determine the liquefaction potential of the underlying Project site geology. Based on Alta's remedial recommendations in the PWQMP, Alta anticipates that the potential for loss of bearing for the Project will be minimal. Additionally, the site currently drains via sheet flow to the southwest corner of the site and onto Dale Street via the existing driveway. The drainage patterns will be preserved since no storm drains exist adjacent to the property. The site generally drains overland to Dale Street and those flows are carried southerly in the Dale Street curb and gutter to Orange County Flood Control catch basins. The Proposed Project would not interfere with groundwater recharge and would beneficially retain water to ensure more groundwater recharge. Therefore, potential impacts associated with groundwater supplies or groundwater recharge would be less than significant, and no mitigation would be required.

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

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

Less Than Significant Impact: Grading activities during construction of the Proposed Project may result in wind driven soil erosion and loss of topsoil. However,

all construction and grading activities would comply with City's grading ordinance using BMPs, including the use of fiber rolls, street sweeping, sandbag barriers, straw bale barriers, and storm drain inlet protection. Upon project completion, the Project Site would be developed with a 93-unit townhome community, paved surfaces, and landscaping, which would prevent substantial erosion from occurring. Therefore, potential impacts from erosion would be less than significant and no mitigation would be required.

- *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Less Than Significant Impact: The Proposed Project would not involve an alteration of the course of a stream or river. **Appendix A** concludes the post-construction drainage pattern would remain the same as the preconstruction drainage pattern, and on-site runoff would not exceed that of the existing condition. The onsite residential development will consist of two drainage management areas that will collect and direct runoff into pervious areas and a proposed interconnected underground infiltration/detention system for water quality treatment sized for the 85th percentile rain event in conformance with water quality treatment standards. In cases of a larger storm event when the infiltration/detention system reaches full capacity, excess runoff will overflow through a proposed parkway culvert onto Dale Street.

The Proposed Project would not increase the runoff from the site as the existing site is 96% impervious while the Proposed Project includes landscape areas that decrease the impervious site area to 80%. Therefore, the Proposed Project would not increase the runoff from the Project Site because all onsite runoff will be captured and will then be directed toward the proposed underground detention system for water quality treatment. The underground detention system ensures that the capacity of the City's storm drain system is not exceeded by the development of the Proposed Project.

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

Less Than Significant: The Proposed Project would not substantially alter the existing drainage pattern of the Project Site, and would result in decreased flow rates from the existing condition due to the reduction in impervious surfaces from 96% to 80% of the Project Site. The underground infiltration/detention system would be designed to temporarily store and infiltrate runoff, primarily from rooftops and other impervious areas. The subsurface infiltration galleries would be used to treat stormwater runoff for water quality purposes. Non-structural BMPs such as activity restrictions, street sweeping, and common area landscape maintenance and litter control would also contribute towards runoff control and water quality protection. In addition, the Property Owner/Developer would be

required to comply with the NPDES permit requirements to reduce any potential water quality impacts.

The reduced discharges from the Project Site post-development would effectively improve the drainage characteristics of the Project Site and drainage would follow existing conditions.

Therefore, potential impacts from runoff that would exceed the capacity of the drainage systems or provide additional sources of polluted runoff would be less than significant and no mitigation would be required.

- *impede or redirect flood flows?*

No Impact: The Project Site is in Flood Zone X, outside of the 100-year floodplain (FEMA Map 06059C0126J, effective date December 3, 2009), as shown on **Figure 16 – Flood Map**. Therefore, no impacts associated with impeding or redirecting flood flows would occur, and no mitigation would be required.

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

No Impact. The Project Site is in Flood Zone X, outside of the 100-year floodplain (FEMA Map 06059C0126J) and would not impede or redirect flood flows.

The California Seismic Safety Commission defines a tsunami as a sea wave of local or distant origin that results from large-scale seafloor displacements associated with large earthquakes, major submarine slides, or exploding volcanic islands. The Project Site is inland, more than 10 miles northeast of the Pacific Ocean, and is not subject to tsunami hazards.

Seiches are surface waves created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to development near large water bodies and water storage facilities, because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. The General Plan Safety Element does not identify potential significant impacts from seiche within the City. The surrounding topography of the Project Site is generally flat and would not be subject to inundation by mudflow.

Therefore, the Project because the Project Site is not in a flood, tsunami, or seiche zone, and there would be no Project impacts as to the risk release of pollutants due to project inundation, and no mitigation is required.

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

Less Than Significant Impact. As previously discussed in section a) above, the Proposed Project's construction contractor would be required to prepare and implement a SWPPP and associated BMPs in compliance with the Conceptual Grading Plan during grading and construction. The SWPPP would specify BMPs

that would be implemented for the Proposed Project to protect the water quality of receiving waters (Moody Creek, Coyote Creek Channel, San Gabirel River). Therefore, the Proposed Project will not interfere with the implementation of a water quality control plan.

The City works cooperatively with the Municipal Water District of Orange County and the Orange County Water District to ensure a safe and reliable water supply (UWMP 2020). Therefore, the Proposed Project will not conflict or obstruct a sustainable groundwater management plan. No aspect of the Proposed Project involves groundwater wells or groundwater pumping.

Therefore, potential impacts associated with the implementation of a water quality control plan or sustainable groundwater management plan would be less than significant, and no mitigation would be required.

Mitigation Measures

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

Conclusion

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

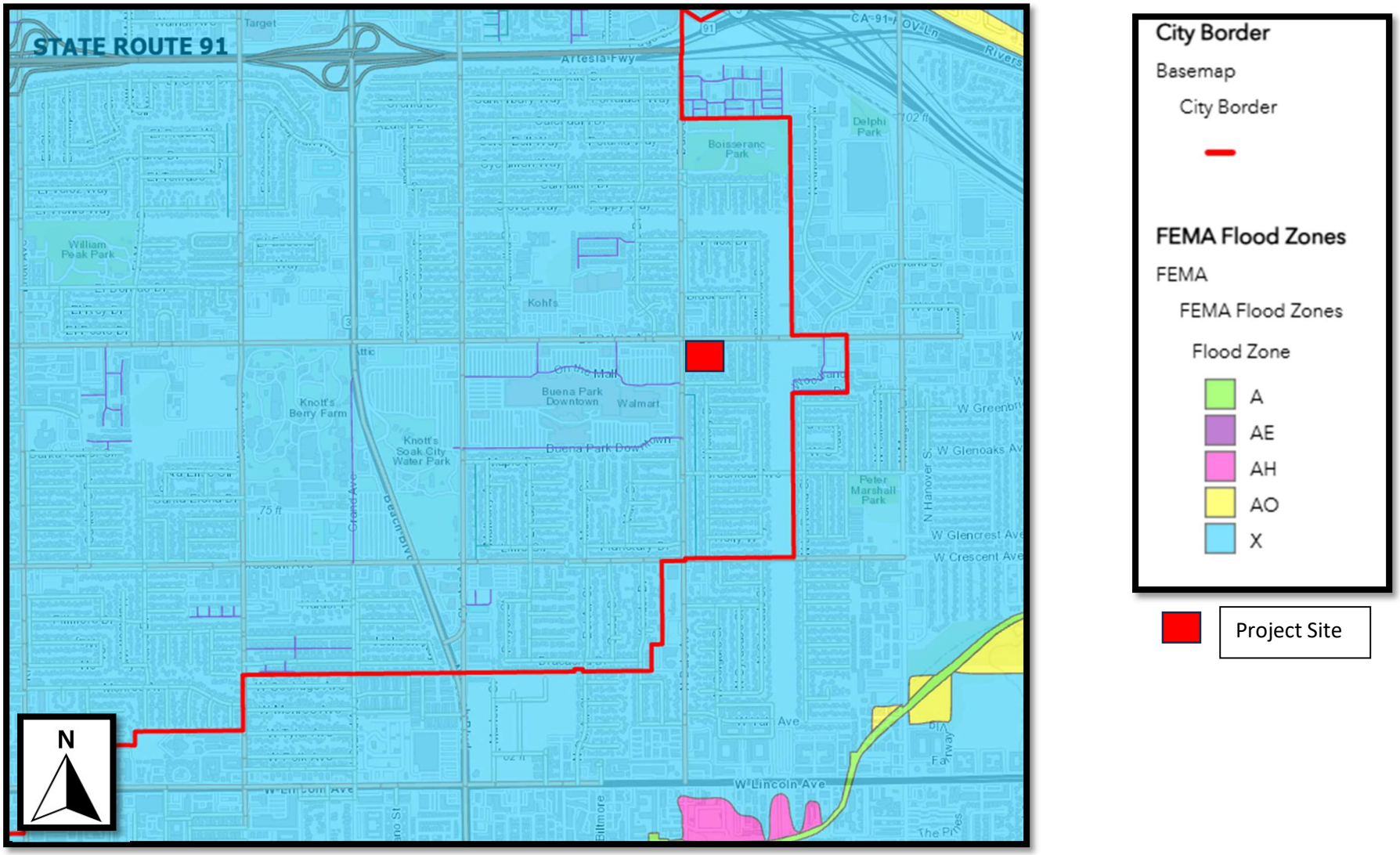


Figure 16: Flood Data Map
Source: Federal Emergency Management Agency

4.11 Land Use Planning

Environmental Setting

The Project Site is situated on the southeast corner of La Palma Avenue and N. Dale Street. The site has a General Plan land use designation of Commercial and is zoned CS (Community Shopping). The site comprises 3.87 acres and is currently improved with an unoccupied commercial building with a large paved parking lot, which was previously used as a grocery store, a bank, and a hardware store. The perimeter of the site is bounded by single-family homes (eastern and southern boundaries) and two roadways, La Palma Avenue (northern boundary) and N. Dale Street (western boundary). Current vegetation and landscaping within the site is minimal. The proposed project consists of 14 detached residential buildings consisting of 2- and 3-story townhomes, private drive aisles and parking garages, 26 open parking spaces, and common landscaped areas. The Proposed Project would accommodate the development of 93 dwelling units.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

Discussion

a) *Would the project physically divide an established community?*

No Impact. Typical projects considered to divide an established community are projects such as the development of new freeways/highways. The Project Site is a single rectangular parcel containing an unoccupied commercial building with a large paved parking lot. The perimeter of the site is bounded by single-family homes (eastern and southern boundaries) and two roadways, La Palma Avenue

(northern boundary) and N. Dale Street (western boundary). The Proposed Project consists of 14 detached residential buildings containing 93 townhomes, two access driveways, private drive aisles and parking garages, 26 open parking spaces, and common landscaped areas. Therefore, the Proposed Project would not result in any physical division of an established community and no impacts would occur.

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

Less Than Significant Impact. The City of Buena Park 2035 General Plan Land Use & Community Design Element map designates the Project Site as Commercial and the Project Site is zoned CS Community Shopping. Developing the Project Site with residential uses would require a General Plan Amendment (GPA) to change the land use designation to High Density Residential and a zone change (ZC) to RM-20 (Medium-Density Multifamily Residential). Within the High Density Residential land use designation, housing density would be permitted up to 20 dwelling units per acre and could be increased to as high as 30 dwelling units per acre with the Affordable Housing Area Bonus (Buena Park Municipal Code Section 19.408.030). The Proposed Project would have a density of 24 units per acre, thus falling within the allowable density range. The project would be developed in compliance with the development standards under the proposed RM-20 zone and Affordable Housing Density Bonus provisions. With approval of the GPA and ZC, the Project would not conflict with the adopted General Plan and zoning district. Additionally, the Proposed Project would comply with the goals and policies of the Land Use Element of the 2035 General Plan. For example, the Proposed Project supports housing growth within the City and helps the City meet state and regional housing mandates for residential and affordable unit development (see **Table 15** – City of Buena Park General Plan Land Use Element – Goals and Policies). The predominant land uses surrounding the Project Site is residential, and the Project Site, even with approval of the GPA and ZC, would maintain a residential use upon Project build out, thus ensuring consistency with the surrounding community. With approval of the GPA and ZC, the Project would not conflict with the adopted General Plan and zoning district. As a result, project impacts on local land use plans, policies, or regulations would be less than significant.

Table 15 – City of Buena Park General Plan Land Use Element – Goals and Policies

Applicable Goal/Policy	Project Consistency
Goal LU-1: A complimentary balance of land uses throughout the community.	
Policy LU-1.2: Ensure future development provides for a variety of	The Project adds additional for a variety of income levels. The Project

commercial, industry, and housing that serve the spectrum of incomes within the region.	proposes to include 13% moderate-income units and 2% lower income units.
Policy LU-1.4: Provide for the development of complementary land uses, such as open space, recreation, and civic/service uses for all future residential and non-residential development.	The Project provides a total open area of 53,688 square feet.
Goal LU-3: Effective management of growth and change.	
Policy LU-3.2: Ensure environmental and fiscal impacts are evaluated to minimize impacts to the physical environment and fiscal obligations of the City.	Environmental impacts are analyzed through the MND.
Policy LU-3.3: Ensure land use decisions consider impacts to infrastructure and service needs.	The Project reviews impacts to infrastructure and service needs through the MND.
Goal LU-5: Compliance with state and regional housing mandates.	
Policy LU-5.1: Ensure Buena Park is in compliance with applicable state and regional housing mandates.	The Project adds units to assist the City in meeting the state mandated RHNA. The Project also follows applicable affordable housing laws, including affordable housing density bonus provisions.
Goal LU-6: A housing stock that meets the diverse needs of Buena Park's existing and future residents.	
Policy LU-6.1: Provide for housing opportunities that address the needs of those who currently live or desire to live in Buena Park.	The Project adds an additional 93 dwelling units to the City's housing stock.
Policy LU-6.3: Locate affordable housing adjacent to jobs, retail, schools, open space, and public transportation.	The Project provides 15% of the units to be affordable housing. There are bus stops and commercial uses located along La Palma Avenue.
Policy LU-6.6: Provide a wide range of housing options for Buena Park residents, including owner and rental housing adjacent to jobs, shopping, and transit.	
Goal LU-8: Affordable housing supply in the City is maintained.	

Policy LU-8.1: Encourage a variety of creative methods for supplying affordable housing.	The Project provides 13% of units to be for moderate-income and 2% of units to be for lower income.

Mitigation Measures

No mitigation measures associated with impacts to land use and planning apply to the Proposed Project.

Conclusion

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

4.12 Mineral Resources

Regulatory Setting

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

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

Environmental Setting

The Proposed Project would be constructed on 3.87-acre site formerly used as a grocery store, a bank, and a hardwood store. The Project Site is zoned Commercial Shopping and has a General Plan land use designation of Commercial. The site consists of a 44,064 square foot commercial building on the eastern half of the site with 14 parking spaces to the north, a loading dock to the east behind the building, and a paved setback to the south. The western half site is a paved parking lot with approximately 145 parking spaces. Current landscaping consists of perimeter landscaping on the northern and western boundaries along La Palma Ave and Dale Street. There are 11 trees currently dispersed throughout the parking lot. The Project proposes a General Plan Amendment from Commercial to High Density Residential and a Zone Change from CS (Commercial Shopping) to RM-20 (Medium Density Multifamily Residential).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XII. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion

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

Less Than Significant Impact. According to the California Department of Conservation Special Report 143, the Project Site is designated Mineral Resource Zone (MRZ) 4 and is surrounded by areas designated as MRZ-3. Areas designated as MRZ-4 are areas where there is not enough geologic information available to determine the presence or absence of mineral resources (**Figure 17** – Mineral Resource Zones). Areas designated MRZ-3 are defined as areas containing known or inferred mineral occurrences of undetermined mineral resource significance. Areas designated MRZ-2 are where geologic data indicate that significant mineral resources are present. Since the Project Site is not designated MRZ-2, development of the Project Site would not impact the availability of known mineral resources in the surrounding area. Additionally, the City's General Plan – Geology and Seismic Hazards Element, the City "does not contain any significant mineral resources, as identified by the California Geological Survey" (Geology and Seismic Hazards Element, page 5.7-18). Therefore, no associated with any known mineral resource that would be of value to the region and the residents of the state would occur, and no mitigation would be required.

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

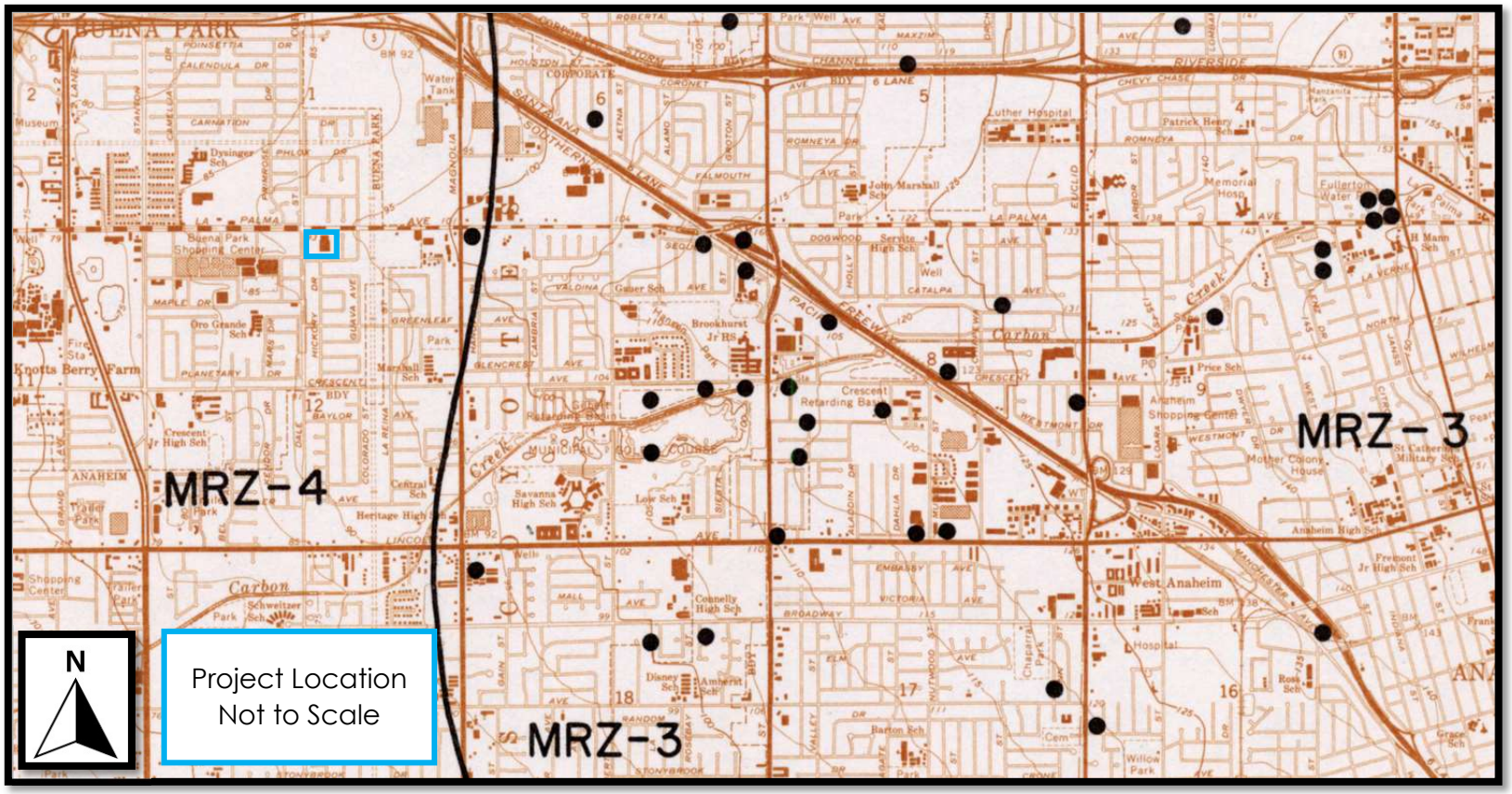
No Impact. The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan, because no mining operations exist on or in the vicinity of the Project Site. Therefore, no impacts associated with the availability of any locally important mineral resource recovery sites would occur, and no mitigation would be required.

Mitigation Measures

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

Conclusion

There are no potential impacts of the Proposed Project associated with Mineral Resources, and no mitigation would be required.



MINERAL RESOURCE ZONE BOUNDARIES

MRZ-1	Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
MRZ-2	Areas where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists.
MRZ-3	Areas containing mineral deposits the significance of which cannot be evaluated from available data.
MRZ-4	Areas where available information is inadequate for assignment to any other MRZ zone.

EXPLANATION

Drill hole

OUTER BOUNDARY OF AREAS SUBJECT TO URBANIZATION
Boundaries established from data supplied by the Office of Planning and Research with modifications developed from information supplied by local government and other sources. Hachures lie within area undergoing urbanization.

EXISTING URBAN BOUNDARIES
Boundaries established by the Office of Planning and Research and by data supplied by local government agencies and other sources to reflect present conditions. Hachures lie within urban area.

PRODUCTION-CONSUMPTION REGION BOUNDARY

- Project Site

Figure 17: Mineral Resource Zones
Source: California Department of Conservation – Special Report 143, Plate 3.18

4.13 Noise

RK Engineering Group, Inc. prepared a Noise Impact Study to determine potential impacts from noise associated with the development of the Proposed Project as well as provide recommendations, if necessary, to minimize any project noise impacts (**Appendix H** – *8030 Dale Street Multifamily Residential Project Noise Impact Study,* RK Engineering Group, Inc., May 28, 2024).

The nearest noise-sensitive receptors to the Project Site include the following:

- Northern Receptors: Existing residential land uses located approximately 100 feet north of the site's northern boundary, approximately 50 feet north of the centerline of La Palma Avenue.
- Eastern Receptors: Existing residential land uses located along the eastern boundary of the site, approximately 50 feet to 400 feet south of the centerline of La Palma Ave and 0 feet from the project's property line.
- Southern Receptors: Existing residential land uses located along the southern boundary of the site, approximately 400 feet south of the centerline of La Palma Ave and 0 feet from the project's property line.

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

The FHWA identifies ranges of noise perceptibility as follows:

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Barely perceptible change
5	Readily perceptible change
10	Twice (or half) as loud

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

Noise Descriptors: Noise descriptors were created to describe the different time-varying noise levels. The most common used noise descriptors include but are not limited to the following:

- A-Weighted Sound Level: The sound level in decibels as measured on a sound level meter using the A-weighted filter network, which de-emphasizes the very low and very high frequency components of the

sound in a manner to the response of the human ear. A numerical method of rating human judgement of loudness.

- Ambient Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
- Community Noise Equivalent Level (CNEL): The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7:00 to 10:00 PM and after addition of 10 decibels to sound levels in the night before 7:00 AM and 10:00 PM.
- Decibel (dB): A unit of measure for the amplitude of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro-pascals.
- Equivalent Sound Level (LEQ): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level. The energy average noise level during the sample period.
- Percent Noise Levels L(n): The A-weighted sound level exceeded during a certain percentage of the sample time. Example: L10 is the sound level exceeded 10% of the sample time. L50 is the sound level exceeded 50%.

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 amplitude. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration amplitudes. PPV is defined as the maximum peak or vibration signal, while RMS is defined as the square root of the average of the squared amplitude of the signal. PPV is typically used for evaluating potential building damage, whereas RMS is typically more suitable for evaluating human response. Typically, ground-borne vibration, generated by man-made activities, attenuates rapidly with distance from the source of vibration. Man-made vibration issues are therefore usually confined to short distances (i.e., 500 feet or less) from the source.

Both construction and operation of development projects can generate ground-borne vibration. In general, demolition of structures preceding construction generates the highest vibrations. Construction equipment can also generate perceptible vibration during construction activities. Heavy trucks can also generate ground-borne vibrations that vary depending on vehicle type, weights, and pavement conditions.

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt

outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and only exists indoors since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Table 16 – *Typical Construction Vibration Levels* shows the project's construction-related vibration analysis at the nearest structures to the project construction area.

Table 16 – Typical Construction Vibration Levels

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

Source: Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, September 2018.

Regulatory Setting

The Proposed Project will be required to comply with the following regulatory conditions from the Federal Level, State of California, and City of Buena Park.

Federal Regulations

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate federal noise control activities. After its inception, EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise). The Levels of Environmental Noise recommended that the land should not exceed 55 dBA outdoors or 45 dBA indoors to prevent significant activity interference and annoyance in noise-sensitive areas.

In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at lower levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to State and local governments. However, noise control guidelines and regulations contained in EPA rulings in prior years remain in place by designated Federal agencies, allowing more individualized control for specific issues by designated Federal, State, and local government agencies.

The Federal Transit Administration (FTA) sets standards and criteria for assessing noise impacts related to transit projects based on community reactions to noise. FTA Noise Impact Criteria groups sensitive land uses into the three categories:

- Category 1 – High Sensitivity: Land where quiet is an essential element of its intended purpose. Example land uses include preserved land for serenity and quiet, outdoor amphitheaters and concert pavilions, and national historic landmarks with considerable outdoor use. Recording studios and concert halls are also included in this category.
- Category 2 – Residential: This category is applicable to all residential land use and buildings where people normally sleep, such as hotels and hospitals.
- Category 3 – Institutional: This category is applicable to institutional land uses with primarily daytime and evening use. Example land uses include schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material. Places for meditation or study associated with cemeteries, monuments, museums, campgrounds, and recreational facilities are also included in this category.

Most commercial or industrial uses are not considered noise-sensitive because activities within these buildings are generally compatible with higher noise levels. Business can be considered noise-sensitive if low noise levels are an important part of operations, such as sound and motion picture recording studios. Most parks used primarily for active recreation such as sports complexes and bike or running paths are not considered noise sensitive.

Construction noise is assessed using guidance provided in the Federal Transit Administration (FTA) Guidance Manual. The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction. For residential uses, the daytime noise threshold is 80 dBA Leq averaged over an 8-hour period (Leq (8-hr); and the nighttime noise threshold is 70 dBA Leq (8-hr). For commercial uses, the daytime and nighttime noise threshold is 85 dBA Leq (8-hr) and for industrial uses the daytime and nighttime noise threshold is 90 dBA Leq (8-hr).

FTA has developed impact criteria for acceptable levels of groundborne noise (GBN) and groundborne vibration (GBV). Criteria for ground-borne vibration are expressed in terms of rms velocity levels in VdB, and criteria for ground-borne noise are expressed in terms of A-weighted sound pressure levels in dBA. The threshold for annoyance from groundborne vibration at sensitive receptors for infrequent events is 80 VdB.

The FTA has adopted vibration standards that are used to evaluate potential building damage impacts related to construction activities. The threshold at which there is a risk to "architectural" damage to non-engineered timber and masonry buildings is a peak particle velocity (PPV) of 0.2, at engineered concrete and masonry buildings a PPV of 0.3, and at reinforced-concrete, steel, or timber buildings a PPV of 0.5.

State Regulations

Though not adopted by law, the State of California General Plan Guidelines 2017, published by the California Governor's Office of Planning and Research (OPR) (OPR Guidelines), provides guidance for the compatibility of projects within areas of specific noise exposure. The OPR Guidelines identify the suitability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for the variability in community preferences. The OPR Guidelines include a Noise and Land Use Compatibility Matrix which identifies acceptable and unacceptable community noise exposure limits for various land use categories. Where the "normally acceptable" range is used, it is defined as the highest noise level that should be considered for the construction of buildings which do not incorporate any special acoustical treatment or noise mitigation. The "conditionally acceptable" or "normally unacceptable" ranges include conditions calling for detailed acoustical study prior to the construction or operation of the Proposed Project.

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

Noise insulation design standards for residential dwellings are established in the 2022 California Building Code, Title 24, Part 2, Volume 1, Section 1206 Sound Transmission. The City is required by the State Housing Law to adopt these State codes as minimum performance standards. The City may enact stricter noise standards throughout the city or on a case-by-case basis if deemed necessary. In brief, the Title 24 noise standards require the following for allowable interior noise levels:

1. Interior noise levels due to exterior sources must not exceed a community noise equivalent level (CNEL) or a day-night level (LDN) of 45 dBA, in any habitable room.
2. Party wall and floor-ceiling assembly designs must provide a minimum STC of 50, based on lab tests. Field tested assemblies must provide a minimum noise isolation class (NIC) of 45.
3. Floor-ceiling assembly designs must provide for a minimum impact insulation class (IIC) of 50, based on lab tests. Field tested assemblies must provide a minimum FIIC of 45.
4. Penetrations or openings in sound rated assemblies must be treated to maintain required ratings.

City of Buena Park

The City of Buena Park outlines its noise regulations and standards within the Municipal Code and General Plan. The Municipal Code compiles local laws adopted by the City Council related to noise throughout Title 8, Chapter 28, discussing noise regulations and ordinances for the City. The Noise Element of the City's General Plan is the guiding document for the City's noise policy and contains various goals with accompanying policies designated to protect residents and businesses from excessive and persistent noise intrusions. The Noise element describes the existing noise environment, goals and policies, as well as Federal, State and City noise regulations which apply to the Proposed Project.

Buena Park Municipal Code (BPMC) section 8.28.040 (Loud, disturbing and unnecessary noise prohibited) restricts any loud or unnecessary noise or any noise which may reasonably be anticipated to annoy, disturb or endanger the comfort, repose, peace, health, or safety of others, whether due to volume or duration or both. The use of any machinery or equipment that produces unnecessary noise shall be prohibited on any Sunday or any other day between the hours of 8:00 PM and 7:00 AM.

BPMC Section 19.444.010 (Noise Control) requires all dwellings and group quarters to have development designed to achieve the following:

- Within each main building, a community noise equivalent level (CNEL) not exceeding 45 dB.
- In outdoor areas, a CNEL not exceeding 65 dB, except where it is not reasonably possible to achieve this objective, the development shall be designated to provide the lowest noise level reasonably possible within private open areas and/or common usable open areas of at least one hundred square feet per unit, with access to such area available to the residents of each unit.

BPMC section 19.428.040 (Required Fences in Multifamily Residential Zones) requires multifamily residential zones to provide a solid masonry wall along all side and rear property lines which do not abut a street. Such fences shall be not less than 6 feet high and not more than seven feet high, unless a greater height is approved for noise attenuation or other mitigation of environmental effects.

Recommended Project Design Features

The following recommended project design features include standard rules and requirements, best practices, and recognized design guidelines for reducing noise levels. Project design features are typically included as part of the conditions of approval for the project but are not considered mitigation under CEQA.

Operational Design Features

DF-1 The project should incorporate building construction techniques and insulation that is consistent with California Title 24 Building Standards to achieve the minimum interior noise standard of 45 dBA CNEL for all residential units.

DF-2 A "windows closed" condition and upgraded windows and sliding glass doors are expected to be required for all residential units facing adjacent roadways in order to meet the interior noise standard. See Section 6.3.2, Table 14, for details regarding window STC requirements.

DF-3 For proper acoustical performance, all exterior windows, doors, and sliding glass doors should have a positive seal and leaks/cracks must be kept to a minimum. Attic vents and opening should be oriented away from the adjacent roadways.

Construction Design Features

DF-4 The project shall comply with City of Buena Park Municipal Code requirements. No construction will occur between the hours of 8:00 p.m. and 7:00 a.m. Monday through Saturday, or at any time on Sundays.

DF-5 Provide public notifications and signage in readily visible locations along the perimeter of construction sites that indicate the dates and duration of construction activities, as well as provide a telephone number where neighbors can enquire about the construction process and register complaints to a designated construction noise disturbance coordinator.

DF-6 All construction equipment should be equipped with mufflers and other suitable noise attenuation devices (e.g., engine shields).

DF-7 Establish an electric connection to the site to avoid the use of diesel- and gas-powered generators, to the extent feasible.

DF-8 Locate staging area, generators, and stationary construction equipment as far from the adjacent residential homes as feasible.

DF-9 Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes.

Environmental Setting

The Project Site is located at 8030 N. Dale Street, bounded by La Palma Avenue to the north and Dale Street to the west. To the east and south are Single Family Residential Homes.

The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple-family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive land uses that may be affected by project noise include the single-family residential uses located along the east and south boundaries of the site.

The Noise Impact Study (**Appendix H**) identified the existing site noise impacts. The project setting is commercial and residential, and the primary environmental noise impacting the project site is roadway noise from Dale Street and La Palma Ave. As shown in **Figure 18 – Noise Monitoring Locations**, three 24-hour noise measurements were conducted on April 18th, 2024, at the Project Site and adjacent residential noise receptors, using Piccolo-II Type 2 integrating-averaging sound level meters.

- Noise Monitoring Location 1 (L-1) was taken near the southwest corner of the project site, approximately 50 feet east of the centerline of Dale Street and 390 feet south of the centerline of La Palma Avenue. L-1 measured the 24-hour CNEL to be 70.1 dBA Leq, highest at 12:00 PM at 72.0 dBA Leq.
- Noise Monitoring Location 2 (L-2) was taken near the northwest corner of the project site, approximately 65 feet east of the centerline of Dale Street and 110 feet south of the centerline of La Palma Ave. L-2 measured the 24-hour CNEL to be 66.5 dBA Leq, highest at 7:00 AM at 65.2 dBA Leq.
- Noise Monitoring Location 3 (L-3) was taken near the northeast corner of the project site, approximately 485 feet east of the centerline of Dale Street and 90 feet south of the centerline of La Palma Avenue. L-3 measured the 24-hour CNEL to be 69.3 dBA Leq, highest at 7:00 AM at 70.1 dBA Leq.

The existing ambient noise levels at the project site range from 66.5 dBA CNEL to 72.0 dBA CNEL.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIII.NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?		X		
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels**?**			X	

Discussion

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

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

Construction Impacts:

Construction noise is regulated within Title 8, Chapter 28 of the City of Buena Park Municipal Code (see Regulatory Setting section of this report). The Project's estimated construction noise levels have been calculated using SoundPLAN noise

modeling software. Based on this modeling, it is estimated that project construction noise levels will peak at 79.4 dBA Leq during the demolition phase. It is noted that the construction is not expected to generate noise levels which exceed the Federal Transit Administration General Assessment (Section 7) construction noise threshold of 90 dBA.

Accordingly, the project would result in a significant impact if:

- Project construction occurs between the hours of 8:00 PM and 7:00 AM or on Sunday; or
- Project construction noise exceeds the threshold of 90 dBA.

Project construction noise levels at nearby sensitive receptors were calculated using the FTA methodology, as shown in **Table 17**. Project construction will not occur outside the hours outlined in Title 8, Chapter 28 (Noise) of the City of Buena Park Municipal Code nor will Project construction exceed the construction noise threshold. Therefore, the project would not exceed City-established standards relating to construction noise. The project impact is less than significant; no mitigation is required.

Notwithstanding, recommended design features (DFs) are provided in the Regulatory Setting section above and should be added to project plans and in contract specifications to minimize construction noise emanating from the Proposed Project.

Table 17 – Construction Noise Levels (dBA L_{eq}) at the Nearest Sensitive Receptors

Phase	Equipment	Quantity	Equipment Noise Level at 175 ft (dBA Leq)	Combined Noise Level
Demolition	Concrete Industrial Saws	1	78.7	79.4
	Rubber Tired Dozers	1	70.8	
Site Preparation	Tractor/Loaders/Backhoes	2	73.1	76.1
Grading	Graders	1	74.1	76.7
	Tractors/Loaders/Backhoes	1	73.1	
Paving	Tractors/Loaders/Backhoes	1	73.1	74.6
	Rollers	1	69.1	
Architectural Coating	Air Compressors	1	66.8	66.8
Building Construction	Tractors/Loaders/Backhoes	2	73.1	76.1

Notes:
1. Worst Case Construction Phase Noise Level (dBA Leq) is 79.4 during the demolition phase.

2. The FTA Daytime General Assessment of Construction Noise has a criteria of 90.0 dBA Leq, in which noise levels for the construction phase do not exceed.

Operations Impacts:

The Project will not include significant sources of stationary noise during operation. The main sources of potential on-site noise would include motor vehicle activity and HVAC equipment, which are not categorized as loud, unnecessary, or unusual noise that disturbs the peace or quiet of any neighborhood, or that causes discomfort or annoyance to any person of normal sensitiveness. The northern, eastern, and western sensitive receptors will not exceed the City's daytime or nighttime noise standard of 55 (daytime) and 50 (nighttime) dBA Leq. Therefore, the impact is considered less than significant.

The properties north of the site are commercial and residential; the properties east and south of the site are single family residential; the properties west of the site are regional commercial. Accordingly, the project will result in a significant impact if operation noises exceed a nighttime Leq of 50 dBA or a daytime Leq of 55 dBA.

The noise impact study concluded that daytime stationary noise levels would range from 42.7 to 48.4 dBA at the northern receptors, 45.1 to 50.3 dBA at the eastern receptors, and 44.7 to 49.6 dBA at the southern receptors. The nighttime stationary noise levels would range from 40 to 45.8 dBA at the northern receptors, 42.2 to 47.5 dBA at the eastern receptors, and 41.9 to 46.7 dBA at the southern receptors. This impact is less than significant, and no mitigation is required (Tables 11 and 12 on Noise impact study).

Mobile Source Impacts:

The main source of roadway noise in the Project Site vicinity is activity along the adjacent local streets, Dale Street and La Palma Avenue. The City's General Plan Noise Element describes that when the General Plan reaches full buildout, the average daily traffic along Dale Street is expected to range between 15,800 to 16,000. Along La Palma Avenue, the average daily traffic is expected to be approximately 45,900. The Proposed Project is expected to generate approximately 636 net daily trips. Per the California Department of Transportation guidance, a doubling of traffic volume along a roadway would be required to increase ambient noise levels by 3 dBA or more. An increase in noise levels by 3 dBA or more is an industry standard threshold of significance and is generally considered the point at which the human ear will perceive a change in noise level.

Based on the average daily traffic of Dale Street and La Palma Avenue, the 636 net daily trips generated by the proposed project will not double the amount of traffic along these streets, and the potential increase in noise from the project

would be less than 3 dBA. Therefore, the increase in mobile source noise impacts would be less than significant and no mitigation is required.

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

Less Than Significant Impact with Mitigation Incorporated. The Noise Impact Study (**Appendix H**) by RK Engineering analyzed the potential vibration levels. The degree of construction noise and vibration will vary depending on the type of construction activity taking place. Contractors will be required to work between the hours of 7:00 AM and 8:00 PM, Monday through Saturday, in order to comply with City Code. The Municipal Code for Buena Park does not include specific noise level limits for construction activities.

The City of Buena Park has not established thresholds of significance concerning groundborne vibration. In the absence of City-established thresholds, groundborne vibration impacts are based on guidance from the Caltrans Transportation and Construction Vibration Guidance Manual. The table below (**Table 18**) provides general vibration damage potential thresholds:

Table 18 - Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PVV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

The Project's estimated construction noise levels have been calculated using SoundPLAN noise modeling software. Based on this modeling, it is estimated that project construction noise levels will peak at 79.4 dBA Leq during the demolition phase. It is noted that construction is not expected to generate noise levels which exceed the Federal Transit Administration General Assessment construction noise threshold of 90 dBA.

The Project's estimated vibration from construction activity utilizes the referenced vibration levels and methodology set forth within the Caltrans Transportation and

Construction Vibration Guidance Manual and Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual.

The nearest adjacent structures to the project site are the Eastern and Southern Receptors, located along the eastern and southern boundaries of the project site. The nearest structures will be located approximately 14 feet from the nearest expected area of bulldozer and truck activity and approximately 16 feet from the nearest expected area of vibratory roller activity. All structures surrounding the project site are "older residential structures" built in 1958. No historical or fragile buildings are known to be located within the vicinity of the site.

The construction of the proposed project is not expected to require the use of substantial vibration-inducing equipment or activities, such as pile drivers or blasting. The main source of vibration impacts during the construction of the project would be the operation of equipment such as bulldozer activity during site preparation and loading trucks during grading and excavation.

It is estimated that the highest calculated vibration level (PPV- in/sec) would be 0.343 in/sec from vibratory rollers. The nearest structures are older residential structures with a potential damage threshold of 0.3 in/sec; therefore, project-related construction activity has the potential to result in a significant impact on adjacent older structures. As such, the following mitigation measure is recommended to reduce the project's impact to a less than signification level:

MM Noise-1: The Project Applicant shall require that all construction contractors prohibit the use of vibratory rollers, or other similar vibratory equipment within 40 feet of any residential structure to the east and south of the project site. If construction activity must occur within these distances, it would need to be performed with smaller equipment types that do not exceed the vibration thresholds applied herein.

With implementation of MM Noise-1, the project impacts will be less than significant.

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

Less Than Significant Impact. The closest airport to the Project Site is the Fullerton Municipal Airport, approximately 1.6 miles from the Project Site. The Fullerton Municipal Airport Master Plan, Section 9, discusses the environmental impacts of the Municipal Airport, including noise. The State of California has adopted the Community Noise Equivalent Level (CNEL) as the methodology for describing aircraft noise exposure (California Noise Standards, California Administrative Code, Title 21). Project Site is well outside the 65 dBA CNEL noise contour for the airport. The City of Buena Park General Plan classifies noise environmental of 65

bDA CNEL as "Conditionally Acceptable" for all residential land uses. The project would not expose people residing or working in the project area to excessive noise levels associated with airports. Therefore, the project's noise impact on airport-adjacent land uses would be less than significant. No mitigation is required.

Mitigation Measures:

MM Noise-1: The Project Applicant shall require that all construction contractors prohibit the use of vibratory rollers, or other similar vibratory equipment within 40 feet of any residential structure to the east and south of the project site. If construction activity must occur within these distances, it would need to be performed with smaller equipment types that do not exceed the vibration thresholds applied herein.

Conclusion

The Proposed Project is required to comply with mitigation measure **MM Noise-1** to ensure that Project-specific impacts would be less than significant.

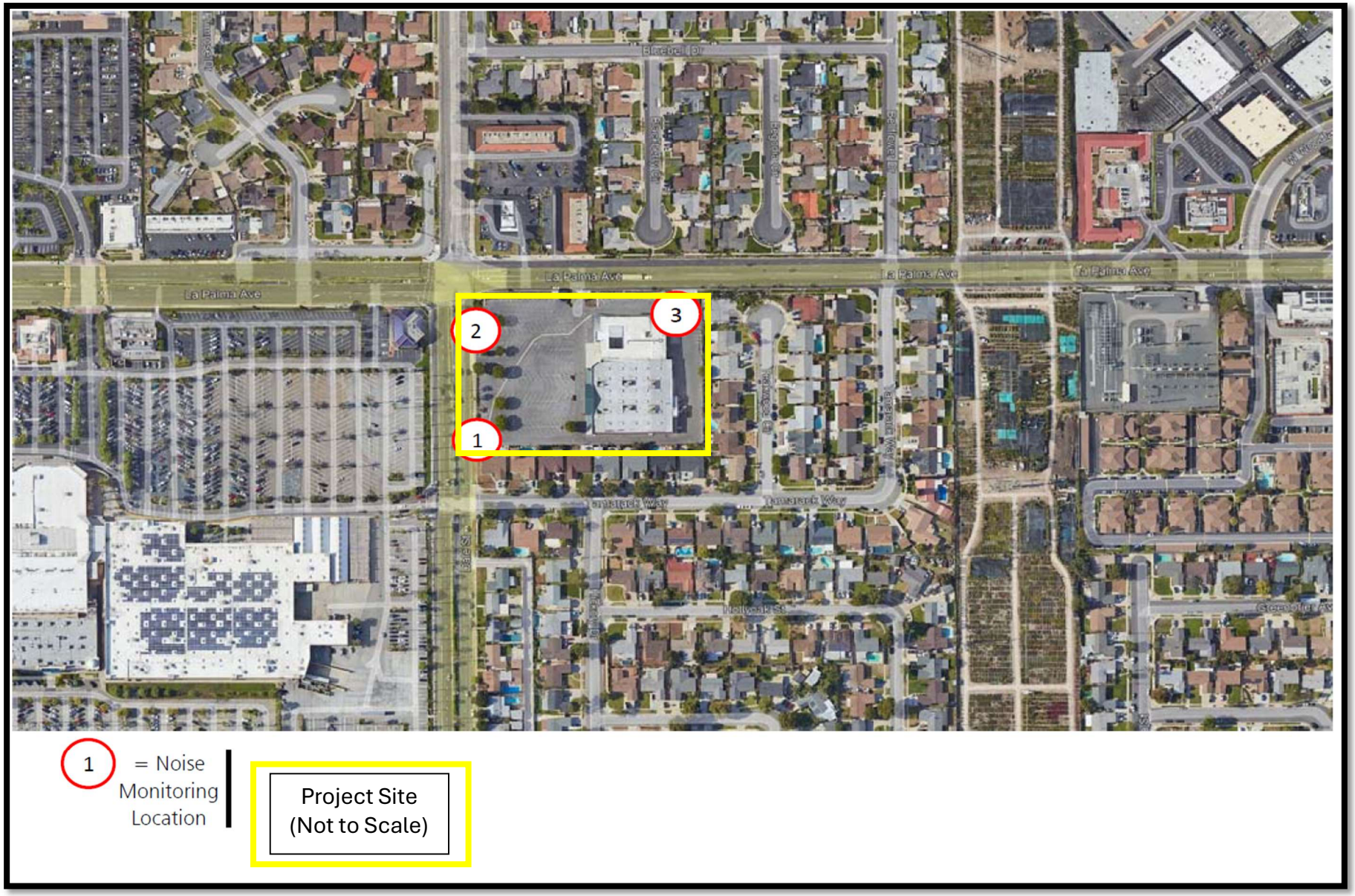


Figure 18: Noise Monitoring Locations
Source: Noise Impact Analysis, RK Engineering

4.14 Population and Housing

Environmental Setting

The Proposed Project Site is comprised of one parcel with a total site area of 3.87 acres located at 8030 Dale Street (APN 070-501-01). The site is currently developed with a 44,064 square foot vacant commercial building with a paved lot and limited landscaping on the northern and western perimeters within the parking lot.

The Subject Site has a General Plan land use designation of Commercial and is zoned for CS (Community Shopping). The proposed project includes a zone change to RM-20 (Medium Density Multifamily Residential) and a General Plan Amendment to High Density Residential to allow for the development of 93 townhomes. High Density Residential zoned sites allow for a maximum density of 24 units per acre with the Site Area Bonus and 30 units per acre with the Affordable Housing Area Bonus, making these parcels suitable for potential development into housing for moderate income households. Within the High Density Residential land use designation, housing density would be permitted up to 20 dwelling units per acre and could be increased to as high as 30 dwelling units per acre with the Affordable Housing Area Bonus (BPMC Section 19.408.030). The Proposed Project would provide 15% (14 in total) of the 93 units to be designated as affordable housing and will have a density of 24 units per acre, thus falling within the allowable density range. Of the 15% (14 units) of affordable housing proposed, 13% (12 units) are designated as moderate-income and 2% (2 units) are designated as low-income. The project would be developed in compliance with the development standards under the proposed RM-20 zone and Affordable Housing Density Bonus provisions. Census data in 2023 identified the population of the City of Buena Park as 81,958 persons in 24,283 households, averaging 3.4 persons per household[12]. With an additional 93 dwelling units proposed, this would result approximately 316 additional residents to the City of Buena Park.

[12] United States Census QuickFacts, https://www.census.gov/quickfacts/fact/table/buenaparkcitycalifornia/EDU685222. Accessed May 3, 2024.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIV. POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

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

Less Than Significant Impact. The Proposed Project would involve the demolition of the existing commercial building and the construction of 93 new townhomes, 212 parking spaces, community facilities and associated landscaping. The proposed residential development would include 2- and 3- story townhomes (ranging from 1,222 SF to 1,701 SF) with 2- and 3-bedroom floor plans, private garages, patios/balconies. The project would have a residential density of 24 du/ac. As part of the project, the Applicant proposes that 12 units (13%) will be moderate-income affordable housing. The development of the 93 units is expected to result in approximately 316 more residents within the city with the average household consisting of 3.4 persons, according to 2023 census data. The data estimates the total population of Buena Park to be 82,450 persons, in which the additional 316 residents anticipated from the project would account for approximately 0.004% of the city population. The city estimates the population in 2035 to be roughly 90,295 persons, increasing a total of 7,845 persons in the next 11 years (SCAG 2010). The Proposed Project residential growth would account for less than 0.1% of this growth.

Due to the minor nature of the population growth that could result from the Proposed Project and because growth falls within the projected population increase, population growth from the project would not be substantial. Jobs created from the construction would be short-term and would not increase the City's job base permanently. The temporary construction crew and long-term residents of the Project would not create a significant change in demand for goods and services that may include business investment, growth, or development in the area.

Therefore, the Project would have less than significant impact regarding introducing substantial unplanned population growth in the area, either directly or indirectly.

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

No Impact. The Project Site is currently underutilized with the commercial structures being unoccupied. No residential units are located on the site that would be displaced by the demolition of the existing structure. Conversely, the project would result in the development of 93 new residential units. Therefore, no impact would occur regarding the displacement of existing people or housing, and no mitigation would be required.

Mitigation Measures

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

Conclusion

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

4.15 Public Services

Environmental Setting

Fire services are provided by contract with the Orange County Fire Authority (OCFA). Police protection services within the City limits are provided by the Buena Park Police Department. The Centralia Elementary School District and Anaheim Union High School District provide school services within the vicinity of the Project Site. Recreation services are provided by the City of Buena Park.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XV. PUBLIC SERVICES: a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Recreation/Parks?			X	
Other public facilities?			X	

Discussion

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

Fire Protection

Less Than Significant Impact. The City of Buena Park is served through an agreement with the Orange County Fire Authority. The Orange County Fire Authority serves 23 cities in Orange County and all unincorporated areas. OCFA contains 78 fire stations throughout Orange County, and three of which serve Buena Park in Division 7. Station 61 is located at 7440 La Palma Avenue and is 1.2 miles from the Project Site with a direct route. Station 62 is located at 7780 Artesia Blvd and is 2.6 miles from the Project Site, with a less direct route. Station 63 is located at 9120 Holder Street and is three miles from the Project Site.

Station 61 would serve as the primary first response to calls of service from the Project Site. The station has daily staffing of the Division Chief, the Administration Captain, 1 Battalion Chief, 2 Fire Captains, 2 Fire Apparatus Engineers, and 4 firefighters. OCFA response times for engines to arrive on scene after an emergency has been called are between 5 to 7 minutes.

The construction of the new residential community may increase the number of fire or emergency service calls. However, considering the proposed usage for residential buildings and existing fire resources available at the Orange County Fire Authority, adverse impacts on OCFA services are not expected to occur. The increase in fire service demand generated by the Proposed Project would not require the construction of a new fire station or improvements to any of the fire stations served by OCFA. The Applicant would be required to submit building plans that comply with the most current California building codes to ensure the Proposed Project is developed in compliance with all applicable Building and Fire safety requirements. Additionally, the Applicant will be required to pay the appropriate impact fees in effect at the time building permits are issued to offset any potential impact to fire facilities. Payment of impact fees would offset the nominal incremental increase in demand on fire protection services and would not result in the need for new or physically altered fire protection facilities. Therefore, potential impacts associated with fire protection would be less than significant, and no mitigation would be required.

Police Protection

Less Than Significant Impact. Police protection services for the City of Buena Park, including the Project Site, are provided by the Buena Park Police Department (BPPD), and located at 6640 Beach Boulevard. The department is comprised of three divisions, Administration, Operations and Support Services, each of which operate under the direction and management of the Chief of Police. In total, the department consists of 85 sworn police officers and 36 professional staff members.

The Proposed Project would generate a demand for police protection services during construction and operation of the Proposed Project once the proposed dwelling units are occupied. The primary response to the Project Site would be by patrol vehicles that are assigned by districts throughout the City. Although response time to service calls may vary depending upon their location at the time of dispatch and the priority of the emergency, the City's response time as of 2008 was 3 minutes and 20 seconds for Priority one calls, 10 minutes and 27 seconds for priority two calls, and 20 minutes and 56 seconds for priority three calls. The estimated population growth for the City of Buena Park due to the Project Development is not expected to increase Police needs of services as the proposed growth is accounted for in the General Plan update population growth.

The incremental demand of the Project for police protection services is not anticipated to increase BPPD response times to the Project Site or surrounding

area. The increase in demand for police protection services over the existing uses is also not anticipated to generate the need for new sworn officers, nor would it require construction of new or physically altered police protection facilities to maintain an adequate level of service to the Project Site and surrounding areas. The Applicant would be required to pay development impact fees at the time building permits are issued to offset any potential impact to police facilities. Development of the Project Site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

Schools

Less Than Significant Impact. According to the California School Board, the average number of students generated per dwelling unit is 0.7 students (California Department of General Services, 2009). Therefore, this project could result in approximately 65 new students. Elementary students that live in the project site are zoned within the Centralia Elementary School District. The Centralia Elementary School District contains a total of eight elementary schools. Dysinger Elementary School is the closest elementary school, just 0.6 miles from the project site. Middle School and High School students that live in the project site are zoned within the Anaheim Union High School District. The Anaheim Union High School District contains a total of 8 middle schools and twelve high schools. Dale Junior High is the closest middle school to the Project Site, located 1.9 miles directly south on S. Dale Street. The second closest middle school is Brookhurst Junior High School, located 2.1 miles east of the project site. Savanna High School is the closest district high school to the Project Site, located 1.7 miles southeast. The next closest district high school is Western High School, located 2.4 miles southwest of the Project Site.

Although the Proposed Project may involve an increase in the student enrollment within the Centralia Elementary and Anaheim Union High School Districts, the increase in students would be minor and spread out between the three schools (elementary, middle, and high school). The designated school districts also contain many other schools that provide options for families with students residing at the Project Site. This minor increase would not necessitate the construction or expansion of new school facilities. Nevertheless, the Proposed Project would be subject to Senate Bill 50, which requires the payment of mandatory impact fees to offset any potential impact to school facilities. The Applicant would be required to pay its fair share of school fees in accordance with SB 50 based on the number of proposed dwelling units and square footage to offset the potential impact to school services. Therefore, potential impacts associated with schools would be less than significant, and no mitigation would be required.

Recreational/Parks

Less Than Significant Impact. The Project Site is served by the City of Buena Park Community Service Department, which offers a wide variety of recreation to the city residents. The City of Buena Park currently has approximately 96.1 acres of parkland and has 12 recreation parks available for residents and visitors to enjoy, ranging from 22.5 acres to .22 acres and equipped with different elements and amenities. Facilities at the park and recreation facilities include children's play areas, tennis, volleyball, handball and basketball courts, swimming pools, shuffleboard, skate parks, dog parks and more. The Ralph B. Clark Regional Park, located at 8800 Rosecrans Ave, offers 105 acres of additional parkland. The Henry Boisseranc Park, located just 0.46 miles from the site north on Dale Street, is the closest park to the Project Site and offers 20 acres of amenities, including 3 ball fields, handball, tennis and basketball courts, children's play area, a community building, picnic areas with BBQs, restrooms and a swimming pool. The next closest park to the Project Site is William Peak Park, located 1.4 miles from the site. The park consists of 15.8 acres of park area and contains similar amenities mentioned above, including horseshoe pits and a skate park. The population increase from the proposed project relies on the assumption that each dwelling unit would contain 3.36 people (Buena Park average household size), increasing the population by approximately 312 people within 93 dwelling units. This approximate population growth would increase the demand and use of existing parks and recreation facilities but with the plentiful amounts of facilities offered by the city, the proposed project is not expected to place significant impacts or result in the need for new or expanded facilities.

The Project would also incorporate community outdoor areas for use on site (e.g., patios, , and common areas), which could reduce the demands on nearby parks. Buena Park Municipal Code Section 18.64.070 states that as a condition of approval of a subdivision map for new residential development, parkland shall be dedicated or fees shall be paid in lieu thereof, or a combination of both, for neighborhood and community park and recreation purposes. As a condition of approval of a building permit for new residential development not within a new subdivision, fees in lieu of parkland dedication shall be paid for neighborhood and community parks and recreation purposes. The Project Applicant would be required to pay in-lieu fees for improvements to existing City parks and recreation facilities. Therefore, potential impacts associated with park facilities would be less than significant, and no mitigation would be required.

Other Public Facilities

Less Than Significant Impact. Other public facilities and services provided within the City of Buena Park include library facilities, the family resource center, a community garden and medical services. The Buena Park City Library Facilities are located 1.4 miles west of the Project Site on La Palma Avenue, offering over

100,000 volumes of hard cover and paperback books as well as a number of children and adult programs for Buena Park residents. The family resource center is located 1.8 miles north of the project site at 6688 Beach Boulevard, and offers family support with food distributions, counseling, job development, education programs, and more. The community garden facility is located 1.8 miles from the project site and allows Buena Park residents to grow vegetables, herbs, fruits, and flowers in garden plots that are rented annually with varying fees. There are a total of 5 hospitals that provide emergency services and care servicing to the Buena Park area. Closest to the project site is the AHMC Anaheim Regional Medical Center, located 2.9 miles from the project site. Second closest is the La Palma Intercommunity Hospital, located 3.1 miles from the project site.

The Proposed Project would not require expansion of the existing library, City Administration, Medical or other public service facilities or construction of new facilities, making the impacts to other public facilities less than significant. Therefore, the potential impacts associated with library, city administration and medical services would be less than significant, and no mitigation measures would be required.

Mitigation Measures

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

Conclusion

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

4.16 Recreation

The City of Buena Park provides recreational services throughout the City. The City currently has approximately 96.1 acres of parkland and 12 recreational parks available for residents and visitors to enjoy, ranging from .22 acres to 22 acres and ranging in amenities and facilities available. Surrounding cities also provide public parks and recreation facilities that are located less than 1 mile from the project site.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVI. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion

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

Less Than Significant Impact. Impacts on parks and recreation facilities are typically analyzed based on increases in permanent residents from residential development projects. The Proposed Project would construct 93 new residential dwelling units consisting of 2- and 3-story townhomes. Community residents would have access to on-site common recreational amenities including a community BBQ area with picnic tables, lawn space, and a child play area, in addition to private balconies/patios for each unit.

In addition to the private common recreation amenities serving the Proposed Project, future residents would also have access to the public parks located within a close distance of the site. The Henry Boisseranc Park, located just 0.46 miles from

the site north on Dale Street, is the closest park to the Project Site and offers 20 acres of amenities, including 3 ball fields, handball, tennis and basketball courts, children's play area, a community building, picnic areas with BBQs, restrooms and a swimming pool. The next closest park is William Peak Park, located 1.4 miles from the Project Site. The park consists of 15.8 acres of park area and contains similar amenities mentioned above, including horseshoe pits and a skate park.

With ample amounts of parks in Buena Park as well as within close proximity to the Project Site, the Proposed Project would not increase the use of any existing park or recreational facilities such that substantial physical deterioration of any existing park facilities would occur. Furthermore, indirect impacts to park and recreation facilities will be offset through payment of the applicable Recreational Facilities development impact fees. Therefore, with payment of these fees and provided open common areas, potential impacts associated with parks and other public recreational facilities would be less than significant, and no mitigation would be required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. This project does not include construction of any public recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. The Project Site is served by the City of Buena Park Community Services Department and its parks and recreation facilities. The City offers a wide variety of recreation, sports, cultural activities, senior programs, services and events for all age groups. According to the Buena Park 2035 General Plan Open Space and Recreation Element, the City has 96.1 acres of parkland. The City also provides private recreational entertainment uses along the entertainment corridor, which is centered around Knott's Berry Farm on Beach Boulevard near the Project Site.

The Proposed Project includes private common areas with available lawn space, picnic tables and BBQs, and a child's play area. The Proposed Project also includes private recreation space for residents. The City of Buena Park Municipal Code, Section 18.64.070, states that as a condition of approval of a subdivision map for new residential development, parkland shall be dedicated, or fees shall be paid in lieu thereof, or a combination of both. As a condition of approval of a building permit for new residential development not within a new subdivision, fees in lieu of parkland dedication shall be paid.

The Project Site has a land use designation of Commercial and will be redesignated as High Density Residential. The development of the 93 units is expected to result in approximately 316 more residents within the city with an average household consisting of 3.4 persons, according to the 2023 U.S. Census

data[13]. The data estimates the total population of Buena Park to be 82,450 persons, in which the additional 316 residents anticipated from the project would account for approximately 0.004% of the city population. The city estimates the population in 2035 to be roughly 90,295 persons, increasing a total of 7,845 persons in the next 11 years (SCAG 2010). The Proposed Project would account for less than 0.1% of this growth. As such, the Proposed Project would not induce population growth in the area to a greater degree than can be accommodated by the City's existing park system.

Therefore, less than significant impacts associated with the construction or expansion of recreational facilities would occur, and no mitigation would be required.

Mitigation Measures

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

Conclusion

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

[13] United States Census QuickFacts, https://www.census.gov/quickfacts/fact/table/buenaparkcitycalifornia/EDU685222. Accessed May 3, 2024.

4.17 Transportation

A Trip Generation and Vehicle Miles Traveled (VMT) analysis was prepared to determine potential impacts from transportation associated with the development of the Proposed Project (**Appendix I** – *8030 Dale Street Multi-Family Residential Project Vehicle Miles Traveled Analysis Screening and Trip Generation Memorandum*, LSA, April 5, 2024).

Regulatory Setting

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

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

The State OPR also set forth guidance for agencies to use "screening thresholds" to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study. (refer to CEQA Guidelines, §§ 15063(c)(3)(C), 15128, and CEQA Guidelines Appendix G). The types of projects that are exempt from preparing a detailed VMT analysis are based on project size, maps, transit availability, and provision of affordable housing. Consistent with the requirements of CEQA Guidelines Section 15064.3, the City of Buena Park adopted significance criteria for transportation impacts based on VMT when evaluating VMT to determine traffic-related impacts for land use development projects. The screening criteria and significance criteria are contained in the City of Buena Park Traffic Impact Analysis Guidelines – 2020 for Vehicles Miles Traveled and Level of Service Assessment (June 2020) ["the City TIA Guidelines"].

Regional Transportation Plans

The Southern California Association of Governments (SCAG) is a council of governments representing the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Every four years SCAG updates the Regional Transportation Plan (RTP) for the six-county region. On April 7, 2016,

the SCAG's Regional Council adopted the 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy (2016 RTP/SCS). The SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas emissions from transportation (excluding goods movement).

City of Buena Park

The Buena Park 2035 General Plan contains a Traffic and Circulation Element that addresses the impacts of future growth, planned physical improvements, and additional improvements to accommodate growth within the City. The Element discusses all modes of transportation including cars, buses, bicycles, and walking, as well as the transportation routes from streets, highways, freeways, paths, bike lanes and sidewalks.

Per the City of Buena Park Traffic Impact Analysis Guidelines - 2020 for Vehicles Miles Traveled and Level of Service Assessment (June 2020), a detailed traffic impact analysis will be required if a project is forecast to generate 40 or more AM or PM peak hour vehicle trips. The Project is forecast to generate well under 40 new AM or PM peak hour vehicle trips.

Study Methodology

Vehicle Miles Traveled: The Proposed Project is subject to a VMT analysis and will adhere to the recommendations and practices described in the City's guidelines.

The City of Buena Park has developed three criteria that can be applied to effectively screen projects from project-level assessment:

- Step 1: Transit Priority Area (TPA) Screening
- Step 2: Low VMT Area Screening
- Step 3: Project Type Screening

Step 1: Project within a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary, however, this may not be presumed if the project:

1. Has a floor area ratio of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by City requirements;
3. Is inconsistent with the applicable Sustainable Communities Strategy; OR
4. Replaces affordable residential units with smaller number of moderate or high-income residential units.

According to the North Orange County Collaborative VMT Traffic Study Screening Tool (NOCC+), the project is located within a Transit Priority Area, however, the project is expected to provide more parking than what is required per City

Development Code. Therefore, the proposed project *does not* satisfy the screening criteria based on Transit Priority Areas.

Step 2: Projects located within a Low VMT-generating area are presumed to have a less than significant impact absent substantial evidence to the contrary.

The Project is located in OCTAM TAZ #242, which is calculated to have a lower existing zonal VMT per service population (29.1 VMT) in comparison to the City of Buena Park's threshold (29.2 VMT).

Therefore, the proposed project *does* satisfy the screening criteria based on Step 2. The project may be presumed to have a less than significant impact on VMT under CEQA.

Step 3: Project types can be eligible to screen from a project-level VMT assessment because they can be presumed to have a less than significant impact absent substantial evidence to the contrary as their uses are local serving in nature. There project types include K-12 schools, local parks, daycare centers, local retail less than 50,000 SF, Hotels, Student Housing Projects or adjacent to College Campuses, Public Assembly Uses, Community Institutions, Affordable, Supportive or Traditional Housing, Assisted Living Facilities, Senior Housing and Projects Generating less than 836 Daily VMT.

The Project is not consistent with any of the provided project types. Therefore, the Proposed Project *does not* satisfy the screening criteria based on step 3.

The Proposed Project is consistent with *the City of Buena Park Traffic Impact Analysis Guidelines - 2020 for Vehicles Miles Traveled and Level of Service Assessment* (2020), and satisfies the screening criteria based in Step 2- Low VMT Area Screening Criteria and may be presumed to have a less than significant impact on VMT under CEQA.

Level of Service:

Level of Service (LOS) analysis is generally performed for assessing conformance with General Plan and operational standards established by the City. LOS is commonly used as a qualitative description of intersection operation and is based on the capacity of the intersection and the volume of traffic using the intersection.

In accordance with current CEQA provisions, a project's effect on automobile delay as measured by LOS shall not constitute a significant environmental impact. Therefore, LOS is not discussed as a measure of analysis as part of this report. Analysis related to LOS and General Plan consistency shall be discussed as part of the Planning entitlement review process associated with this document.

Trip generation represents the amount of traffic that is attracted and produced by the development and is based on trip generation rates from the latest Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021).

The Project trip generation utilized the ITE Land Use Codes 215: Single Family Attached Housing and ITE Land Use Code 223: Affordable Housing. The Existing Trip Generation utilized the ITE Land Use Code 816: Hardware/Paint Store. The existing land use is forecast to generate approximately 361 net daily trips, including approximately 41 net AM peak hour trips and approximately 110 net PM peak hour trips. The Proposed Project of 93 dwelling units is forecast to generate approximately 636 gross daily trips which include approximately 45 gross AM peak hour trips and approximately 51 gross PM peak hour trips.

Table 19 – *Project Trip Generation* summarizes the project trip generation, showing comparisons of trip generations at different hours for the existing and proposed development. At off-site intersections, the Proposed Project is forecast to generate approximately 275 greater net daily trips which include approximately 4 greater net AM peak hour trips and approximately 59 fewer net PM peak hour trips. With trips generated entering and exiting the site, the proposed project is forecast to generate approximately 235 greater net daily trips which include approximately 1 fewer net AM peak hour trips and approximately 97 fewer net PM peak hour trips.

Table 19 - Project Trip Generation

Land Use	Units	A.M. Peak Hour			P.M. Peak Hour			Daily
		In	Out	Total	In	Out	Total	
Existing Trip Generation Forecast[1]								
Hardware/Paint Store [A]	49,747 sf	25	21	46	68	80	148	401
Pass-By Trip Reduction[2]		-3	-2	-5	-18	-20	-38	-40
Net Existing (with Pass-By Trip Reduction) [B]		22	19	41	50	60	110	361
Proposed Project Trip Generation Forecast[1]								
Single Family Attached Housing	79 du	10	28	38	27	18	45	569
Affordable Housing	14 du	2	5	7	4	2	6	67
Proposed Project Trip Generation Forecast [C]		12	33	45	31	20	51	636
Total Net Trip Generation Forecast at Off-Site Intersections [C] – [B]		**-10**	**+14**	**+14**	**-19**	**-40**	**-59**	**+275**
Total Net Trip Generation Forecast Entering/Existing Site [C] – [A]		**-13**	**+12**	**-1**	**-37**	**-60**	**-97**	**+235**

Notes:
1. Source: ITE Trip Generation Manual (11th Edition, 2021)
2. The 11th Edition ITE trip Generation Manual provides the following pass-by rates for Hardware/Paint Store land use: AM = 10%, PM = 26%, Daily = 10%

The project's gross trip generation (i.e. without any existing trip credits) indicates the project generates 5 greater AM peak hour trips and 11 greater PM peak hour trips than the City's threshold (45 AM peak hour and 51 PM peak hour trips). However, the maximum project-generated peak hour traffic volumes at any access driveway or off-site intersection is 33 trips in the AM peak period and 40 trips in the PM peak period, both of which occur at the La Palma Avenue driveway intersection. The existing intersection of Dale Street and La Palma Avenue and the proposed intersection of the driveway on Dale Street are both expected to generate well under 40 peak hour project trips during both AM and PM peak hours.

Impact Analysis

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

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

Less Than Significant Impact. The City of Buena Park 2035 General Plan Mobility Element describes the City's circulation system and how it plans to provide for the safe and efficient movement of people and goods within and through the City. It includes several goals and policies that are applicable to the Proposed Project, including:

> Policy M-3.2: Ensure the timely provision of adequate transportation infrastructure and standards consistent with the location, intensity, and timing of new development as defined in the Land Use Element.
>
> Policy M-5.4: Require that new development mitigate its impact on City streets in order to maintain an adequate level of service.
>
> Policy M-9.2: Minimize conflict points among automobile traffic, pedestrians, and bicycle traffic.

Policy M-9.4: Minimize the number of curb cuts and other intrusions of vehicles across sidewalks.

The Proposed Project would satisfy the above policies because, as detailed in this section, the project would have less than significant traffic impacts, would produce minimal peak hour trips, and would remove two existing curb cuts.

Transit: The Proposed Project would not alter or interfere with existing transit services. The City of Buena Park is well served by public transit systems. Local and regional bus service is provided by the Orange County Transportation Authority (OCTA). Additionally, there is a Metrolink regional commuter rail line station located at Lakeknoll Drive and Dale Street in the northeast portion of the City. OCTA operates eight routes within the City of Buena Park, with route 38 running along La Palma Avenue near the project site. Route 38 operates seven days a week, from 3:35 AM to 12:55 AM on weekdays and 4:40 AM to 9:10 PM on weekends, with 10 to 20 minute headways throughout the day.

The Buena Park Metrolink station is located on Lakeknoll Drive, west of Dale Street in the northeast portion of the City. The station is roughly 2.23 miles from the project site. The station is served by two Metrolink lines: the Orange County Line, which begins in Oceanside San Diego, and Line 91, which begins in Riverside County. Metrolink operates seven days a week, from 4:00 AM to 8:30 PM on weekdays and 6:20 AM to 10:45 PM on weekends. The Buena Park station has 300 parking spaces and a shuttle service between the Buena Park Metrolink station and the Fullerton Park and Ride is offered every weekday during the peak commute hours at 10-minute intervals.

Bicycle and Pedestrian Facilities: The City does not currently have a formal Bicycle Master Plan, and City streets are generally not equipped with designated bicycle facilities. The City's current General Plan identifies a portion of the Brea Creek Channel, east of Dale Street in the northern portion of the City, as a bike path. The General Plan identified 12 proposed bike routes throughout the City, however, none have been completed to date.

Pedestrians have sidewalks on all arterial roadways and the majority of residential streets. The City's circulation system has been designed to ensure that adequate facilities are provided for pedestrian circulation, especially near the entertainment corridor, schools, parks, major retail facilities and other locations with a high level of pedestrian use. It is the City's goal to construct new sidewalks/walkways with ADA compliance; when streets do not have sufficient right-of-way for ADA compliant sidewalks and wheelchair ramps, the City will acquire easements as dedications from property owners through a private development process. The Proposed Project would rebuild the existing sidewalks along La Palma and Dale Street to ensure compliance.

The Proposed Project is consistent with the programs, plans, ordinances, and policies that address the circulation system, including transit, roadways, bicycle

and pedestrian facilities. Therefore, potential impacts associated with the circulation system would be less than significant, and no mitigation would be required.

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

Less Than Significant. CEQA Guidelines Section 15064.3 provides that transportation impacts of projects are, in general, best measured by evaluating the Proposed Project's VMT. Automobile delay (LOS) will no longer be considered an environmental impact under CEQA.

As such, the City of Buena Park adopted its Traffic Impact Analysis (TIA) Guidelines in 2020 to help ensure that land use development and transportation projects comply with the latest CEQA requirements regarding VMT. These guidelines include a CEQA Assessment for VMT analysis and lists the VMT thresholds, screening tools, and methodologies.

A trip generation evaluation and VMT screening analysis consistent with the City's TIA Guidelines was prepared by RK Engineering for the Proposed Project (**Appendix I**). The Proposed Project is classified as a "Single Family Attached Homes and Affordable Housing". The Proposed Project is located within OCTAM TAX #242, which has a zonal VMT of 29.1 VMT per service population, which is less than the City of Buena Park's threshold of 29.2 VMT per service population. As such, the project satisfies the screening criteria based on Step 2: Low VMT Area Screening Criteria and is presumed to have a less than significant VMT impact.

Therefore, the Proposed Project is presumed to have a less than significant impact on VMT since it satisfies one or more of the VMT screening criteria established by the City of Buena Park, potential impacts associated with a conflict or is inconsistency with State CEQA Guidelines Section 15064.3, subdivision (b) would be less than significant, and no mitigation would be required.

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

Less Than Significant Impact. The Proposed Project does not involve any design features that would increase traffic hazards due to geometric design.

The Project Site would be accessed via two driveway entry points on La Palma Ave and Dale Street. Both driveways enter the site into a 24-foot-wide interior street. The driveways are not proposed to be gated, which eliminates potential for queuing vehicles into the public right-of-way for site access. The Project proposes to construct a raised landscaped center median on La Palma Avenue to allow for left out and left in access to the Project site.

The Project provides a total of 186 private parking spaces in private garages and 26 open parking spaces, totaling 212 parking spaces (2.28 spaces/unit). The open parking spaces are dispersed throughout the interior street of the project. Trash enclosures are located in the northeast corner and southwest parts of the site. The proposed interior street drive aisles are 24 feet wide throughout the site and meets requirements for emergency vehicle access as well as trash services by EDCO Disposal Corporation.

The Proposed Project does not include a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. The Proposed Project would not create hazards or conflicts between pedestrians and vehicles internally, nor would it create a conflict for ingress and egress. Therefore, potential impacts associated with hazards or incompatible uses would be less than significant, and no mitigation would be required.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact. The Proposed Project is required to comply with the City's development review process including review by the Orange County Fire Authority for compliance with all applicable fire code requirements for construction and access to the Project Site. The access and circulation features within the Project Site would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles.

Emergency vehicles would enter the Project Site using either driveway entry point on La Palma Avenue or Dale Street. The roadway, paving and curb design will all accommodate residential and emergency vehicles. All access lanes will meet City requirements pursuant to the OCFA to ensure adequate emergency access to and throughout the site.

The Proposed Project's driveway would be designed and constructed to City standards and comply with City width, clearance, and turning-radius requirements. The Project Site would be accessible to emergency responders during construction and operation of the Proposed Project and would not result in inadequate emergency access. Therefore, potential impacts associated with inadequate emergency access would be less than significant, and no mitigation would be required.

Mitigation Measures

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

Conclusion

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

4.18 Tribal Cultural Resources

Cogstone prepared a Cultural and Paleontological Resources Assessment for the Proposed Project (**Appendix D** - *Cultural and Paleontological Resources Assessment Report for the Dale Townhome Residential Project*, Cogstone, May 2024). The assessment addressed the ethnographic and archaeology of the Native American occupation in the City of Buena Park.

Senate Bill 18 (SB 18)

Senate Bill 18 (SB 18) requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. Consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code §65300 et seq.) and specific plans (defined in Government Code §65450 et seq.).

SB 18 uses the term, California Native American tribe, and defines this term as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission" (NAHC). All California Native American tribes, whether officially recognized by the federal government or not, represent distinct and independent governmental entities with specific cultural beliefs and traditions and unique connections to areas of California that are their ancestral homelands. SB 18 recognizes that protection of traditional tribal cultural places is important to all tribes, whether federally recognized or not, and it provides all California Native American tribes with the opportunity to participate in consultation with city and county governments for this purpose.

Assembly Bill 52 (AB 52)

Assembly Bill 52 (AB 52), signed into law in 2014, amended CEQA and established new requirements for tribal notification and consultation. AB 52 applies to all projects for which a notice of preparation or notice of intent to adopt a negative declaration/mitigated negative declaration is issued after July 1, 2015. AB 52 also broadly defines a new resource category of tribal cultural resources and established a more robust process for meaningful consultation that includes:

- Prescribed notification and response timelines;
- Consultation on alternatives, resource identification, significance determinations, impact evaluation, and mitigation measures; and
- Documentation of all consultation efforts to support CEQA findings.

A tribe must submit a written request to the relevant lead agency if it wishes to be notified of projects within its traditionally and culturally affiliated area. The lead agency must provide written, formal notification to the tribes that have requested it within 14 days of determining that a project application is complete or deciding to undertake a project. The tribe must respond to the lead agency within 30 days

of receipt of the notification if it wishes to engage in consultation on the Proposed Project, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation. Consultation concludes when either 1) the parties agree to mitigation measures to avoid a significant effect, if one exists, on a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. AB 52 also addresses confidentiality during tribal consultation per Public Resources Code §21082.3(c).

City of Buena Park Tribal Consultation

On March 28, 2024, a search for cultural resources records within a half-mile radius of the Project area was requested from the California Historical Resources Information System (CHRIS) at the Southern-Central Coastal Information Center (SCCIC). Results of the record search indicate that no previous studies have been completed and no cultural resources have been documented within the Project area. A Sacred Lands File (SLF) search was requested from the Native American Heritage Commission (NAHC) on March 28, 2024, in which received a response, on April 17, 2024, that the search was complete with negative results and a provided list of 18 Native American tribal organizations and individuals that may have information about the Project area.

The City of Buena Park conducted Native American consultation in accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18. The Tribes contacted were:

- Campo Band of Diegueno Mission Indians
- Ewiiaapaayp Band of Kumeyaay Indians
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Juaneno Band of Mission Indians Acjachemen Nation 84a
- Juaneno Band of Mission Indians Acjacheman Nation - Belardes
- Gabrieleno Brand of Mission Indians - Kizh Nation
- La Posta Band of Diegueno Mission Indians
- Manzanita Bond of Kumeyaay Nation
- Mesa Grande Band of Diegueno Mission Indians
- Pala Band of Mission Indians
- Santa Rosa Band of Cuhuilla Indians
- Soboba Band of Luiseno Indians
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe

Of the Tribes contacted, on April 4, 2024 the Gabrieleno Band of Mission Indians – Kizh Nation provided a response requesting consultation (**Appendix J** – Tribal Response Letters).

The Tribe provided a number of mitigation measures that was *received* on April 26th, 2024. The mitigation measures are directed towards ground disturbing *activities*, unanticipated discovery of tribal cultural resource objects, and

unanticipated discovery of human remains and associated funerary or ceremonial objects. Mitigation measures can be found in **Appendix L**.

Environmental Setting

The Project is located within the Peninsular Range Geomorphic Province, which extends from Mount San Jacinto in the north to Baja, California in the south and includes the Inland Empire, Los Angeles, Orange County, and San Diego areas of California. Prior to development on the Project Site, the native vegetation on the Project area consisted of California coastal sage scrub, with a variety of native plants. Modern vegetation in the area includes grasslands and California coastal sage scrub with non-native species mixed in. With increased urban development, most native animals have been driven out of the area, but some still are seen in the surrounding hills.

The Cultural and Paleontological Resources Assessment for the Project mentions the Project area is located within the traditional territory of the Gabrielino (Tongva), who were semi-sedentary hunters and gatherers with the best-known artifacts made of steatite, decorated with inlaid shells or carvings reflecting an elaborately developed artisanship. The tribe's food sources came from animals, fruits and nuts from on land and a variety of shellfish from marine food sources. Over time, the land has been used for agriculture with the earliest development within the Project area depicted in 1935 in the United States Geological Survey (USGS) topographic map as a single structure located in the northwest corner of the parcel. A 1942 map further indicated the land still being used for agricultural uses and the United States Department of Agriculture (USDA) aerial photographs show single family residence, several ancillary buildings, and possible a secondary residence all fronting a long driveway in 1954. The current commercial building was developed in 1960 for use as a supermarket.

Impact Analysis

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

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

Discussion

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No Impact: The Cultural and Paleontological Resources Assessment for the Project obtained a record search from the Natural History Museum of Los Angeles County along with online records from the University of California Museum of Paleontology database (UCMP 2024) and the Paleobiology Database (PBDB 2024). The results of the review determined that significant paleontological resources have not been identified or recovered within the boundaries of the Project. However, paleontological localities have been recorded within a few miles of the Project, albeit from older geological units that the sediments mapped at the surface therein.

Cogstone requested a search of the California Historical Resources Information System (CHRIS) from the south-Central Coastal Information Center (SCCIC) which included the entire proposed area as well as a half-mile search radius. Results of the record search indicate that no previous studies have been completed within

the project area while three studies have been completed within a half-mile radius of the Project area, shown in Table 9.

Table 9 – Previous Studies within a half-mile radius of the Project area

Report No. (XX-)	Author(s)	Title	Year	Distance (miles) from Project area
02094	Ashkar, Shahira	Cultural Resources Inventory Report for Williams Communications, Inc. Proposed Fiber Optic Cable System Installation Project, Los Angeles to Anaheim, Los Angeles and Orange Counties	1999	0.5 miles
02756	Keas, Nicole	Proposed Einstein Cellular Site (Nextel #7610a) Anaheim, CA	2001	0.5 miles
03023	Bonner, Wayne H.	Cultural Resources Records Search Results and Site Visit for T-Mobile Candidate La02954a (SC495 Buena Park Mall), 8308 Buena Park Mall, Buena Park, Orange County, California	2006	0.5 miles

No cultural resources were previously documented within the Project area or within a half-mile search radius.

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

No resources are listed on or have been identified as eligible for listing on the California Register of Historic Places within or near the Project Site and no known potential impacts to Tribal Cultural Resources would occur.

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant Impact with Mitigation Incorporated. Tribal Cultural Resources are those resources with inherent tribal values that are difficult to

identify through the same means as archaeological resources. These resources can be identified and understood through direct consultation with the tribes who attach tribal value to the resource. Tribal cultural resources may include Native American archaeological sites, but they may also include other types of resources such as cultural landscapes or sacred places. The appropriate treatment of tribal cultural resources is determined through consultation with tribes.

In accordance with the requirements of AB52 and SB18, on March 29, 2024, the City sent letters to Native American tribes that may have knowledge regarding tribal cultural resources in the Project vicinity. Of the Tribes notified, on March 29, 2024, one response was received from the Gabrieleno Brand of Mission Indians-Kizh Nation. The response indicated that the Project location is within the tribes Ancestral Tribal Territory; therefore, the Tribal Government scheduled a consultation with the lead agency to discuss the project and surrounding location in further detail. The Tribe also provided three mitigation measures directed towards ground disturbing activities as well as the unanticipated discovery of tribal cultural resource objects and/or human remains and associated funerary or ceremonial objects. Two of the three TCR mitigation measures (TCR-2 and TCR-3) provided by the Tribe are the same as MM CR-1 and MM CR-2, mentioned in Section 4.5, Cultural Resources, therefore, MM TCR-2 and TRC-3 are accounted for and TCR-1 will be implemented. Implementation of mitigation measure TCR-1 is implemented to retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

While the Project area was determined to have low sensitivity for buried prehistoric archaeological resources, the possibility of tribal cultural resources that are unknown to the SCCIC may elevate the cultural sensitivity of the area. The Project is recommended to proceed as planned. Therefore, Project-specific mitigation measures **MM TCR-1, MM TCR-2** and **MM TCR-3** would be implemented if any tribal cultural resources or human remains are discovered. Implementation of these measures will ensure that Project-specific impacts will be less than significant.

Mitigation Measures:

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

A. The project applicant/lead agency shall retain a Native American Monitor from or approved 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 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 tribal cultural resources.

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

A. 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. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes.

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

A. 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 foods in PRC § 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave foods are discovered or recognized on the project site, then PRC § 5097.9 as well as Health and Safety Code §7050.5 shall be followed.
C. Human remains and grave/burial foods shall be treated alike per California PRC §5097.98 (d)(1) and (2).
D. Preservation in place (i.e. avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Conclusion

Implementation of mitigation measures CR-1, CR-2 and TCR-1 would reduce the potential impacts of the Proposed Project associated with Tribal Cultural Resources to a less than significant level.

4.19 Utilities and Service Systems

The Project is served by the City of Buena Park as well as Southern California Edison and Southern California Gas Company.

Environmental Setting

Water and sewer services would be served by the City of Buena Park Public Works Department. The City of Buena Park receives its electrical power service via generation and transmission infrastructure owned by Southern California Edison (SCE). The City receives its natural gas from the Southern California Gas Company (SCGC). Telecommunication services are provided via a number of private companies.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
III. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion

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

Less than Significant Impact. The proposed project is designed to match existing drainage conditions along N. Dale Street and La Palma Avenue via surface flow, sump condition catch basins, and an on-site area drain system. Water services and water treatment services will be served by the City of Buena Park. Electric and Natural Gas systems will interconnect with existing infrastructure owned by Southern California Edison and Southern California Gas Company. Telecommunication services are available through a number of private providers.

Water: The Proposed Project would be required to connect to the City of Buena Park's municipal water system. The City's water system relies on two major water supply services, including imported water from the Metropolitan Water District and local groundwater from the Orange County Groundwater Basin, managed by the Orange County Water District. The City relies on approximately 80% groundwater and 20% imported water and it is projected that by 2045, the water portfolio will shift to 90% groundwater and 10% imported water (UWMP 2020). The UWMP states that the City of Buena Park will have adequate water supplies through normal and dry years for all users, including multi-family residences, through the year 2045.

Sewer: Sewer services for the Project Site are served by the City of Buena Park. The sewer services within the city are connected through a network of local sewer mains, connecting to regional trunk sewer systems for both the Orange County Sanitation District and County Sanitation Districts of Los Angeles. The project will

be designed to match existing conditions and in conformance with current standards and specifications and must be approved by the City Engineer.

Stormwater: The Project is designed and planned in accordance with the Orange County Hydrology Manual and the City of Buena Park drainage requirements. Currently, the site generally sheet flows in the southwesterly direction in a valley gutter, discharging into Dale Street. The Proposed Project will design the site to match existing drainage conditions via surface flow, sump condition catch basins, and an onsite area drain system. The site has been divided into three drainage areas based on the proposed grading and drainage design. Catch basins are located within drive aisles to pick up the surface runoff and convey it to the southwest corner of the site. Roof runoff will be conveyed within the street to proposed catch basins. Landscaped areas will contain area drains to collect and convey stormwater runoff to the proposed underground storm drain system. The proposed underground storm drain system will convey stormwater runoff to underground detention/ infiltration systems sized to capture the required water quality volume. When underground detention/ infiltration systems reach capacity, stormwater will bypass through an overflow pipe and out a parkway drain onto Dale Street. In a rare case of emergency overflow, stormwater will be conveyed through the driveway entrances, wall knockouts, and/or through drainage swales. The site's grading designates high points throughout the site to allow for the overflow condition.

The site discharges to Coyote Creek and is then conveyed to the San Gabriel River and ultimately the Pacific Ocean. According to the Susceptibility Analysis of San Gabriel-Coyote Creek, these waterways are not susceptible to hydromodification and therefore hydraulic conditions of concern is not considered for this project. The site is located within Hydraulic Soil Group A per USDA Natural Resources Conservation Service (NRCS). There is no off-site drainage that enters the property.

Electricity: The City of Buena Park receives its electrical power service via generation and transmission infrastructure owned by the Southern California Edison (SCE) company, who maintains and operated the transmission and distribution infrastructure necessary to provide electricity to end users throughout the entire service area. SCE uses a mix of fossil fuel and renewable energy resources to supply electricity to Southern California. SCE services include all required electrical hookups. The project would be constructed in accordance with all applicable California Building Standards Code (California Code of Regulations, Title 24), and would not require the construction or relocation of electric power facilities.

Natural Gas: Natural Gas will be provided by Southern California Gas Company (SoCalGas). SCGC provides gas services to the City of Buena Park and serves nearly 18 million people through 5 million gas meters in more than 530

communities. In the 2022 California Gas Report, SoCalGas projected total gas demand to decline at an annual rate of 1.5 percent from 2022 to 2035[14]. The decline in demand is due to modest economic growth, mandated energy efficiency standards and programs, tighter standards created by revised Title 24 Codes and Standards, and renewable electricity goals.

Telecommunications:

Communication Services including line and wireless telephone and internet services are provided in Buena Park by Spectrum Cable, AT&T U-Verse, Verizon, and T-Mobile.

Therefore, the Proposed Project will not require relocation or substantial new construction of any utility facilities to service the Project Site. Impacts of the project will be less than significant, and no mitigation is required.

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

Less than Significant Impact.

As discussed in response (a) above, the City relies on 80% groundwater and 20% imported water. The Proposed Project would result in the construction of 93 dwelling units to house 316 additional residents. Based on the 2020 City of Buena Park Urban Water Management Plan water demand factor of 158 gallons per capita per day, the project's total estimated water demand is 49,928 gallons per day. The project's estimated annual water use of 18,223,720 gallons, or 55.93 acre-feet, would be less than 0.42% of the City's 2020 water supply of 13,247 acre-feet per year. Although an increase in the demand for domestic water would occur, the increase would not be significant because adequate water supplies and facilities are available to serve the project. Therefore, impacts of the project will be less than significant and no mitigation is required.

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

Less than Significant Impact. The City of Buena Park Public Works department will provide wastewater treatment through their sewer services. The City collects wastewater and drains to the Orange County Sanitation District sewer system for treatment and ultimate disposal. The Sewer Services Division uses the Sewer Master Plan, a Sewer System Management Plan, and a Sanitary Sewer overflow

[14] California Gas and Electric Utilities, Accessed May 9, 2024. https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf,

Emergency Response Plan to monitor and maintain an effective and safe sanitary sewer network.

The Proposed Project will be designed to match the existing drainage and wastewater treatment conditions. The City's Sewer Master Plan estimates future Wastewater Flow in the City to be 7.5 million gallons per day (MGD) with an average per-capita wastewater generation by residential population to be 80 gallons per capita per day (GPCD). The City's flow in 2018 was 6.9 MGD and the average per-capita wastewater generation was 8.1 GPCD. Wastewater flow generated within the City is discharged to two OCSD-owned trunk lines. From these trunk lines, wastewater from the City service area is conveyed to OCSD facilities for treatment and disposal. The two OCSD trunk lines that serve the City are the Knott Interceptor and the Miller-Holder Trunk Sewer.

The site has been divided into three drainage areas based on the proposed grading and drainage design. Catch basins are located within drive aisles to pick up the surface runoff and convey it to the southwest corner of the site. Roof runoff will be conveyed within the street to proposed catch basins. Landscaped areas will contain area drains to collect and convey stormwater runoff to the proposed underground storm drain system. The proposed underground storm drain system will convey stormwater runoff to underground detention/ infiltration systems sized to capture the required water quality volume. When underground detention/ infiltration systems reach capacity, stormwater will bypass through an overflow pipe and out a parkway drain onto Dale Street. In a rare case of emergency overflow, stormwater will be conveyed through the driveway entrances, wall knockouts, and/or through drainage swales. The site's grading designates high points throughout the site to allow for the overflow condition.

The site discharges to Coyote Creek and is then conveyed to the San Gabriel River and ultimately the Pacific Ocean. According to the Susceptibility Analysis of San Gabriel-Coyote Creek, these waterways are not susceptible to hydromodification and therefore, the Proposed Project will be adequately served by existing wastewater treatment infrastructure. Impacts of the project will 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. The City of Buena Park administers waste services through the EDCO Disposal Corporation, offering residential and commercial waste services throughout Buena Park. Residential services include curbside pickup, dumpster service, and waste removal and recycling programs to serve apartments, condos, and townhomes. Street sweeping services are also provided by the City. Most of the City's solid waste is disposed of at the Frank R. Bowerman Landfill in Irvine, Olinda Alpha Landfill in Brea, or Prima Deshecha Landfill San Juan

Capistrano. The Frank R. Bowerman landfill is 725 acres, with a maximum permitted capacity of 11,500 tons per day and expected closure date of December 2053[15]. Olinda Alpha has 420 acres dedicated for disposal use with a maximum permitted capacity of 8,000 tons per day and it is expected to close in December 2036[16]. Prima Deshecha has 697 acres dedicated for waste disposal with a maximum permitted capacity of 4,000 tons per day and is expected to close at the year end of 2102[17].

Construction

Project construction would generate solid waste requiring disposal at local landfills. Materials generated during construction of the Project would include paper, cardboard, metal, plastics, glass, concrete, lumber scraps and other materials. During construction, bulk solid waste, excess building material, fill, etc., would be disposed of in a manner consistent with State of California Integrated Waste Management Act of 1989.

Operation

Cal Recycle estimates that each household generates roughly 12.23 pounds per day of waste (CalRecycle, accessed May 2024). With 93 proposed dwelling units, it is estimated roughly 1,137 pounds of solid waste would be generated each day at the Project Site. The Frank R. Bowerman landfill has a maximum permitted capacity of 11,500 tons per day, Olinda Alpha has a maximum permitted capacity of 8,000 tons per day, and Prima Deshecha has a maximum permitted capacity of 4,000 tons per day. Therefore, sufficient permitted landfill capacity exists to support the Proposed Project.

Therefore, the Proposed Project will not generate waste in excess of the capacity of local infrastructure and would result in a less than significant impact on the potential impacts associated with solid waste for the Proposed Project.

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

Less than Significant Impact. The City of Buena Park has an exclusive franchise agreement with EDCO Disposal Corporation for solid waste disposal and recycling throughout the City. The Proposed Project's solid waste disposal needs would be serviced through this agreement. The California Integrated Waste Management Act required local jurisdictions to divert at least 50 percent of all solid waste generated by January 1, 2000. In addition, the California Green Building Code requires all developments to divert 50 percent of non-hazardous construction and

[15] https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2767?siteID=2103, CalRecycle, Accessed May 6, 2024

[16] https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2757?siteID=2093, CalRecycle, Accessed May 6, 2024

[17] https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2750?siteID=2085, CalRecycle, Accessed May 6, 2024

demolition debris for all projects and 100 percent of excavated soil and land clearing debris for all nonresidential projects. The City enforces compliance with all federal, state and local regulations related to solid waste for all properties in the City through the franchise agreement and City ordinances. As such, the Proposed Project would be in compliance with regulations related to solid waste, and no impact would occur.

Mitigation Measures

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

Conclusion

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

4.20 Wildfire

Environmental Setting

The CAL FIRE "Fire Hazard Severity Zones in State Responsibility Areas" online map (CAL FIRE, accessed May 2024) shows the Project Site is not located within a Very High Fire Hazard Severity Zone (VHFHSZ) for either Local Responsibility Area (LRA) or State Responsibility Area (SRA). The nearest VHFHSZ is located in Fullerton, CA, over 3.3 miles north of the project site.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IV. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion

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

No Impact. The Project Site lies within a heavily urbanized area and is not located in or near a State Responsibility Area (SRA), a Local Responsibility Area (LRA), or lands classified as very high fire hazard severity zones (VHFHSZ). The nearest VHFHSZ is located within the City of Fullerton, approximately 3.3-miles north of the Project Site. The surrounding areas are developed with local roads and regional highways that provide adequate access to and departure from the area in the event of an emergency. Vehicular access to the Project Site would be provided via a driveway off La Palma and a driveway off Dale Street. The Project driveways would be designed in accordance with the City's Municipal Code requirements, and evaluation and approval of the proposed site plan by the Orange County Fire Authority (OCFA) would be required to ensure adequacy of emergency access. Therefore, no impact would occur.

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

No Impact. The Project Site is not located within a SRA, LRA, and is not designated within a VHFHSZ. The built environment surrounding the Project Site consists of mixed commercial uses to the west and north, and residential uses to the northwest, northeast, east and south. The site is flat and is not located within or near any hillside areas. The Proposed Project would be subject to the standards and requirements set forth in the 2022 California Fire and Building Codes, which require structural resilience for all types of fire conditions. Therefore, no impact would occur.

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

No Impact. The Project Site is not located within a SRA, LRA, and is not designated within a VHFHSZ as shown on **Figure 19 – Fire Hazard Severity Zones Map**. The Proposed Project is surrounded by built infrastructure including roads, utilities (electricity and gas), sewer lines, and waterlines and would not necessitate the construction of new infrastructure. Development of the Proposed Project does not include any additional infrastructure improvements that increase capacity beyond what is already planned for within the existing urban area. The project would be constructed in compliance with applicable building and fire codes. Additionally, OCFA would review all building plans for adequate fire suppression, fire access, and emergency evacuation. Therefore, no impact would occur.

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

No Impact. The Project Site is not located within a SRA, LRA and is not designated within a VHFHSZ. The built environment surrounding the Project Site consists of mixed commercial uses to the west and north, and residential uses to the northwest, northeast, east and south. The site is flat and is not located within or near any hillside areas. The Project Site is also not located within a floodplain. The Proposed Project would be subject to the standards and requirements set forth in the 2022 California Fire Code and 2002 CBC. Therefore, potential impacts associated with the exposure of 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 would be less than significant, and no mitigation would be required.

Mitigation Measures

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

Conclusion

There are no potential impacts of the Proposed Project associated with Wildfire, and no mitigation would be required.

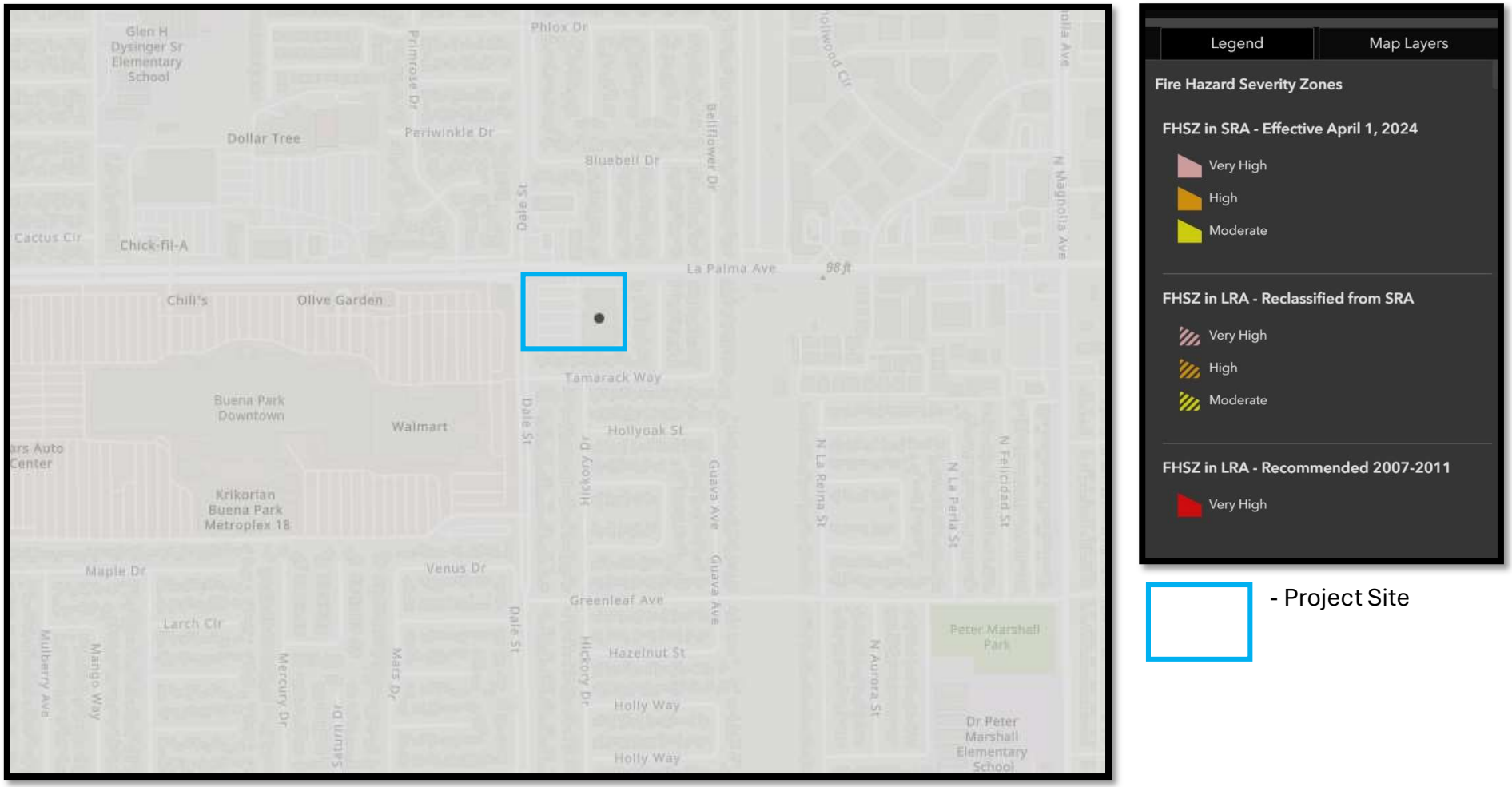


Figure 19: Fire Hazards Severity Map
Source: California Department of Forestry and Fire Protection

4.21 Mandatory Findings of Significance

Impact Analysis

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
V. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or

animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant With Mitigation Incorporated. As previously described, the Proposed Project is an infill development project located in an urbanized area of the City and the Project Site is not within or adjacent to and would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, other approved local, regional, or state habitat conservation plan.

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

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

As presented in Sections 4.1 through 4.22, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues (Refer to **Appendix L** for the Mitigation Monitoring and Reporting Program).

The Proposed Project would result in potentially significant project-specific impacts to construction noise. However, **MM NOI-1** would reduce these impacts to less than significant levels. Furthermore, the Air Quality and Transportation analyses presented in Section 4.1 and Section 4.22, respectively, of this document considered cumulative impacts and determined that cumulative air and traffic impacts would be less than significant, as outlined in those sections. No additional mitigation measures would be required to reduce cumulative impacts to less than significant levels.

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

All potential impacts of the Proposed Project have been identified, and mitigation measures have been provided (**MM BIO-1, MM CR-1**, **MM CR-2**, **MM GEO-1**, **MM GEO-2**, **MM HAZ-MAT-1**, **MM Noise-1**, **MM TCR-1**, **MM TCR-2**, and **MM TCR-3**) where applicable, to reduce potential impacts to less than significant levels. Upon implementation of mitigation measures, the Proposed Project would not result in substantial direct or indirect adverse impacts on human beings. Implementation of these measures will ensure that Project-specific impacts will be less than significant. The Mitigation Monitoring and Reporting Program (MMRP) (**Appendix L**) provides specific details on each Mitigation Measure and the Responsible parties.

5 LIST OF PREPARERS

Sagecrest Planning + Environmental
Lindsay Ortega, AICP, Vice President
Laurel Reimer, AICP, Senior Project Manager
Kaden Likins, Assistant Planner
Emily Tragos, Operations Manager

Subconsultants
John Gust, Ph.D., RPA, Cogstone
Kelly Vreeland, M.S., Cogstone
Sandy Duarte, B.A., Cogstone
Kim Scott, M.S., Cogstone
Bryan Estrada, AICP, FTP, RK Engineering Group, Inc.
Becca Morrison, RK Engineering Group, Inc.
Youseff F. Hijazi, Alta California Geotechnical, Inc.
Scott A. Gray, Alta California Geotechnical, Inc.
Thomas J. McCarthy, Alta California Geotechnical, Inc.
Debbie Hernandez, Stantec
Alicia Jansen, Stantec
Kyle Merson, Stantec
Dane McDougall, C&V Consulting, Inc.
Justin Tucker, P.E.,T.E., RK Engineering Group, Inc.
Sabina Ayala, RK Engineering Group, Inc.
Weland Design Group, Inc.
KTGY

6 REFERENCES

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