

# MITIGATED NEGATIVE DECLARATION

## 8572 TALBERT AVENUE BONANNI RESIDENTIAL PROJECT



### **Lead Agency:**

City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708  
(714) 593-4400

### **Project Proponent:**

Keystone DCS, Inc.  
9140 Trask Avenue, Suite 202  
Garden Grove, CA 92844  
(714) 791-3771

### **Environmental Consultant:**

Phil Martin & Associates  
2987 NW Fairway Heights Drive  
Bend, Oregon 97703  
(949) 454-1800

March 14, 2023

# Environmental Checklist

For CEQA Compliance

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# Environmental Checklist

## For CEQA Compliance

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## PLANNING DEPARTMENT

1. **Project Title:** 8572 Talbert Avenue Residential Project
2. **Lead Agency Name and Address:** City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 90201
3. **Contact Person and Phone Number:** Matt Jenkins, Senior Planner (714) 593-4427
4. **Project Location:** The project is located in the City of Fountain Valley as shown in Figure 1, Regional Map. More specifically, the project is located at 8572 Talbert Avenue as shown in Figure 2, Vicinity Map. An aerial photograph of the site and surrounding area is shown in Figure 3, Aerial Photo. Figure 4 is a topography map that shows the topography on the site and surrounding areas.
5. **Project Sponsor's Name and Address:** Bonanni Development  
5500 Bolsa Avenue, Suite 120  
Huntington Beach, CA 92649  
(714) 892-0123
6. **General Plan Designation:** The project site is designated as Low Medium Density Residential by the Fountain Valley General Plan.
7. **Zoning:** The site is zoned CP (Commercial, Administrative, Professional Office) by the Fountain Valley Zoning Map. The project would require a zone change to GH (Garden Homes) to allow the development of the proposed 15 residential units on the site.
8. **Description of Project:** The project site totals approximately 1.41 gross acres (1.38 net acres) and includes two parcels (APN 112-781-73 and 112-781-74). The project site is currently developed with the Courreges Ranch that includes a single-story residential building and a private auto garage.

The project applicant proposes the development of 15 market rate, two-story single-family detached residential units at a density of 10.6 dwelling units per acre. The project proposes 63 parking spaces, including 30 spaces in the enclosed garages, 26 spaces in the private driveways and seven guest parking spaces. Access to the project site would be from Talbert Avenue that extends along and forms the north project boundary. The project would construct two new private streets that would extend south from Talbert Avenue to the southern end of the site where each street turns into a driveway at the residential unit at the south end of each street.

Per the Fountain Valley Municipal Code (FVMC), the CP zone does not allow residential use. Therefore, a zone change to GH is required to allow the development of the project as proposed.

The GH zone allows a maximum density of 10.8 DU/AC. Thus, the proposed GH Zone applied to the 1.41 acre site would allow a maximum development of 15 dwelling units. The density of the project is 10.6 DU/AC (15 dwelling units ÷ 1.41 acres = 10.6 DU/AC) and within the maximum allowable density of 10.8 DU/AC allowed by GH zone for the project site. The project proposes four (4) different floor plans and range from 1,810 square feet up to 2,240 square feet. The floor plans include 3 bedrooms, 2.5 baths and a loft to 4 bedrooms and 3.5 baths to 3 bedrooms with 3.5 baths. All units would have 2-

# BONANNI RESIDENTIAL PROJECT CITY OF FOUNTAIN VALLEY

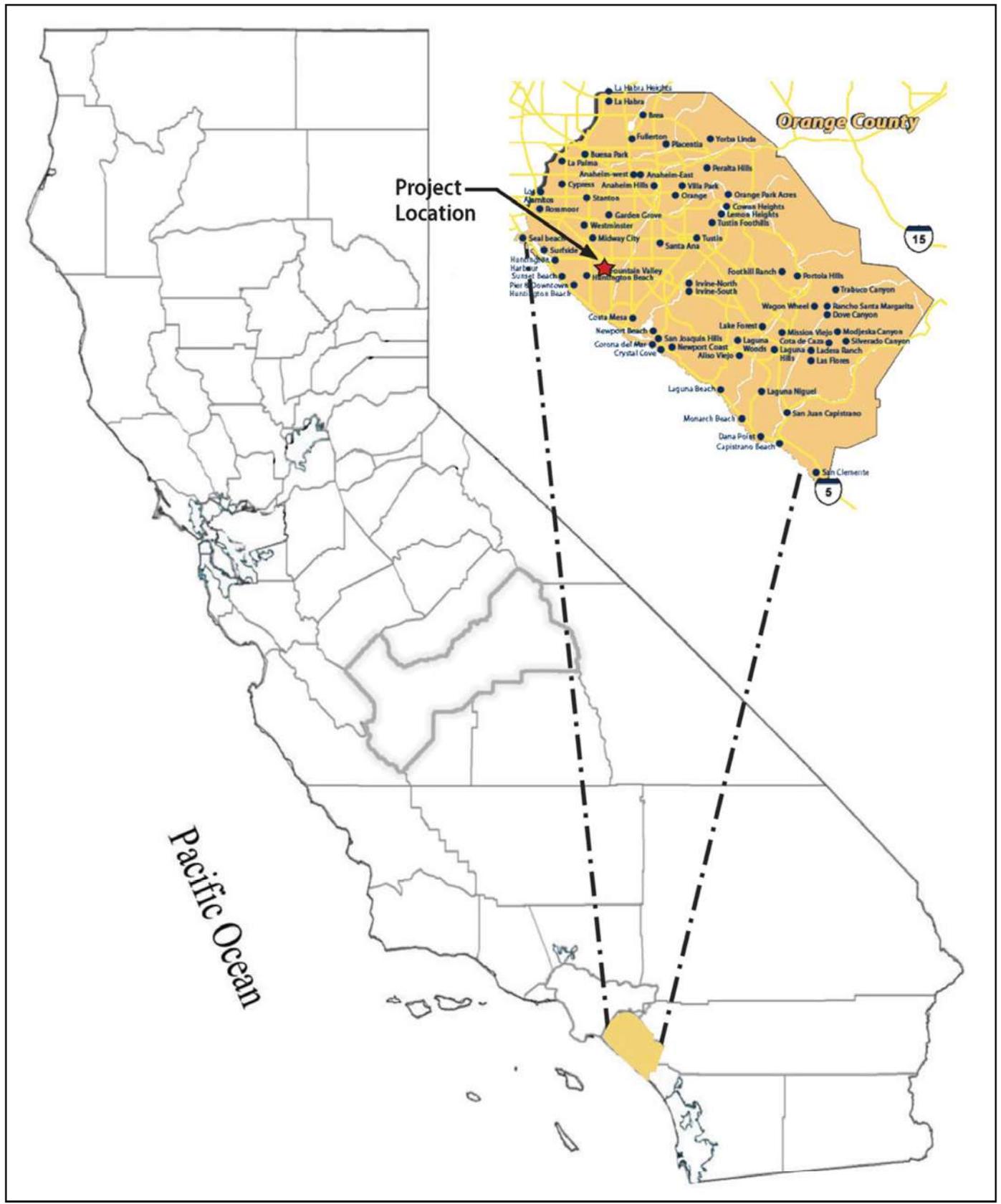
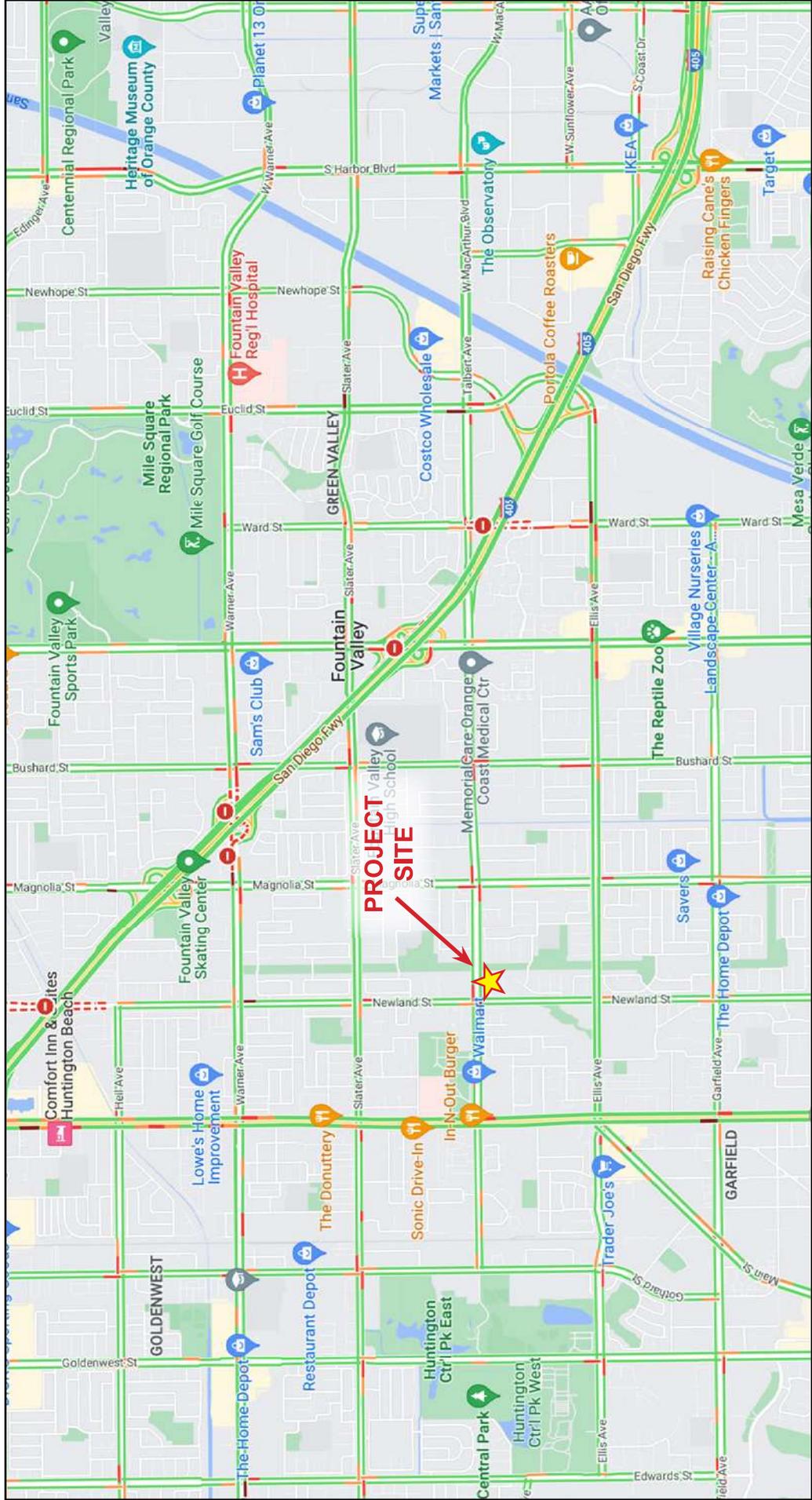


FIGURE 1  
Regional Map





Source: Google Maps

**FIGURE 2**  
**Local Vicinity Map**

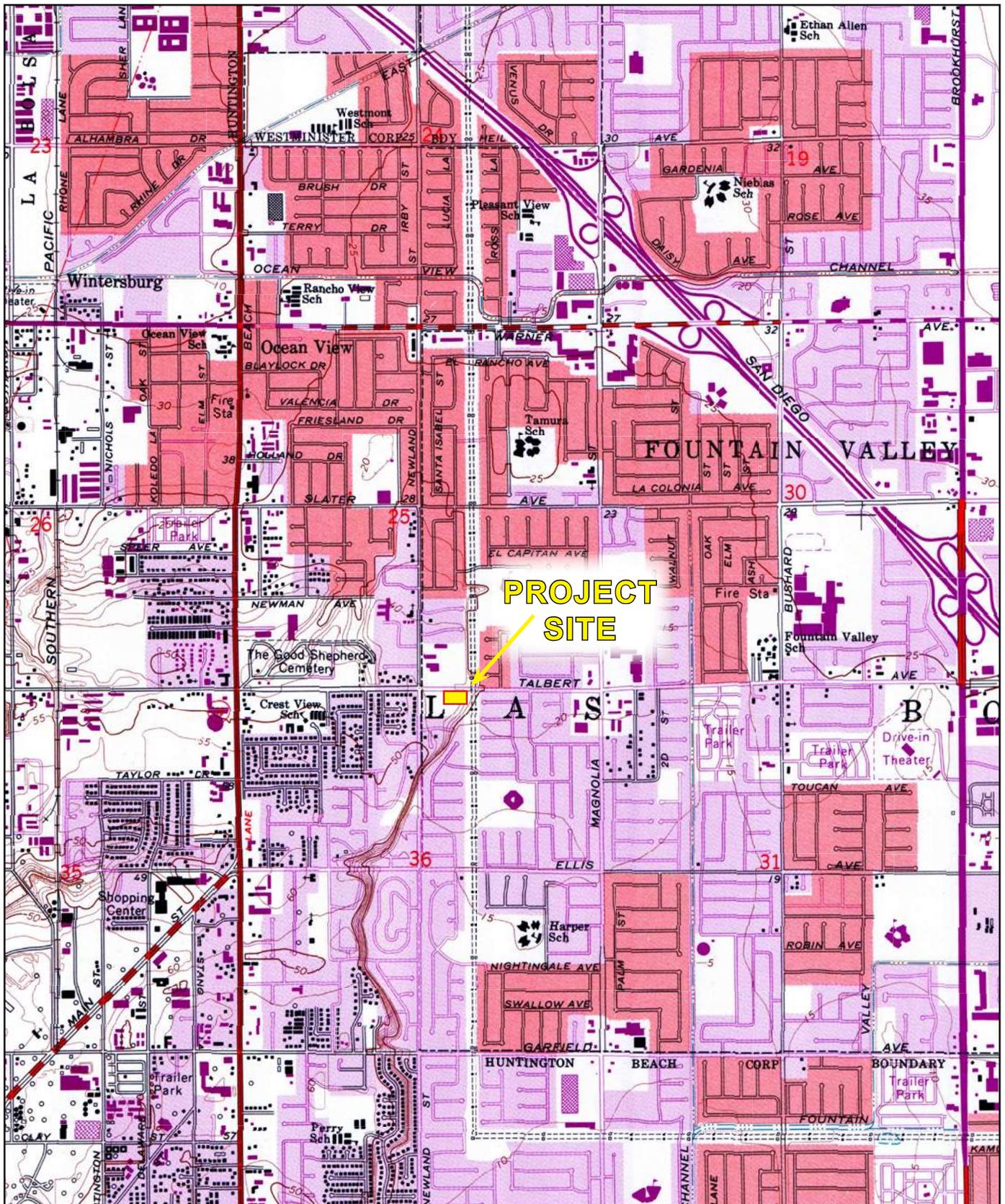




Source: Google Maps

**FIGURE 3**  
**Aerial Photo**





Source: U.S. Dept. of Interior

FIGURE 4  
USGS Topo Map



car garages and the lots range from 3,202 square feet to 4,454 square feet. The units would have a front yard setback that ranges from 15 feet to 30 feet, a rear yard setback that ranges from 14'9" to 20'10" feet, and 4' to 5' side-yard setbacks. The side yard setbacks for the four residential units adjacent to Talbert Avenue range from 10' to 12'. A 6' tall concrete block wall is proposed along the project perimeter and on the property line between each residential unit. Low voltage landscape lighting is proposed for the landscape area between the two project driveways adjacent to Talbert Avenue. The overall floor area ratio (FAR) is 0.47. The architectural style is American-Colonial.

A homeowner's association would maintain the common open space and private streets. The proposed landscape plan is shown in Figure 5. The project proposes private rear yard open space from 510 square feet to 920 square feet. The project is scheduled to be constructed in one phase with construction tentatively scheduled to start June 2023 and completed in June 2024. The proposed site plan is shown in Figure 6.

9. **Surrounding Land Uses and Setting:** The land uses surrounding the project site include Garden Homes to the west, south and north. A 200-foot wide Southern California Edison (SCE) easement with steel towers and power lines is located adjacent to and east of the project. Figure 7 shows photographs of the on-site land use and Figure 8 shows photographs of the surrounding land uses. Figure 9 is a photo orientation map showing the locations of the photographs in Figures 7 and 8.
10. **Other Public Agencies whose approval is Required:** The discretionary approvals required from the City of Fountain Valley includes a zone change from CP (Commercial, Administrative, Professional Office) to GH (Garden Homes), approval of Tentative Tract Map No. 18186 to divide the 1.41 acre site into 15 detached units and private street and common areas, a Conditional Use Permit (CUP) to allow the development of single-family dwellings in the GH zone and a Planned Development overlay to allow a project site coverage of 35.3% rather than the maximum 30%. No other public agency approvals are required.
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** Tribal letters were mailed December 12, 2022 to ten tribes and formally inviting consultation with the city in compliance with 21080.3.1. The tribes that were contacted includes:
  1. Andrew Salas - Gabrieleño Ban of Mission Indians – Kizh Nation
  2. Sandonee Goad - Gabrieleño/Tongva Nation
  3. Roberth Dorame - Gabrieleño/Tongva Indians of California Tribal Council
  4. Teresa Romero - Juaneno Band of Mission Indians – Acjachemen Nation
  5. Co-Chariman Bernie Acuna - Gabrieleño – Tongva Tribe
  6. Anthony Morales - Gabrieleño/Tongva San Gabriel Band of Mission Indians
  7. Joseph Ontiveros - Soboba Band of Luiseno Indians
  8. Sonia Johnston - Juaneno Band of Mission Indians
  9. Joyce Stanfield Perry - Juaneno Band of Mission Indians – Acjachemen Nation
  10. Matias Belardes - Juaneno Band of Mission Indians – Acjachemen Nation

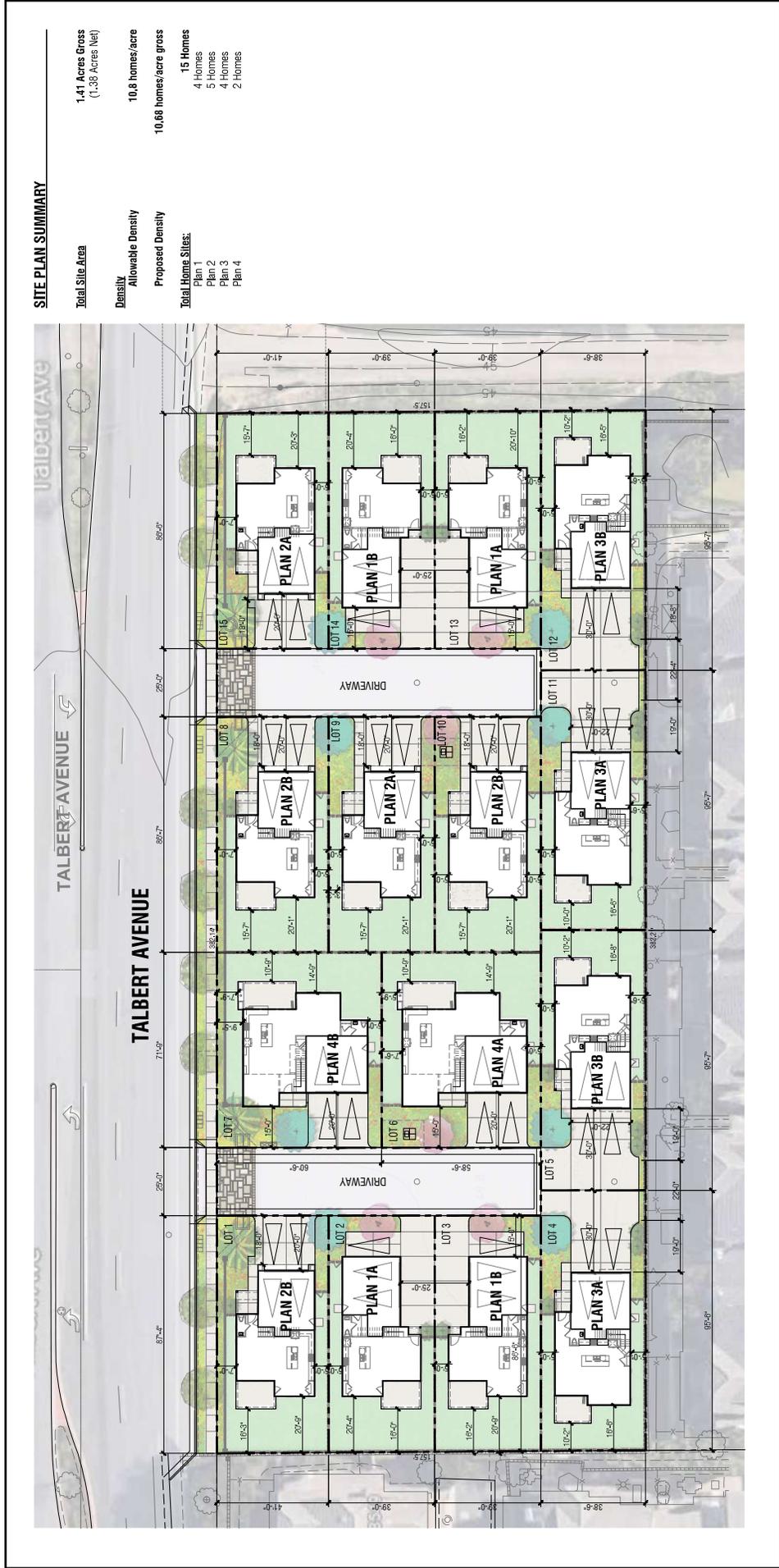
Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21080.3.2) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.



Source: Studio Pad Landscape Architecture

**FIGURE 5**  
**Landscape Plan**





Source: WHA Architects

**FIGURE 6  
Site Plan**





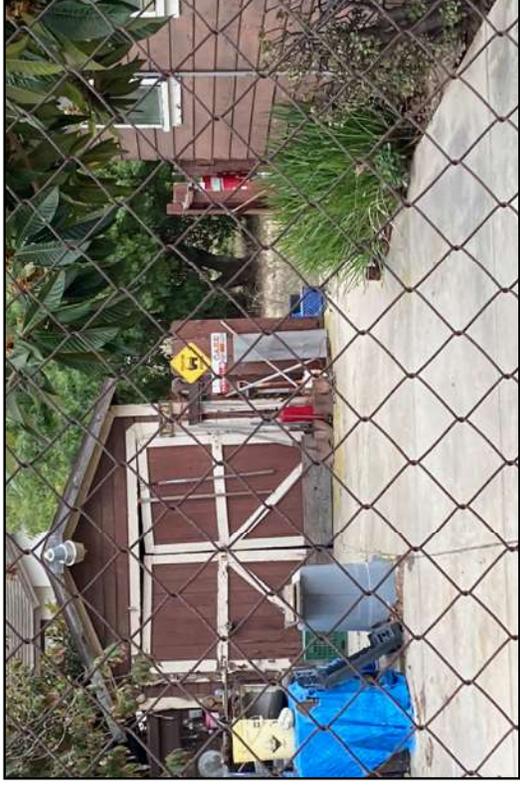
*A. Looking at the Courreges residence on the site from Talbert Avenue*



*B. Looking at the east portion of the site from Talbert Avenue*



*C. Looking at the buildings and vegetation on the site from Talbert Avenue*



*D. Looking at the detached garage on the project site*



E. Looking at existing residences west of the site.



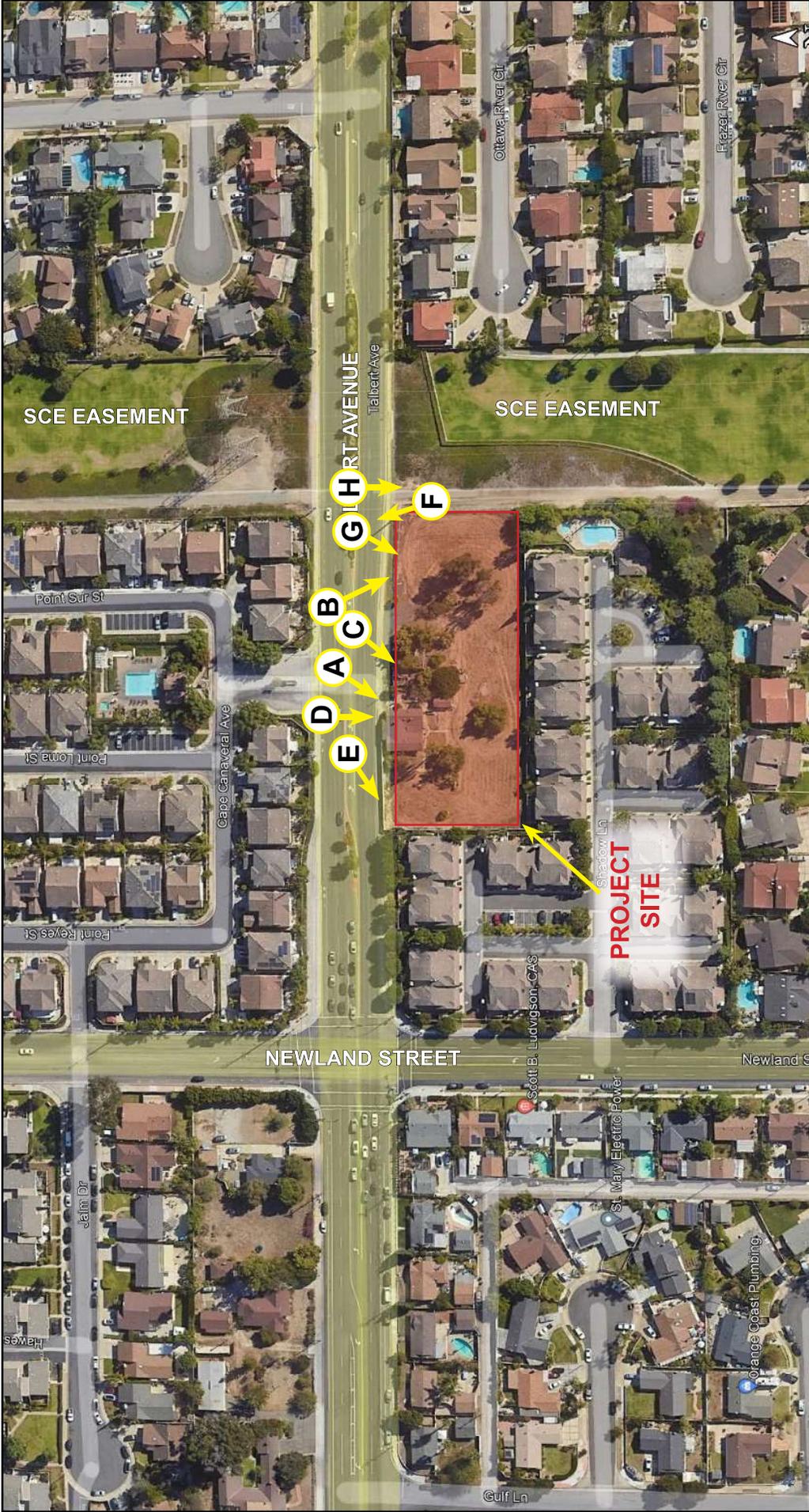
F. Looking at the existing residences north of the site, north of Talbert Avenue



G. Looking at the existing residences south of the site



H. Looking at the SCE easement east of the site



Source: Google Earth



Figure 9  
**Photo Orientation Map**

**12. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards and Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input checked="" type="checkbox"/> Mandatory Findings of Significance

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

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant impact on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant impact 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.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on an earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because 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:

\_\_\_\_\_  
Date

## Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-than-significant Impact”. The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

**14. Issues:**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS:</b> Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>II. AGRICULTURE and FORESTRY RESOURCES:</b> 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 Department of Conservation as an optional model to use in assessing impacts on agricultural 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- e) Involve other changes in the existing environment, which due to their location or nature, could individually or cumulatively result in the loss of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management district 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?
- b) Result in a cumulatively considerable net increase of any criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**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?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species

or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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

**V. CULTURAL RESOURCES:** Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- b) Cause a substantial adverse change in the significance of a unique archaeological resource as defined in §15064.5?
- c) Disturb any human remains, including those interred outside of formal cemeteries?

**VI. ENERGY:** Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**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:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)
  - ii. Strong seismic ground shaking?
  - iii. Seismic-related ground failure, including liquefaction?
  - iv. Landslides?
- b) Result in substantial soil erosion or loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?
- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

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

**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?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport, will the project result in a safety hazard or excessive noise for people working or residing in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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: |                          |                          |                                     |                                     |
| (i) result in substantial erosion or siltation on- or off-site;  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site;  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (iv) impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**XI. LAND USE AND PLANNING:** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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 mitigation an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**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 in excess of standards | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

established in the local general plan or noise ordinance, or applicable standards of other agencies?

- |  |                          |                                     |                          |                                     |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| b) Generation of excessive groundborne vibration or groundborne noise levels?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| 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, will the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XIV. POPULATION AND HOUSING:** Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**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?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Police protection?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Schools?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Parks?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Other public facilities?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**XVII. TRANSPORTATION:** Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**XVIII. TRIBAL CULTURAL RESOURCES:**

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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:                            |                          |                                     |                          |                          |
| i. 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   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. 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. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**XIX. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state and local management and reduction statutes and regulations related to solid waste?

**XX. 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?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

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

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

**15. Explanation of Issues**

**I. AESTHETICS: Would the project:**

- a) **Have a substantial adverse effect on a scenic vista? No Impact.** The project site is not part of any approved or designated scenic vista. Furthermore, the Fountain Valley General Plan does not designate any scenic vista that is either adjacent to or directly visible from the site. Newland Street is the city boundary between the City of Huntington Beach and Fountain Valley and approximately 250 feet west of the project site. There are no designated scenic vistas in Huntington Beach that are within direct view of the project site. The project would not have any scenic vista impacts.
- b) **Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? No Impact.** There are no Officially Designated or Eligible state scenic highways and no scenic resources such as trees, rock outcroppings, or historic buildings within a state scenic highway either adjacent to or in direct view from the site that would be removed or altered by the project. The project would not impact a state scenic resource.
- c) **In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? Less Than Significant Impact.** The project is located within an urbanized area.<sup>1</sup> The project would remove the existing buildings and site improvements on the property to develop the 15 residential units and other supporting site improvements, including two on-site private streets, perimeter block walls, and landscaping. The proposed residential units would reflect an American Colonial architectural style. New landscaping and landscape amenities are proposed for the landscape area along the north project boundary adjacent to Talbert Avenue and includes trees, shrubs, vines, low voltage lighting, enhanced pavers, natural color concrete sidewalk, dog waste station, etc.

The proposed two-story residential units would be a maximum height of 29'6". The architectural design character includes building elevations that are detailed and articulated with projections and recesses to avoid long and plain surfaces. Building massing would be further minimized by using differentiated building materials, and colors and incorporation of architectural features such as recessed balconies, window awnings and decorative railings. Typical building elevations of the proposed two-story residential units as seen from Talbert Avenue are shown in Figure 10. The design and architecture of the proposed residential units along with landscaped private open space would improve the aesthetics of the site for area residents and motorists on Talbert Avenue. The project would be required by the city to comply with the development standards that are required for the requested GH (Garden Homes) zoning for the site. The project would not have any significant aesthetic impacts.

- d) **Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? Less Than Significant Impact.** The project would generate increased amounts of light and glare compared to the existing farm house and storage buildings on the site. The new sources of light and glare include city required street lights, interior and exterior lighting of each residential unit, landscape lighting and car headlights. These new sources of lighting would increase

<sup>1</sup> CEQA Guidelines §15387.



Source: WHA Architects



Figure 10  
**Building Elevations**

the amount of light that is currently generated from the site. Private street lighting fixtures would be on sensors for automatic nighttime lighting. Private street lights would include shielding devices and direct or reflect light downward.

The interior lights of the proposed two-story residential units would be directly visible to the existing residents adjacent to and west and south of the site. While lighting of the proposed residential units would be visible to the residents east of the SCE easement east of the site, the existing residents are more than 200 feet east of the project and project lighting would be less of an impact than the existing residents adjacent to the site. Similarly, the residents north of the site are more than 100 feet from the project and although project lighting would be visible to the existing residents, the street lights and automobile lighting on Talbert Avenue would serve to diffuse and reduce the lighting impact of the project to the residents north of the site. Although the interior and exterior lights of the proposed residential units would be visible to existing residents adjacent to and in proximity of the project the intensity of the project lighting would be similar to and not greater than the light generated by other existing residential development in the immediate project area.

The lights of the cars that would drive in and out of the site would increase the amount of nighttime automobile light on Talbert Avenue in the immediate project area. However, there is existing nighttime light on Talbert Avenue associated with the existing traffic on the roadway. While the lights of the cars generated by the project would incrementally increase the amount of nighttime light in the immediate project vicinity, the light would not be new or unique to the immediate area and as a result is not anticipated to significantly impact area residents.

There is minimal glare currently generated from the site associated with the existing farm house and storage buildings. Glare is not new or unique to the site or the immediate project area. There is existing residential development in the immediate project area and traffic on Talbert Avenue adjacent to the site that currently generate glare to the area and onto the project site. The project would incrementally increase the amount of glare from metal surfaces and glazing from the proposed residential units and other site improvements compared to the existing buildings on the property. However, the incremental increase in glare by the proposed residential units that are similar to the existing residential units adjacent to the project would not significantly impact existing residents.

The project would not generate any new sources of light or glare that is significantly greater or different from the light and glare that is generated by the existing residential development adjacent to and in proximity to the project site. The project proposes lighting that is similar to the lighting of the residential homes in the immediate project vicinity. The proposed on-site street lights would be the same or similar to other streets lights in the residential development within the immediate project area.

The project must comply with Fountain Valley Municipal Code Section 21.18.060 which sets the standards for the amount of light and glare the project can generated to protect both project residents and the existing residents adjacent to the site. Project compliance with light and glare requirements of Fountain Valley Municipal Code Section 21.18.060 would reduce potential project light and glare impacts to a level of less than significant. The project would not have any significant light or glare impacts.

## **II. AGRICULTURE AND FORESTRY RESOURCES: 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? No Impact.*** The project site is developed

with a farm house and a storage building. Although the site was used for agricultural use in the past there are no agricultural activities on the site currently.

The site is designated “Urban and Built-Up Land” by the latest State of California Department of Conservation Orange County Important Farmland 2016 map<sup>2</sup>. Urban and Built-up Land is, “used for residential, industrial, commercial, construction, institutional, public administrative purposes, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are mapped as a part of Urban and Built-up Land if they are a part of the surrounding urban areas.

Units of land smaller than 10 acres will be incorporated into the surrounding map classifications. The building density for residential use must be at least 1 structure per 1.5 acres (or approximately 6 structures per 10 acres). Urban and Built-up Land must contain man-made structures or buildings under construction, and the infrastructure required for development (e.g., paved roads, sewers, water, electricity, drainage, or flood control facilities) that are specifically designed to serve that land. Parking lots, storage and distribution facilities, and industrial uses such as large packing operations for agricultural produce will generally be mapped as Urban and Built-up Land even though they may be associated with agriculture.

Urban and Built-up Land does not include strip mines, borrow pits, gravel pits, farmsteads, ranch headquarters, commercial feedlots, greenhouses, poultry facilities, or road systems for freeway interchanges outside of areas classified as Urban and Built-up Land areas.

Within areas classified as Urban and Built-up Land, vacant and nonagricultural land which is surrounded on all sides by urban development and is less than 40 acres in size will be mapped as Urban and Built-up. Vacant and nonagricultural land larger than 40 acres in size will be mapped as Other Land.<sup>3</sup>

The project would not convert prime, unique, or farmland of statewide importance to non-agricultural use and impact farmland.

- b) ***Conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact.*** The project site is not in a Williamson Act contract. The existing CP zoning for the site does not allow agricultural activities and the requested Garden Home zoning does not allow agricultural use. The project would not conflict with any existing agricultural use or a Williamson Act contract.
- c) ***Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? No Impact.*** There are no timber or forests in the City of Fountain Valley. The requested zone change to GH (Garden Homes) does not allow timber or forest production. The project would not impact any forest or timber production.
- d) ***Result in the loss of forest land or conversion of forest land to non-forest use? No Impact.*** See Response to section “II.c” above.
- e) ***Involve other changes in the existing environment, which due to their location or nature, could individually or cumulatively result in the loss of Farmland, to non-agricultural use? No Impact.***

<sup>2</sup> <https://maps.conservation.ca.gov/DLRP/CIFF/>

<sup>3</sup> [https://www.conservation.ca.gov/dlrp/fmmp/Documents/soil\\_criteria.pdf](https://www.conservation.ca.gov/dlrp/fmmp/Documents/soil_criteria.pdf)

The project would not result in the loss of any farmland, either individually or cumulatively, and would have no impact to farmland.

### III. AIR QUALITY: Would the project:

- a) **Conflict with or obstruct implementation of the applicable air quality plan? Less Than Significant Impact.** The U.S. Environmental Protection Agency (U.S. EPA) is the primary federal agency for regulating air quality. The EPA implements the provisions of the Federal Clean Air Act (FCAA). This Act establishes National Ambient Air Quality Standards (NAAQS) that are applicable nationwide. The EPA designates areas with pollutant concentrations that do not meet the NAAQS as non-attainment areas for each criteria pollutant. States are required by the FCAA to prepare State Implementation Plans (SIP) for designated non-attainment areas. The SIP is required to demonstrate how the areas would attain the NAAQS by the prescribed deadlines and what measures would be required to attain the standards. The EPA also oversees implementation of the prescribed measures. Areas that achieve the NAAQS after a non-attainment designation are redesignated as maintenance areas and must have approved Maintenance Plans to ensure continued attainment of the NAAQS.

The California Clean Air Act (CCAA) required all air pollution control districts in the state to prepare plans to reduce pollutant concentrations exceeding the California Ambient Air Quality Standards (CAAQS) and ultimately achieve the CAAQS. The districts are required to review and revise these plans every three years. The South Coast Air Quality Management District (SCAQMD), in which the project is located, satisfies this requirement through the publication of an Air Quality Management Plan (AQMP). The AQMP is developed by SCAQMD and the Southern California Association of Governments (SCAG) in coordination with local governments and the private sector. The AQMP is incorporated into the SIP by the California Air Resources Board (CARB) to satisfy FCAA requirements discussed above.

On December 7, 2012, the 2012 AQMP was adopted by the SCAQMD Governing Board. The primary task of the 2012 AQMP is to bring the basin into attainment with federal health-based standards for unhealthful fine particulate matter (PM<sub>2.5</sub>) by 2014. The document states that to have any reasonable expectation of meeting the 2023 ozone deadline, the scope and pace of continued air quality improvement must greatly intensify.

AQMPs are required to be updated every three years. The 2016 AQMP was adopted by the SCAQMD Board on March 3, 2017, and has been submitted to the California Air Resources Board for forwarding to the EPA. The 2016 AQMP acknowledges that motor vehicle emissions have been effectively controlled and that reductions in NO<sub>x</sub>, the continuing ozone problem pollutant, may need to come from major stationary sources (power plants, refineries, landfill flares, etc.). The current attainment deadlines for all federal non-attainment pollutants are now as follows:

- 8-hour ozone (70 ppb) 2032
- Annual PM-2.5 (12 µg/m<sup>3</sup>) 2025
- 8-hour ozone (75 ppb) 2024 (old standard)
- 1-hour ozone (120 ppb) 2023 (rescinded standard)
- 24-hour PM-2.5 (35 µg/m<sup>3</sup>) 2019

The project does not directly relate to the AQMP in that there are no specific air quality programs or regulations governing residential projects. Conformity with adopted plans, forecasts and programs relative to population, housing, employment and land use is the primary yardstick by which impact significance of planned growth is determined. The SCAQMD, however, while acknowledging that the

AQMP is a growth-accommodating document, does not favor designating regional impacts as less than significant just because a proposed development is consistent with regional growth projections. Air quality impact significance for the project has therefore been analyzed on a project-specific basis.

The proposed project would not significantly affect regional air quality plans. According to section “XVII Transportation” of this MND, the project would not generate new or additional vehicle emissions that exceed AQMD adopted thresholds based on the air quality analysis that concludes no significant air quality impact. Therefore, the project is consistent with and would not significantly impact the AQMP.

- b) **Result in a cumulatively considerable net increase of any criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard? Less Than Significant Impact.** Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area.

The project is located within the SCAB and non-attainment for ozone and PM<sub>10</sub> particulate matter. Construction and operation of cumulative projects would further degrade the local air quality, as well as the air quality of the SCAB. The greatest cumulative impact on the regional air quality is the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality would be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology, projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact.

As stated in section “III.c” below of this MND, the project would not generate any short- or long-term air emissions that exceed SCAQMD emission thresholds. Therefore, the project would not have any significant cumulative criteria pollutant impacts.

- c) **Expose sensitive receptors to substantial pollutant concentrations? Potentially Significant Unless Mitigation Incorporated.** An air quality and greenhouse gas report<sup>4</sup> was prepared for the project. A copy of the air quality and greenhouse gas report is attached in Appendix A.

### **Criteria Pollutants, Health Effects, and Standards**

Under the Federal Clean Air Act (FCAA), the U.S. EPA has established National Ambient Air Quality Standards (NAAQS) for six major pollutants; ozone (O<sub>3</sub>), respirable particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These six air pollutants are often referred to as the criteria pollutants. The NAAQS are two tiered: primary, to protect public health, and secondary, to prevent degradation to the environment (i.e., impairment of visibility, damage to vegetation and property).

Under the California Clean Air Act, the California Air Resources Board has established California Ambient Air Quality Standards (CAAQS) to protect the health and welfare of Californians. State standards have been established for the six criteria pollutants as well as four additional pollutants; visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride.

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<sup>4</sup> Air Quality and GHG Impact Analysis, Bonanni Residential Project, Giroux & Associates, January 4, 2023.

Table 1 presents the state and national ambient air quality standards. A brief explanation of each pollutant and their health effects is presented in the Table 1 footnotes.

**Table 1  
Ambient Air Quality Standards**

<b>Ambient Air Quality Standards</b>							
Pollutant	Averaging Time	California Standards <sup>1</sup>		National Standards <sup>2</sup>			
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>	
Ozone (O <sub>3</sub> ) <sup>8</sup>	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry	
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )		0.070 ppm (137 µg/m <sup>3</sup> )			
Respirable Particulate Matter (PM <sub>10</sub> ) <sup>9</sup>	24 Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		—			
Fine Particulate Matter (PM <sub>2.5</sub> ) <sup>9</sup>	24 Hour	—	—	35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	12.0 µg/m <sup>3</sup>			15 µg/m <sup>3</sup>
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m <sup>3</sup> )	—	Non-Dispersive Infrared Photometry (NDIR)	
	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )		9 ppm (10 mg/m <sup>3</sup> )			
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		—			
Nitrogen Dioxide (NO <sub>2</sub> ) <sup>10</sup>	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	Gas Phase Chemiluminescence	100 ppb (188 µg/m <sup>3</sup> )	—	Gas Phase Chemiluminescence	
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )		0.053 ppm (100 µg/m <sup>3</sup> )			Same as Primary Standard
Sulfur Dioxide (SO <sub>2</sub> ) <sup>11</sup>	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	Ultraviolet Fluorescence	75 ppb (196 µg/m <sup>3</sup> )	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)	
	3 Hour	—		—			0.5 ppm (1300 µg/m <sup>3</sup> )
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )		0.14 ppm (for certain areas) <sup>11</sup>			—
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) <sup>11</sup>			—
Lead <sup>12,13</sup>	30 Day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption	
	Calendar Quarter	—		1.5 µg/m <sup>3</sup> (for certain areas) <sup>12</sup>			Same as Primary Standard
	Rolling 3-Month Average	—		0.15 µg/m <sup>3</sup>			
Visibility Reducing Particles <sup>14</sup>	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	<b>No National Standards</b>			
Sulfates	24 Hour	25 µg/m <sup>3</sup>	Ion Chromatography				
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Ultraviolet Fluorescence				
Vinyl Chloride <sup>12</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography				

See footnotes on next page ...

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above  $150 \mu\text{g}/\text{m}^3$  is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of  $25^\circ\text{C}$  and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of  $25^\circ\text{C}$  and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from  $15 \mu\text{g}/\text{m}^3$  to  $12.0 \mu\text{g}/\text{m}^3$ . The existing national 24-hour PM2.5 standards (primary and secondary) were retained at  $35 \mu\text{g}/\text{m}^3$ , as was the annual secondary standard of  $15 \mu\text{g}/\text{m}^3$ . The existing 24-hour PM10 standards (primary and secondary) of  $150 \mu\text{g}/\text{m}^3$  also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour  $\text{SO}_2$  standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971  $\text{SO}_2$  national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.  
Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard ( $1.5 \mu\text{g}/\text{m}^3$  as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (5/4/16)

## Monitored Air Quality

Long-term air quality monitoring is carried out by the SCAQMD at various monitoring stations. The SCAQMD has divided the South Coast Air Basin into 38 air-monitoring areas with a designated ambient air monitoring station representative of each area. There are no nearby stations to the project that monitor the full spectrum of pollutants. However, the Anaheim monitoring station that is the closest air monitoring station to the project, monitors measures both regional pollution levels such as smog, ozone, 10 and 2.5 micron particulate matter (PM-10, PM-2.5) and nitrogen oxides (NOx). Table 2 is a 4-year summary of the most recent monitoring data for the major air pollutants compiled from the Anaheim air monitoring station.

**Table 2**  
**Air Quality Monitoring Summary (2018-2021)**  
**(Number of Days Standards Were Exceeded, and**  
**Maximum Levels During Such Violations)**

Pollutant/Standard	2018	2019	2020	2021
<b>Ozone</b>				
1-Hour > 0.09 ppm (S)	1	1	6	0
8-Hour > 0.07 ppm (S)	1	1	15	0
8- Hour > 0.075 ppm (F)	0	1	4	0
Max. 1-Hour Conc. (ppm)	0.112	0.096	0.142	0.103
Max. 8-Hour Conc. (ppm)	0.071	0.082	0.097	0.068
<b>Carbon Monoxide</b>				
8- Hour > 9. ppm (S,F)	0	0	0	0
Max 8-hour Conc. (ppm)	1.9	1.3	1.7	1.5
<b>Nitrogen Dioxide</b>				
1-Hour > 0.18 ppm (S)	0	0	0	0
Max. 1-Hour Conc. (ppm)	0.066	0.059	0.071	0.067
<b>Inhalable Particulates (PM-10)</b>				
24-hour > 50 µg/m <sup>3</sup> (S)	13/320	13/364	13/329	12/361
24-hour > 150 µg/m <sup>3</sup> (F)	0/320	0/364	0/329	0/361
Max. 24-Hr. Conc. (µg/m <sup>3</sup> )	129.	127.	120.	115.
<b>Ultra-Fine Particulates (PM-2.5)</b>				
24-Hour > 35 µg/m <sup>3</sup> (F)	3/353	3/346	1/355	9/364
Max. 24-Hr. Conc. (µg/m <sup>3</sup> )	54.1	36.1	41.4	54.4

Source: South Coast AQMD Air Monitoring Station Data Summary, Anaheim Station (3176)

## Air Emission Thresholds

The SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale. The SCAQMD California Environmental Quality Act (CEQA) Handbook states that any project in the South Coast Air Basin with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. For the purposes of this air quality impact analysis, a regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds identified in Table 3.

**Table 3  
SCAQMD Daily Emissions Thresholds of Significance**

<b>Pollutant</b>	<b>Construction</b>	<b>Operations</b>
ROG	75	55
NOx	100	55
CO	550	550
PM-10	150	150
PM-2.5	55	55
SOx	150	150
Lead	3	3

Source: SCAQMD CEQA Air Quality Handbook, November, 1993 Rev.

### **Additional Indicators**

Air quality impacts are considered “significant” if they cause clean air standards to be violated where they are currently met, or if they “substantially” contribute to an existing violation of standards. Any substantial emissions of air contaminants for which there is no safe exposure, or nuisance emissions such as dust or odors, would also be considered a significant impact.

Appendix G of the California CEQA Guidelines offers the following four tests of air quality impact significance. A project would have a potentially significant impact if it:

- Conflicts with or obstructs implementation of the applicable air quality plan.
- Results in a cumulatively considerable net increase of any criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard.
- Exposes sensitive receptors to substantial pollutant concentrations.
- Creates objectionable odors affecting a substantial number of people.

### **Short-Term Construction Impacts**

Construction activities to develop the project would generate air emissions, toxic air contaminant emissions, and odors during construction. The project construction activities include the demolition of the existing residence, buildings, and other site improvements, grading of the site, construction of the residential units, trenching for underground utilities, street paving, painting the houses, construction of block walls and other required site improvements.

CalEEMod was developed by the SCAQMD to provide a model to calculate construction emissions and operational emissions for a variety of land use projects. It calculates both the daily maximum and annual average emissions for criteria pollutants as well as total or annual greenhouse gas (GHG) emissions. Although exhaust emissions would result from the operation of on- and off-site motorized equipment, the exact types and numbers of equipment would vary among contractors such that emissions cannot be quantified with certainty. Project construction emissions were estimated by using CalEEMod2020.4.0 computer model to identify the maximum daily emissions for each pollutant during

project construction based on the type and number of pieces of construction equipment necessary to develop the project and the estimated time to construct the project. The estimated construction fleet to develop the project is shown in Table 4.

**Table 4  
Construction Activity Equipment Fleet**

<b>Phase Name and Duration</b>	<b>Equipment</b>
Demolition (20 days)	1 Concrete Saw
	1 Dozer
	3 Loader/Backhoes
Grading (4 days)	1 Grader
	1 Dozer
	2 Loader/Backhoes
Construction (200 days)	1 Crane
	1 Generator Set
	1 Loader/Backhoe
	3 Welders
	1 Forklift
Paving (10 days)	1 Paver
	1 Paving Equipment
	1 Mixer
	1 Loader/Backhoe
	1 Roller

Referencing the construction equipment fleet and durations shown in Table 4, the worst-case daily construction emissions were calculated by CalEEMod2020.4.0 and are shown in Table 5.

**Table 5  
Construction Activity Emissions Maximum Daily Emissions (pounds/day)**

<b>Maximal Construction Emissions</b>	<b>ROG</b>	<b>NOx</b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM-10</b>	<b>PM-2.5</b>
<b>2024</b>						
Unmitigated	17.1	14.0	13.9	0.0	7.8	3.9
Mitigated	17.1	14.0	13.9	0.0	3.4	1.9
SCAQMD Thresholds	75	100	550	150	150	55

As shown in Table 5, peak daily construction activity emissions are estimated to be below SCAQMD CEQA thresholds without the need for mitigation measures. The only mitigation measure that was included in the CalEEMod2020.4.0 air model program was watering exposed dirt surfaces three times a day to minimize the generation of fugitive dust during grading activities.

Construction equipment exhaust emissions contain carcinogenic compounds within the diesel exhaust particulates. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. The SCAQMD does not generally require the analysis of construction-related diesel emissions relative to health risk due to the short period for which the majority of diesel exhaust would occur. Health risk analyses are typically assessed over a 9-, 30-, or 70-year timeframe and not over a brief construction period due to the lack of health risk associated with a brief exposure.

## Localized Significance Thresholds

SCAQMD developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Localized Significance Thresholds (LSTs). LSTs were developed in response to Governing Board's Environmental Justice Enhancement Initiative 1-4 and the LST methodology was provisionally adopted in October 2003 and formally approved by SCAQMD's Mobile Source Committee in February 2005.

For the project, the primary source of a possible LST impact would be during project construction and not the operation of the project. LSTs are applicable for a sensitive receptor where it is possible that an individual could remain for 24 hours such as a residence, hospital or convalescent facility, which in this case the existing residents adjacent to the project are considered sensitive receptors.

LSTs are only applicable to the following criteria pollutants: oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM-10 and PM-2.5). 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, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

LST screening tables are available for 25, 50, 100, 200 and 500-meter source-receptor distances. For the proposed project the nearest sensitive receptors are the residences adjacent to and south and west of the project and therefore, the most conservative 25-meter distance was modeled.

The SCAQMD has issued guidance on applying CalEEMod to LSTs. LST pollutant screening level concentration data is currently published for various size sites and varying distances. For this project, the most stringent thresholds for a 1-acre site were applied. Table 6 shows the estimated LST emissions and thresholds.

**Table 6**  
**LST and Project Emissions (pounds/day)**

<b>LST 1 acre/25 meters N. Coastal Orange County</b>	<b>CO</b>	<b>NOx</b>	<b>PM-10</b>	<b>PM-2.5</b>
<b>LST Threshold</b>	647	92	4	3
<b>Max On-Site Emissions</b>				
<b>Unmitigated</b>	15	20	6	3
<b>Mitigated</b>	15	20	3	2

The project LSTs were compared to the maximum daily construction activities. As shown in Table 6, with active dust suppression measures the project construction emissions are less than significant and would meet the LST construction thresholds. Although project construction activities are not calculated to generate dust emissions that would exceed SCAQMD thresholds, minimizing construction emissions through enhanced dust control measures is recommended because the project is located in the SCAB and non-attainment for PM-2.5. The following measure is recommended to minimize PM-2.5 dust emissions during project grading and construction:

**Mitigation Measure No. 1** The project contractor shall implement the following dust control measure throughout project demolition, grading and construction:

- Exposed surfaces shall be watered a minimum of 3 times/day.

Similarly, construction ozone precursor emissions (ROG and NOx) are calculated to be below SCAQMD thresholds as shown in Table 5. However, because of the regional non-attainment for photochemical smog, the use of reasonably available control measures for diesel exhaust is recommended. The following measure is recommended to minimize ROG and NOx emissions during project construction:

**Mitigation Measure No. 2** The project contractor shall implement the following measures throughout project demolition, grading and construction:

- Apply soil stabilizers or moisten inactive areas.
- Cover all stock piles with tarps at the end of each day or as needed.
- Provide water spray during loading and unloading of earthen materials.
- Minimize in-out traffic from construction zone.
- Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard.
- Sweep streets daily if visible soil material is carried out from the construction site.

### Long-Term Operational Emissions

Operational emissions were calculated using CalEEMod2020.4.0. In addition to mobile source emissions from motor vehicles, residential development generates smaller amounts of “area source” air emissions that are generated from on-site energy consumption and off-site electrical generation. These energy emission sources represent a minimal percentage of the total project NOx and CO emissions along with a few percent of other emissions. The inclusion of such emissions adds negligibly to the total project emissions as shown in Table 7.

**Table 7  
Daily Operational Impacts**

Source	Operational Emissions (lbs./day)					
	ROG	NOx	CO	SO <sub>2</sub>	PM-10	PM-2.5
Area*	0.6	0.2	1.3	0.0	0.0	0.0
Energy	0.0	0.1	0.0	0.0	0.0	0.0
Mobile	0.4	0.4	3.9	0.0	1.0	0.3
Total	1.0	0.7	5.2	0.0	1.0	0.3
<b>SCAQMD Threshold</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

\*Assumes the use of gas hearths, if any (no wood burning)  
Source: CalEEMod Output in Appendix A.

As shown in Table 7, the project would not generate any operational air emissions that exceed their respective SCAQMD significance thresholds. Therefore, the operational emissions of the project are less than significant.

The residences south, west, and north of the project are considered sensitive land uses. Because the project would not generate any air emissions that exceed adopted emission thresholds, the adjacent residents would not be exposed to substantial pollutant concentrations. Therefore, the project would not significantly impact any sensitive receptors.

- d) **Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? No Impact.** The proposed residential project, like other similar single-family detached residential projects in the City of Fountain Valley, would not generate any odors and impact existing adjacent residents. The project would not generate any objectionable odors that would impact any area sensitive receptors.

#### IV. BIOLOGICAL RESOURCES: Would the project:

- a) **Have substantial adverse effects, 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 the U.S. Fish and Wildlife Service? Potentially Significant Unless Mitigation Incorporated.** The project site is occupied with a vacant farm house and a wood storage building. The habitat on the site includes scattered eucalyptus trees, palm trees around the farm house, and scattered citrus trees from the former agricultural use on the site. The existing trees on the site could provide nesting sites for some bird species. Project construction could impact nesting birds if present. None of the trees are a candidate for a sensitive or special status plant species.

The following measure is recommended to mitigate potential impacts to nesting birds.

##### **Mitigation Measure No. 3** Nesting Birds –

- All necessary clearing and removal of vegetation for project construction shall be conducted outside of the typical nesting season for birds (February 1 through September 1).
- If any construction activities are scheduled to occur during the nesting bird season (February 1 through September 1), a qualified biologist shall conduct a survey to determine whether there are any active bird nests within the on-site trees.
- The nesting bird survey shall occur no more than 7-days prior to the start of construction and include a search for nesting birds within the project site.
- If any active nests are observed, they should be avoided until after all young have fledged from the nest, or work shall be monitored by a biologist to ensure against negative impacts to nesting birds.

The implementation of the above mitigation measures would reduce potential nesting bird impacts to less than significant.

- b) **Have substantial adverse impact on any riparian habitat or other natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service? No Impact.** The site is disturbed and was used for

agricultural purposes in the past. There is no riparian habitat or other natural communities either on or adjacent to the site. The project would not impact any riparian or other natural communities.

- 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, filing, hydrological interruption, or other means? No Impact.*** Please see section “IV.b” above of this MND.
- 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? No Impact.*** The project is in an urbanized area with six foot block walls along the south and west project boundary and approximately the western third of the north project boundary adjacent to Talbert Avenue. A 5' chain link fence extends along the entire length of the east project boundary and approximately the eastern two-thirds of the north project boundary. The project site is enclosed with block walls and a chain link fence and not connected with any adjacent wildlife corridors. There is no habitat on the site that serves or could serve as a migratory wildlife corridor. The project would not impact or impede any wildlife corridors or migratory wildlife species.
- e) ***Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? No Impact.*** There are scattered eucalyptus, palm, and citrus trees on the site. The project would require the removal of the existing trees to develop the site. The city does not have any local policies or ordinances that protect the existing trees on the site. The removal of the existing on-site trees would not conflict with any local policies or ordinances that protect the existing trees on the property from being removed.
- 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 City of Fountain Valley is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project would not conflict with or impact a conservations plan.

## V. CULTURAL RESOURCES: Would the project:

- a) ***Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? Potentially Significant Unless Mitigation Incorporated.*** A cultural resources assessment<sup>5</sup> was prepared for the project and a copy is attached in Appendix B. Information in this section is taken from the prepared cultural resources assessment.

The property is occupied by a 1,169 square-foot single-family residence. This craftsman style residence is the only one remaining on the property and was constructed in 1916. The residence is fronted by a modern concrete masonry unit wall, and the property is surrounded on three sides by chain-link fence with two gates facing Talbert Avenue. The property features one ancillary building and various storage structures east of the residence, as well as mature trees and large cacti. The 1.4-acre property originally comprised 80 acres and contained an additional residence, another building to the west of the extant residence, and a “tank house” used for water storage and as a residence. One of the former residences was destroyed by fire in 1909 and the building to the west of the residence was demolished between 2014 and 2016. In 2017 the tank house was moved to the Fountain Valley Historical Society property at 17635 Los Alamos Street in Fountain Valley.

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<sup>5</sup> Cultural Resources Assessment, Bonanni Residential Project, Fountain Valley, Orange County, California, BCR Consulting, January 21, 2023.

Further research discovered the property comprised a portion of the 80-acre parcel of farmland known as “The Bluffs”. It was first purchased from the Abel Stearns Rancho Company by Basque immigrant and pioneer farmer Roch Courreges in 1878. The first building on the property was a three-story tank house constructed in 1898 by Courreges and his wife Magdalena. The tank house has been relocated and preserved by the Courreges Family and the Fountain Valley Historical Society. An additional residence was constructed in 1908, but was subsequently destroyed by fire. The residence that would replace it would remain next to the tank house until it was demolished between 2014 and 2016, prior to the removal of the tank house. The remaining residence was constructed in 1916, six years prior to the death of Roch Courreges. Pieces of the property were sold off and the surrounding neighborhoods were subdivided as housing developments between 1963 and 1987. Approximately 1.4 acres of the original property were kept in the Courreges family, most recently owned by Ronald Courreges, until its acquisition by Bonanni Development LLC in 2021.<sup>6</sup>

### Records Search

David Brunzell of BCR Consulting completed an archaeological records search at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton records on January 9, 2023. The records search included a review of all recorded historic and prehistoric cultural resources, as well as a review of known cultural resources, and survey and excavation reports generated from projects completed within 0.5-miles of the project site. In addition, a review was conducted of the National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories from the California Office of Historic Preservation including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures. Additional research was performed through the General Land Office records of the Bureau of Land Management, the Orange County Assessor, and various internet resources.

The records search data revealed that 15 cultural resource studies have taken place resulting in the recording of three cultural resources within a 1/2-mile radius of the project site. Of these studies, none has occurred within the project site and no cultural resources have been previously identified within its boundaries.<sup>7</sup>

### Field Survey

An archaeological pedestrian field survey of the project site was conducted on December 5, 2022. The survey was conducted by walking parallel transects spaced approximately 15 meters apart across 100 percent of the project site, where accessible. Where necessary, vegetation was moved aside to enhance surface visibility. Soil exposures, including natural and artificial clearings were carefully inspected for evidence of cultural resources.<sup>8</sup>

### Significance Evaluations

The remnants of the historic-period Courreges Ranch were identified during the on-site field survey. CEQA requires an evaluation and recordation of historic and archaeological resources. The criteria for determining the significance of impacts to cultural resources are based on Section 15064.5 of the CEQA Guidelines and Guidelines for the Nomination of Properties to the California Register.

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<sup>6</sup> Cultural Resources Assessment, Bonanni Residential Project, Fountain Valley, Orange County, California, BCR Consulting, January 21, 2023, page 11.

<sup>7</sup> Ibid, page 10.

<sup>8</sup> Ibid.

Properties eligible for listing in the California Register and subject to review under CEQA are those meeting the criteria for listing in the California Register, or designation under a local ordinance.

### Significance Criteria

#### *California Register of Historical Resources*

The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion on the California Register, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the U.S.;
2. It is associated with the lives of persons important to local, California, or U.S. history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

The California Register evaluations of the resource identified within the project site boundaries are provided below.

### California Register Evaluation

Courreges Ranch. Criterion 1: The Courreges family developed the subject property during 19th century, in the first wave of local American agricultural enterprises. Only one of the early residences and a small shed remains in place, and the original buildings have all been destroyed, demolished, or moved. Most of the property has been converted and sold for residential subdivisions leaving only 1.4 acres intact, none of which is cultivated. As such, the property cannot convey any significance connected with Criterion 1 due to diminished integrity of location, setting, association, design, materials, workmanship, and feeling. Therefore the subject property is not eligible for the California Register under Criterion 1.

Criterion 2: Substantial research has connected the subject property with the Courreges family, a pioneering Fountain Valley family that retains a connection to the area. However, the integrity issues listed under Criterion 1 prevent the property from conveying any significance under Criterion 2. Therefore, the project is not eligible for the California Register under Criterion 2.

Criterion 3: The shed lacks any distinctive architectural elements. The remaining residence is a modest house with Craftsman elements, but lacks architectural distinction and does not significantly represent the work of an important creative individual or possess high artistic values. Therefore, the subject property is not eligible under Criterion 3.

Criterion 4: The subject property has not and is not likely to yield information important in prehistory or history and is therefore not eligible for listing under Criterion 4.

The subject property and its historic-age buildings are therefore recommended not eligible under any of the four criteria for listing on the California Register, and as such are not recommended historical resources under CEQA.

### Conclusion

Findings were negative during the Sacred Lands File search with the Native American Heritage Commission (NAHC). The on-site resource has been recorded on DPR 523 forms, as required by the California Office of Historic Preservation. The resource has been evaluated and recommended not eligible for California Register listing eligibility. Therefore, the on-site resource is not significant under CEQA and no additional cultural or historic resource work or monitoring is required for any proposed project activities, including grading and construction. The project would not have any significant historical resource impacts.

Although no significant cultural resources within the project boundaries have been identified, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. The following mitigation measures are recommended to reduce potential cultural resource impacts to less than significant.

**Mitigation Measure No. 4** The project developer shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards, to conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session shall be carried out by a cultural resource professional with expertise in archaeology, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The training session shall include a handout and focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of archaeological monitors, and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary.

**Mitigation Measure No. 5** In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 20 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist hired by the project developer, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, Native American Tribes/Individuals shall be contacted and consulted, and Native American construction monitoring shall be initiated. The City

shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

**Mitigation Measure No. 6** The project developer's archaeological monitor, under the direction of a qualified professional archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards, shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted to the City, the South Central Coastal Information Center and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures. The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and treatment of the resources.

- b) ***Cause a substantial adverse change in the significance of a unique archaeological resource as defined in §15064.5? Potentially Significant Unless Mitigation Incorporated.*** Please see section "V.a" above of this MND.
- c) ***Disturb any human remains, including those interred outside of formal cemeteries? No Impact.*** The project site has not been used as a cemetery in the past. In addition, the site is not known to have been used for any activities that have resulted in human remains being present on the property. In the unlikely event that human remains are found during construction, those remains would require proper treatment, in accordance with applicable laws. State of California Health and Safety Code Section 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the "most likely descendant." If human remains are found during excavation, the excavation must stop in the vicinity of the find and in any area that is reasonably suspected to contain remains adjacent to the find, until the County Coroner has been called, the remains have been investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be considered less than significant.

Compliance with Health and Safety Code Sections 7050.5-7055 and Public Resources Code Section 5097.98, related to protection of human remains would reduce potential impacts associated with future development project proposals to a less than significant level.

## **VI. ENERGY: Would the project:**

- a) ***Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? Less Than Significant Impact.*** Information found in this section, as well as other aspects of the project's energy implications, are discussed in greater detail elsewhere in this MND, including section VIII (Greenhouse Gas Emissions) and section XVII (Transportation) of this MND.

## Construction-Related Energy Consumption

Heavy-duty construction equipment associated with demolition, grading, the construction of utilities, paving, and construction of the proposed residential units would include the operation of excavators, graders, tractors/loaders/backhoes, dozers, scrapers, air compressors, cranes, forklifts, generators, pumps, welders, rollers, trenchers, and pavers. Most of the equipment would likely be diesel-fueled; however, smaller equipment, such as air compressors and forklifts may be electric, gas, or natural gas-fueled. For the purposes of this assessment, it is assumed that the construction equipment would be diesel-fueled, due to the speculative nature of specifying the amounts and types of non-diesel equipment that might be used, and the difficulties in calculating the energy, which would be consumed by this non-diesel equipment.

The number of construction workers required to construct the project would vary based on the phase of construction and the activity taking place. The transportation fuel required by construction workers to travel to and from the site would depend on the total number of worker trips estimated for the duration of construction activity. Based on the latest information, a 2007 study by the California Department of Transportation (Caltrans) estimates the statewide average fuel economy for all vehicle types (automobiles, trucks, and motorcycles) in the year 2020 is 18.78 miles per gallon.<sup>9</sup> Assuming construction worker vehicles have an average fuel economy consistent with the Caltrans study and each construction worker commutes an average of 20 miles a day to and from the site, the maximum 20 workers on-site during each phase of the project is estimated to consume approximately 22 gallons of gasoline a day. Assuming all 20 construction workers are employed at the site for a year (52 weeks), the fuel used by construction workers commuting to the site is approximately 143 barrels (5,720 gallons) of gasoline and represents less than 0.00004 percent of the statewide transportation gasoline consumption in 2016, which is the latest year that data is available.<sup>10</sup>

Construction equipment fuels (e.g., diesel, gasoline, natural gas) would be provided by local or regional suppliers and vendors. Electricity would be supplied by the local utility provider (e.g., Southern California Edison) via existing connections. A temporary water supply, primarily for fugitive dust suppression and street sweeping, would also be supplied by the local provider (e.g., City of Fountain Valley).

Electricity used during construction to provide temporary power for lighting and electronic equipment (e.g., computers, etc.) inside temporary construction trailers and for outdoor lighting when necessary for general construction activity would generally not result in a substantial increase in on-site electricity use. Electricity use during construction would be variable depending on lighting needs and the use of electric-powered equipment and would be temporary for the duration of construction activities. Thus, electricity use during construction would generally be considered negligible.

### Energy Conservation: Regulatory Compliance

The project would utilize construction contractors who must demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants (TACs). Compliance with the above anti-idling and emissions regulations

<sup>9</sup> 2007 California Motor Vehicle Stock, Travel and Fuel Forecast, California Department of Transportation, Table 1, (2008).

<sup>10</sup>California 2015 Transportation gasoline consumption – 348,830 thousand barrels;  
[https://www.eia.gov/state/seds/sep\\_fuel/html/pdf/fuel\\_mg.pdf](https://www.eia.gov/state/seds/sep_fuel/html/pdf/fuel_mg.pdf)

would result in a more efficient use of construction-related energy and minimize or eliminate wasteful and unnecessary consumption of energy.

With respect to solid waste, CALGreen requires 65% of most construction and demolition waste be diverted from a landfill.<sup>11</sup> The project would generate various types of debris during project construction that would be recycled in compliance with CALGreen.

Republic Services is the current contract solid waste hauler for the City of Fountain Valley and would serve the project. The solid waste that is collected in Fountain Valley is taken to a Materials Recovery Facility (MRF) in Huntington Beach. All recyclables are recovered and the remaining solid waste is taken to the Frank R. Bowerman Landfill. The City of Fountain Valley adopted a Source Reduction and Recycling Element (SRRE) in 1992 that outlines the City's commitment to a 25% solid waste reduction by 1995 and a 50% reduction by 2000. The solid waste generated by the project would be recycled and the materials that cannot be recycled would be hauled to the Frank R. Bowerman Landfill. The city's waste hauler would actively recycle the solid waste generated by the project to reduce the amount of material that is hauled to the Frank R. Bowerman Landfill. The project would not have a significant solid waste impact on the capacity of the Frank R. Bowerman Landfill.

### **Anticipated Energy Consumption**

The daily operation of the project would generate a demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment, and disposal off-site, and solid waste requiring off-site disposal. Southern California Edison is the electrical purveyor in the City of Fountain Valley and would provide electricity to the project. The Southern California Gas Company is the natural gas purveyor in the City of Fountain Valley would provide natural gas to the project.

### **Energy Conservation: Regulatory Compliance**

The California Energy Commission (CEC) first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Part 11 of the Title 24 Building Standards Code is referred to as CALGreen. The purpose of CALGreen is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental quality."<sup>12</sup> As of January 1, 2011, CALGreen is mandatory for the construction of all new buildings in the state. CALGreen establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality.<sup>13</sup> CALGreen was recently updated to include new mandatory measures for residential as well as nonresidential uses; the new 2022 California Green Building Standards Code, Title 24, Part 11. The project would be required by the City to comply with the applicable provisions of Title 24 and CALGreen.

With respect to solid waste, the project is required to comply with applicable regulations, including those pertaining to waste reduction and recycling as required by the City of Fountain Valley Source

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<sup>11</sup> CALGreen, 2019, Section 4.408.1.

<sup>12</sup> California Building Standards Commission, California Green Building Standards Code, (2022).

<sup>13</sup> Ibid.

Reduction and Recycling Element and the State of California. Waste haulers serving the project would divert project-generated municipal waste in accordance with applicable city ordinances.

### **Energy Conservation: Project Design Features**

The project would be designed to include green building, energy saving, and water saving measures and other sustainability features. Consistent with the CALGreen, the project would be required to meet and comply with the residential mandatory measures that include water efficiency and conservation, material conservation and resource efficiency, environmental quality, etc. As such, the project would be designed to reduce wasteful, inefficient, and unnecessary consumption of energy.

### **Estimated Energy Consumption**

The long-term operation of the project would result in transportation energy use primarily for residents that commute to and from their place of employment. Transportation fuels, primarily gasoline, would be provided by local or regional suppliers and vendors. As discussed previously, in 2019, California consumed a total of 360,237 thousand barrels of gasoline for transportation, which is part of the total annual consumption nationwide of 3,397,909 thousand barrels by the transportation sector.<sup>14</sup> Project-related vehicles would require a fraction of a percent of the total state's transportation fuel consumption. A 2008 study by Caltrans determined that the statewide average fuel economy for all vehicle types (automobiles, trucks, and motorcycles) in 2020 would be 18.78 miles per gallon.<sup>15</sup>

The project's estimated passenger vehicle miles traveled (VMT) is estimated to be 1,149,750 miles per year.<sup>16</sup> With an average fuel economy of 18.78 miles per gallon, the project residents would consume approximately 63,875 gallons (1,520 barrels<sup>17</sup>) of fuel a year associated with passenger cars. The project would consume less than 0.0042% of the statewide annual gasoline consumption.

### **Alternative-Fueled Vehicles**

Alternative-fueled, electric, and hybrid vehicles could be used by some project residents. The use of these types of alternative fueled vehicles would reduce the overall consumption of gasoline by the project. The effect is anticipated to be minimal in today's current vehicle market due to the relatively few alternative vehicles that are in use. According to the Los Angeles Times, alternative-fueled vehicles make up approximately 2.3% of all vehicles registered in California.<sup>18</sup> The above transportation fuel estimates for the project do not account for alternative-fueled, electric, and hybrid vehicles, which are more energy efficient vehicles. Thus, the assessment is a conservative estimate of transportation fuel consumption. The project would not have any wasteful, inefficient, or unnecessary consumption of energy resources during either project construction or the life of the project because the project would be required to comply with all applicable state energy conservation measures.

- b) ***Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? Less Than Significant Impact.*** The project would be required by the city to comply with all applicable CALGreen and Title 24 state energy requirements to minimize energy consumption. Therefore, the

<sup>14</sup> U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2019, [https://www.eia.gov/state/seds/sep\\_fuel/html/pdf/fuel\\_mg.pdf](https://www.eia.gov/state/seds/sep_fuel/html/pdf/fuel_mg.pdf).

<sup>15</sup> California Department of Transportation, 2008 California Motor Vehicle Stock, Travel and Fuel Forecast (June 2009).

<sup>16</sup> 100 VMT/day times 365 days times 2.1 drivers/dwelling unit times 7 dwelling units = 1,149,750 miles/year.

<sup>17</sup> 42 gallons/barrel

<sup>18</sup> Los Angeles Times, Electric, hybrid car sales up, California auto emissions down, May 22, 2014, <http://www.latimes.com/business/autos/la-fi-hy-electric-vehicle-sales-up-auto-emissions-down-20140521-story.html>. Accessed August 2014.

project would not conflict with or obstruct a state or local energy plan. The project would not significantly impact an energy plan.

## VII. GEOLOGY AND SOILS: Would the project:

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

- i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.) Less Than Significant Impact.** A geotechnical report<sup>19</sup> was prepared for the project. A copy of the report is included in Appendix C.

The project site is not located within a state-identified Earthquake Fault Zone of Required Investigation.<sup>20</sup> No active or potentially active faults are known to pass directly beneath the site. The closest active fault is the San Joaquin Hills that is located approximately 0.75 miles (1.2 kilometers) southwest of the project site. The potential hazard of ground surface rupture at the site is considered low.<sup>21</sup> Although the potential hazard of ground surface rupture at the site is considered low, the site is located in the seismically active Southern California region and could be subject to moderate to strong ground shaking in the event of an earthquake on one of the many active faults in Southern California. While there are faults in the region that could generate moderate to significant ground shaking at the site, the incorporation of the recommendations in the soils report regarding seismic design and the construction of the proposed residential dwelling units in compliance with the 2022 California Building Codes (CBC) and other site improvements would reduce potential fault impacts to less than significant.

- ii. **Strong seismic ground shaking? Less Than Significant Impact.** Because the project site is in Southern California and a seismically active area, there is the potential for strong ground motion at the site. As with all projects in the City of Fountain Valley, the design and construction of the proposed residential dwelling units and all site improvement must comply with the current California Building Code (2022 CBC) and would reduce potential strong ground shaking impacts to less than significant.
- iii. **Seismic-related ground failure, including liquefaction? Less Than Significant Impact.** Liquefaction is a phenomenon when loose, saturated, relatively cohesionless soil deposits lose their shear strength during strong ground motions. The primary factors controlling liquefaction include intensity and duration of ground motion, gradation characteristics of the subsurface soils, in-situ stress conditions, and the depth to groundwater. Liquefaction is typified by a loss of shear strength in the liquefied layers due to rapid increases in pore water pressure generated by earthquake accelerations.

The project site is not located in a mapped liquefaction hazard zone on the California Seismic Hazard Zone Map for Newport Beach 7.5 Minute Quadrangles (CGS, 1999). However, the site is located adjacent to the border of mapped liquefaction hazard zone. A liquefaction analysis was conducted for the site to determine if the site is subject to liquefaction. Based on the results of the

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<sup>19</sup> Geotechnical Design Report for the Proposed Residential Development at 8572 Talbert Avenue, Fountain Valley, California, Group Delta Consultants, Inc., December 7, 2021.

<sup>20</sup> Ibid, page 3.

<sup>21</sup> Ibid.

liquefaction analysis, the project site is not subject to potential liquefaction that would adversely impact the project. Therefore, the potential for the project to be impacted by liquefaction is less than significant.

- iv. ***Landslides? No Impact.*** The project site and the developed land adjacent to and surrounding the site are generally flat, except for the Southern California Edison (SCE) property east of the site. There is a slope of approximately four feet along the east project boundary down to the SCE easement. The site is generally flat and there are no hills, slopes, or other topographic relief features on or adjacent to the site that would impact the project by a landslide. Although the east project boundary has approximately a four foot slope to the SCE easement, the project would not generate or be impacted by a landslide. The potential for a seismically induced landslide is considered low.<sup>22</sup>
- b) ***Result in substantial soil erosion or loss of topsoil? Less Than Significant Impact.*** The City would require the grading and construction contractor to install and maintain all applicable City required short-term construction soil erosion control measures to reduce and minimize soil erosion impacts throughout project grading and construction. The contractor would be required to submit a Storm Water Pollution Prevention Plan (SWPPP) to identify all Best Management Practices (BMPs) that would be incorporated into the project prior to the start of grading and maintained to completion of all construction activities to reduce and minimize soil erosion. The City has standard soil erosion protection measures that the contractor would be required to install and maintain throughout grading and construction to minimize off-site soil erosion. The requirement by the City for the contractor to incorporate all applicable mandated soil erosion control measures into project construction would minimize and reduce potential soil erosion impacts to less than significant.
- 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.*** There are no known unstable geologic or soil conditions either on or adjacent to the site that would impact the project. There are no geologic or soil constraints that would become unstable due to the development of the project as proposed. As stated in section "VII.a.iii" above of this MND, the project is not located in a mapped liquefaction hazard zone. As a result, the site would not be significantly impacted by liquefaction due to the absence of groundwater close enough to the ground surface to impact the project by liquefaction. Based on the soils report, there are no existing soil or geotechnical conditions at the site that could significantly impact the project with the incorporation of the recommendations in the geotechnical report.<sup>23</sup>
- 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.*** Based on laboratory tests the on-site soils have a low expansion potential. The project would not have any significant expansive soil impacts.
- 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 waste water? No Impact.*** The project proposes to connect to the existing sewer line in Talbert Avenue as required by the City. The City would not allow the project to use individual septic tanks for wastewater disposal. The project would not have any septic tank or alternative wastewater disposal impacts.

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<sup>22</sup> Geotechnical Design Report for the Proposed Residential Development at 8572 Talbert Avenue, Fountain Valley, California, Group Delta Consultants, Inc., December 7, 2021, p. 3.

<sup>23</sup> Geotechnical Design Report for the Proposed Residential Development at 8572 Talbert Avenue, Fountain Valley, California, Group Delta Consultants, Inc., December 7, 2021, p. 3.

- f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Less Than Significant Impact.** The Fountain Valley General Plan does not identify the presence of any paleontological resources in Fountain Valley. The area of the site that is proposed for development was disturbed in the past with the use of the site for agricultural purposes and the construction of the residence and other farm buildings on the site. Because the site has been disturbed and paleontological resources are not known to exist in Fountain Valley, it is unlikely that paleontological resources would be uncovered during project construction. The project would not impact paleontological resources.

### 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? Less Than Significant Impact.** “Greenhouse gases” (so called because of their role in trapping heat near the surface of the earth) emitted by human activity are implicated in global climate change, commonly referred to as “global warming.” Greenhouse gases contribute to an increase in the temperature of the earth’s atmosphere by transparency to short wavelength visible sunlight, but near opacity to outgoing terrestrial long wavelength heat radiation in some parts of the infrared spectrum. The principal greenhouse gases (GHGs) are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. For purposes of planning and regulation, Section 15364.5 of the California Code of Regulations defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately half of GHG emissions globally. Industrial and commercial sources are the second largest contributors of GHG emissions with about one-fourth of total emissions.

In response to the requirements of SB 97, the State Resources Agency developed guidelines for the treatment of GHG emissions under the California Environmental Quality Act (CEQA) Guidelines (Guidelines). These new guidelines became state laws as part of Title 14 of the California Code of Regulations in March, 2010. Based on the Guidelines, a project would have a potentially significant impact if it:

- Generates GHG emissions, directly or indirectly, that may have a significant impact on the environment, or;
- Conflicts with an applicable plan, policy or regulation adopted to reduce GHG emissions.

Section 15064.4 of the Guidelines specifies how significance of GHG emissions is to be evaluated. Emissions may be quantitative, qualitative or based on performance standards. The Guidelines allow the lead agency to “select the model or methodology it considers most appropriate.” The most common practice for transportation/combustion GHG emissions quantification is to use a computer model such as CalEEMod, which was used for this project.

In September 2010, the SCAQMD CEQA Significance Thresholds GHG Working Group released revisions that recommended a threshold of 3,000 MT CO<sub>2</sub>e for all land use projects. This 3,000 MT/year recommendation has been used as a guideline for the GHG analysis for this project. In the absence of an adopted numerical threshold of significance, project related GHG emissions in excess of the guideline level are presumed to trigger a requirement for enhanced GHG reduction at the project level.

## Construction Activity GHG Emissions

For the GHG analysis, the project is assumed to be constructed within approximately one year. During project construction, the CalEEMod2020.4.0 computer model predicts that the construction activities would generate the annual CO<sub>2</sub>e emissions shown in Table 8.

**Table 8**  
**Construction Emissions (Metric Tons CO<sub>2</sub>e)**

	<b>CO<sub>2</sub>e</b>
Year 2024	224.3
<b>Amortized</b>	<b>7.5</b>

The SCAQMD policy is to amortize construction GHG emissions over a 30-year lifetime. As shown in Table 9, the amortized construction emission level is 7.5 metric tons CO<sub>2</sub>e. The GHG impacts from project construction are less than significant.

## Project Operational GHG Emissions

The total operational and annualized construction emissions for the proposed project are shown in Table 9. As shown, the total project GHG emissions are below the SCAQMD recommended significance threshold of 3,000 MT. The operations of the project would not result in the generation of a significant level of greenhouse gases.

**Table 9**  
**Proposed Operational Emissions**

<b>Consumption Source</b>	
Area Sources	3.5
Energy Utilization	40.1
Mobile Source	154.3
Solid Waste Generation	8.9
Water Consumption	4.8
Construction	7.5
<b>Total</b>	<b>219.1</b>
Guideline Threshold	3,000
Exceeds Threshold?	No

## Consistency with GHG Plans, Programs and Policies

The City of Fountain Valley does not have an adopted Greenhouse Gas Reduction Plan. Therefore, the applicable GHG planning document is AB-32. As discussed above and shown in Table 9 above, the project is estimated to generate approximately 219.1 MTCO<sub>2</sub>e per year and below the SCAQMD threshold of 3,000 MTCO<sub>2</sub>e per year for all land use types. The project complies with the reduction goals of AB-32. The project would not have any significant GHG impact.

- b) ***Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? No Impact.*** As discussed in section "VIII.a" above of this MND, the project would not have a significant increase in either construction or operational GHG emissions. As a

result, the project generated GHG emissions are below the recommended SCAQMD threshold of 3,000 MT/year. The project would not impact and conflict with any applicable plan, policy, or regulations to reduce GHG emissions.

## 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? Less Than Significant Impact.** A Phase I Environmental Site Assessment (ESA)<sup>24</sup> was prepared for the site. The Phase I ESA is included in Appendix D.

### Property History Summary:

According to the property owner, Mr. Ronald Courreges, the project site has been unoccupied since circa 1985. The site has reportedly been used as a residential farm since circa 1896. The southern portion of the site was used for row crops and the northern portion contained fruit trees. The former agricultural structures on site were used to house livestock.

The site is currently occupied by the Courreges Ranch and consists of one single-story residential building and a private auto garage.<sup>25</sup> The site was historically used for agricultural purposes. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers were used on the site. The subject property is planned for redevelopment and the entire area of the subject property will either paved over or covered by improvements that make direct contact with any potential remaining concentrations in the soil unlikely. Based on this information and the time elapsed since prior agricultural use as row crops (approximately 45 years), the former agricultural use at the site does not represent a Recognized Environmental Concern (REC) to the site.<sup>26</sup>

One 5-gallon plastic container of lubricating oil was observed next to a tractor on the site. The tractor and oil appeared to be in good condition, with no leaking or staining observed in the vicinity of the plastic oil container or the tractor. Based on the small size of the container and good housekeeping practices observed, the tractor and the plastic oil container do not represent a REC.

It is possible the site was historically equipped with at least one septic system. Based on the residential nature of occupancy, any former, abandoned or out-of-use on-site septic system does not represent a REC to the site. However, if any septic systems are encountered during future development, they should be addressed under local regulatory guidelines.<sup>27</sup>

Based on the age of the existing structures there is potential for asbestos containing materials (ACM) and/or lead-based paint (LBP)-containing materials to be present. Hazardous material abatement during demolition of the existing structures should be performed in accordance with all pertinent regulations and under the guidance of a California Occupational Safety and Health Administration (Cal/OSHA)-Certified Asbestos Consultant (CAC) and/or Lead-Related Construction Inspector/Assessor.

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<sup>24</sup> Phase I Environmental Site Assessment, 8572 Talbert Avenue, Fountain Valley, CA, November 3, 2022, Group Delta Consultants, Inc.

<sup>25</sup> Ibid, page 6.

<sup>26</sup> Ibid, page 12.

<sup>27</sup> Phase I Environmental Site Assessment, 8572 Talbert Avenue, Fountain Valley, CA, November 3, 2022, Group Delta Consultants, Inc., page 15.

The Phase I ESA did not identify any hazardous materials on or adjacent to the site. Therefore, based on the results of the site reconnaissance and records search the project would not have any significant hazardous impacts associated with any hazardous materials.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Less Than Significant Impact.** There are no uses or activities associated with the proposed residential project as discussed in section "IX.a" above of this MND that would create or release hazardous materials into the environment. The project would not have any significant hazard impacts to the public or environment involving the release of a hazardous material.
- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? Less Than Significant Impact.** The closest school to the project is the Fulton Middle School that is located at 8778 El Lago Circle and approximately 0.30 miles (1,600 feet) northeast of the project.

Hazardous materials such as diesel fuel, lubricants, and paint would be stored and used at the site during project construction. The hazardous materials that would be used and stored during project construction are required by law to be stored and locked in a safe area. The project contractor is responsible for the safe use and storage of all hazardous materials during construction. The use and storage of hazardous materials in compliance with all applicable state and local laws and regulations during project construction would reduce potential hazardous emission impacts to less than significant.

Once constructed, project residents would use typical household cleaning materials to clean and maintain their residence. The use and storage of standard household cleaning and janitorial materials would not have any hazardous impacts greater than the use of household cleaning materials by any other residential development within 1,600 feet of Fulton Middle School.

There are no activities associated with the construction or throughout the life-time of the project that would significantly impact the educational operations at the Fulton Middle School.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or environment? No Impact.** Based on the Phase I ESA the project site is not listed as a hazardous material site on the "Cortese" list pursuant to Government Code Section 65962.5. The project would not have a hazardous impact to the public or environment per Government Code Section 65962.5.
- 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, would the project result in a safety hazard or excessive noise for people working or residing in the project area? No Impact.** The closest airport to the project is John Wayne Airport, which is a public use, general aviation airport and located approximately 6.5 miles southeast of the project. There are not activities associated with the project that would result in any safety hazards to the ongoing operations at John Wayne Airport. The project would also not expose future project residents to any safety impacts or noise impacts associated with the operation of John Wayne Airport. The project would not have any airport safety hazard impacts.
- f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Less Than Significant Impact.** The proposed project improvements are located on private property. Talbert Avenue, adjacent to the site, is used as an emergency

evacuation route for the project site and the immediate Fountain Valley community. The project would not significantly interfere with or impact the ability of Talbert Avenue to continue to serve as an emergency evacuation route for the City. The project would not significantly impact any emergency evacuation routes in the City.

- g) **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? No Impact.** There are no designated wildland fire areas in Fountain Valley. See section “XX Wildfire” of this MND for further wildland fire analysis. The project would not be exposed to or be impacted by a wildland fire.

## **X. HYDROLOGY AND WATER QUALITY: Would the project:**

- a) **Violate any water quality standards or waste discharge requirements? Less Than Significant Impact.** A preliminary drainage study<sup>28</sup> was prepared and included in Appendix D. A Preliminary Water Quality Management Plan<sup>29</sup> was also prepared for the project and included in Appendix F.

During grading and project construction, silt could be generated from the site, especially if construction occurs during the winter months when rainfall typically occurs. The City would require the project contractor to prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with California State Water Resources Control Board (State Water Board), Construction General Permit Order R8-2009-0030, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS618030 (Permit). The SWPPP would require the contractor to implement Best Available Technology Economically Achievable measures to reduce and eliminate storm water pollution from all construction activity through the implementation of Best Management Practices (BMPs).

The purpose of the SWPPP is to identify pollutant sources that may affect the quality of the storm water that would be discharged from the site during all construction activity. The SWPPP would require the contractor to identify, construct, and implement the storm water pollution prevention measures and BMPs that are necessary to reduce pollutants that are present in the storm water that is discharged from the site during construction. The SWPPP would include specific BMPs that must be installed and implemented prior to the start and throughout project construction. The installation and maintenance of all required BMPs by the contractor during construction would reduce potential water quality impacts to less than significant.

The project developer would be required by the State of California to have a Water Quality Management Plan (WQMP) approved by the city prior to the start of grading. The project applicant has prepared a preliminary WQMP that identifies the BMPs that would be used on-site to control the pollutants during the life of the project that are predictable by the project from entering the storm water runoff from the site. The types of pollutants that are anticipated to be generated during the life of the project include suspended solids/sediment, nutrients, heavy metals, pathogens (bacteria/virus) pesticides, oil and grease, toxic organic compounds and trash and debris. The State required WQMP identifies the measures that would be included in the project including use of a retention/detention basin, storm water clarifier, and catch basins with BMPs.

The preliminary WQMP states that on-site surface water flows for each residential lot would be directed to landscaped areas with BMP’s for water percolation. Surface water from the individual residential lot

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<sup>28</sup> Preliminary Drainage Study for Talbert Residential, 8572 Talbert Avenue, City of Fountain Valley, Ca, Walden & Associates, November 2022.

<sup>29</sup> Preliminary Water Quality Management Plan, Talbert Residential, 8572 Talbert Avenue, Fountain Valley, California, Walden & Associates, November 3, 2022.

that does not percolate within the on-site landscaped areas would be collected and discharged into a proposed private on-site storm drain system that would convey all surface water runoff and roof drainage to a proposed on-site underground biofiltration system for treatment. The on-site drainage areas are divided into two areas. The surface water runoff from the seven homes on the west half of the site would drain into the drainage collection system on the west half of the site and surface water runoff from the eight homes on the east half of the site would drain into the drainage collection system on the east half of the site. Surface water would sheet flow in each of the areas to grated inlets (catch basins) that connect to the on-site private storm drain system. The on-site storm drain would be connected to an underground biofiltration system proposed within the landscaped areas at both sides of each of the two private on-site driveways at the north project boundary. After passing through the on-site biofiltration systems the low flows would be pumped and discharged to the curb and gutter in Talbert Avenue adjacent to the site. Stormwater flows greater than a 2-year storm to be discharged directly to the existing concrete curb and gutter in Talbert Avenue north of the site.

The city would review and approve the WQMP for compliance with State law prior to the issuance of building permits for the residential units. The installation of and the regular maintenance of a required SWPPP and WQMP would reduce storm water runoff pollutants generated from the project site during both project construction and the life of the project to less than significant.

- b) ***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 project would be required by the city to use water for dust suppression during project grading and construction. The amount of water that would be required to control dust during grading and construction would be minimal due to the small size of the project site (1.41-acres) and would not significantly impact existing groundwater supplies.

Currently, approximately 20% (0.28-acres) of the site is impervious associated with the existing driveway, residence, and garage on the site and 80% (1.13-acres) is pervious. With project construction, approximately 33% (0.46-acres) of the site would be pervious and 67% (0.94-acres) would be impervious. Although the project would increase the amount of impervious area on the site compared to the existing condition, the remaining pervious area of approximately 0.46-acres would continue to allow rainfall percolation into the local groundwater.

Based on the hydrology report, the surface water runoff from the project site for a 10-year storm event is calculated to be 3.50 cubic feet per second (cfs) compared to 2.50 cfs for the existing condition, an increase of 1.0 cfs. For a 25-year storm event the project would increase the surface water runoff from 3.05 cfs to 4.2 cfs, an increase of 1.15 cfs. For a 100-year storm event the existing runoff is 3.96 cfs and the developed flow would be 5.36 cfs, an increase of 1.40 cfs. The on-site rainfall infiltration rate was conducted at depths of 5 feet and 10 feet, with measured infiltration rates less than 0.3 inches per hour. Based on the infiltration tests the geotechnical report does not recommend on-site infiltration.<sup>30</sup>

The project proposes a surface runoff drainage collection, treatment and discharge system that would collect on-site surface water runoff in v-gutters in each of the two on-site private drives. The surface water would flow into grated inlets in the v-gutters and first-flush low flows would be directed to a sub-surface biofiltration system (Bioclean Modular Wetland) on both sides of each of the two on-site driveways at the north project boundary. The surface water would be treated and pumped into the existing curb and gutter in Talbert Avenue adjacent to the site. On-site surface water flows greater than first-flush would flow north directly into Talbert Avenue and then east to a catch basin and southeasterly

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<sup>30</sup> Preliminary Drainage Study for Talbert Residential, 8572 Talbert Avenue, City of Fountain Valley, Ca, Walden & Associates, November 2022, page 4.

to Talbert Channel and ultimately discharged into the Pacific Ocean approximately four miles south of site.

The city receives its water supply from local wells and has stated that it has adequate capacity to meet the water supply needs of the project, including potable water for drinking, landscape irrigation and fire flow. The project would not significantly deplete groundwater supplies or cause a drop in production rates of wells due to the decrease in on-site surface water percolation. The project would have a less than significant impact on groundwater supplies.

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:**

- i. **Result in substantial erosion or siltation on or off site? Less Than Significant Impact.** The project site is relatively flat. The existing on-site elevations range from a low of approximately 45.9 feet above mean sea level (msl) in the northeast corner of the site to a high of 47.4 feet above msl along the west project boundary. Surface water runoff on the project site generally sheet flows northeast and into the curb and gutter in Talbert Avenue adjacent to and north of the site. The existing drainage patterns on the site would be retained and all developed flows would continue to drain north and discharge into Talbert Avenue. Low flows on the site would be collected and discharged into a sub-surface biofiltration system (Bioclean Modular Wetland) near the north project boundary adjacent to each private driveway. The surface water would be treated and pumped into the existing curb and gutter in Talbert Avenue adjacent to the site. On-site surface water flows greater than first-flush would flow north directly into Talbert Avenue and east to a catch basin and southeasterly to Talbert Channel and ultimately discharged into the Pacific Ocean approximately four miles south of site. The project would generate more runoff than the current condition as shown in Table 10.

**Table 10  
Estimated Project Runoff**

<b>Storm Event</b>	<b>Existing Condition</b>	<b>Proposed Condition</b>
10-Year	2.50 cfs*	3.50 cfs
25- Year	3.05 cfs	4.20 cfs
100-Year	3.96 cfs	5.36 cfs

\*cubic feet/second

Although the project would generate more runoff compared to the existing condition, the existing storm drain collection system in Talbert Avenue has capacity to accommodate the incremental increase in runoff without impacting the existing storm drain collection system or requiring improvements to increase its capacity. As a result, the project stormwater runoff would not alter the course of any downstream streams or river or cause substantial erosion or siltation downstream of the site. The project would have a less than significant erosion or siltation impact on or off the site.

- ii. **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.** As discussed in section “X.b” and shown in Table 10 above of this MND, the project would increase the amount of surface water runoff generated from the site by 1.0 cfs for a 10-year storm, 4.20 cfs for a 25-year storm and 5.36 cfs for a 100-year storm. The project proposes to construct a sub-surface biofiltration system

(Bioclean Modular Wetland) near the north project boundary adjacent to each private driveway to collect and treat low flows prior to discharge into Talbert Avenue adjacent to the site. The increased surface water flows by the project would not substantially increase the rate or amount and cause flooding either on or off the site. The existing storm drain system in Talbert Avenue has capacity to handle the increase stormwater flows from the project without causing any flooding downstream of the site. As a result, the project would not have any significant on- or off-site flooding impacts.

- iii. **Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? Less Than Significant Impact.** Based on Table 10 above of this MND, the storm water runoff by the project compared to the existing condition would increase by 3.5 cfs for a 10-year storm event, 4.2 cfs for a 25-year storm event 5.36 cfs for a 100-year event. The project proposes to collect and direct all surface water low-flows to a sub-surface biofiltration system (Bioclean Modular Wetland) at each side of the two on-site driveways at the north project boundary. The surface water would be treated and pumped into the existing curb and gutter in Talbert Avenue adjacent to the site. The existing storm drain system in Talbert Avenue has capacity to handle the increased runoff from the project without exceeding the existing capacity of the underground storm drain.

The project would be required to treat surface water runoff prior to its discharge to meet Regional Water Quality Control Board water quality requirements and provide safeguards that surface water runoff would not provide sources of polluted runoff. As discussed in section “X.a” above of this MND, a Preliminary WQMP was prepared and states that the Low flows on the site would be collected and discharged into a sub-surface biofiltration system (Bioclean Modular Wetland) at each side of the two on-site driveways at the north project boundary. The proposed Bioclean Modular Wetland biofiltration system would remove and prevent most project generated pollutants from being discharge from the site into the existing off-site storm drain system in Talbert Avenue. The installation and required routine maintenance of the Bioclean Modular Wetland and underground storm drain system in compliance with the WQMP would reduce and filter most project runoff pollutants. As a result, the project would not significantly impact surface water quality.

- iv. **Impede or redirect flood flows? Less Than Significant Impact.** Please see section “X.c.ii.” above of this MND.

- d) **In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation. No Impact.** The site is approximately 2.4 miles northwest of the Santa Ana river. The project is in flood zone X and not in a 100-year flood hazard area.<sup>31</sup> The project is approximately 3.3 five miles northeast of the Pacific Ocean and approximately 46 feet above mean sea level at the lowest elevation on the site. The Fountain Valley General Plan does not identify any portion of the city at risk due to a tsunami. There are no water bodies adjacent to or near the site that would impact the project due to a seiche. Therefore, the project would not be exposed to a flood hazard due to a tsunami or seiche and release pollutants due to inundation by a flood hazard.
- e) **Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Less Than Significant Impact.** The project developer has prepared a Preliminary WQMP and would be required by the city to install and implement all proposed water

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<sup>31</sup> Preliminary Drainage Study for Talbert Residential, 8572 Talbert Avenue, City of Fountain Valley, Ca, Walden & Associates, November 2022, page 5.

quality collection and surface water runoff treatment measures listed in the WQMP. As a result, the project would not conflict with or obstruct water quality control measures mandated by the state.

The City of Fountain Valley has an adopted Urban Water Management Plan (UWMP)<sup>32</sup>. The UWMP provides a detailed summary of present and future water resources and demands and provides an assessment of the City of Fountain Valley's water resource needs. The UWMP provides water supply planning for a 20-year planning period in five-year increments and identifies water supplies needs to meet existing and future demands. The City gets its water from three main sources, recycled water from Orange County Water District's Green Acres Project, local well water from the Lower Santa Ana River Groundwater basin, and imported water from the Colorado River and the State Water Project (SWP) provided by the Metropolitan Water District of Southern California (MET) and delivered through Municipal Water District of Orange County (MWDOC).<sup>33</sup>

The UWMP analyzed the future water demand for the city based on land use type, including single-family, multi-family, commercial, institutional, industrial, etc. The UWMP also analyzed its future water supply based on the reliability of its existing sources of water including groundwater, MET, recycling, etc. Based on the UWMP the available supply of water would meet the projected demand due to diversified supply and conservation measures. The project would continue to allow rainfall to percolate into approximately 33% of the pervious on-site soils and recharge the local groundwater. Therefore, the project would not significantly impact the UWMP and the City's future sources of water supply.

#### **XI. LAND USE AND PLANNING: Would the project:**

- a) ***Physically divide an established community? No Impact.*** The 1.41-gross acre site is an infill site and surrounded by single-family detached residential homes to the north, west, and south and a SCE power line easement with steel towers and overhead power lines to the east. The project proposes to divide the 1.41-gross acre site into 15 lots for the development of 15 single-family detached residential units. The project would construct 15 new residential units in an existing residential area and would not physically divide the existing residential community adjacent to and surrounding the site.
- b) ***Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? Less Than Significant Impact.*** The project site is designated Low Medium Density Residential by the Fountain Valley General Plan and zoned CP (Commercial, Administrative, Professional Office). The project proposes 15, two-story dwelling units on 1.41-gross acres at a density of 10.6 dwelling units/acre. The project would require a zone change to GH (Garden Homes) to allow the development of 15 homes on the 1.41-gross acre site as proposed and a maximum density of 10.8 dwelling units/acre.

#### **General Plan Consistency**

##### *Land Use Compliance*

The project site is designated Low Medium Density residential land use by the Fountain Valley General Plan. The Fountain Valley General Plan Land Use Element states that for Low Medium Density Residential "allows for the development of smaller lot single family residences, two-family dwellings, multi-family dwellings, and apartments. The maximum density within this land use category is up to 10.8 dwelling units per net unit acre."

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<sup>32</sup> Fountain Valley 2020 Urban Water Management Plan, Final, June 2021.

<sup>33</sup> Ibid, page ES-3.

The applicable Goal and Policies of the General Plan Land Use Element that relate to residential development include:

## Goal

2.1 Maintain and enhance high quality development throughout the City.

The applicable policy to obtain Goal 2.1 states:

Policy 2.1.2 Encourage variety, quality, consistency and innovation in land use practice.

The project meets the intent of Policy 2.1.2 of the Fountain Valley General Plan by proposing a residential project that is compatible with the existing residential uses and the SCE easement adjacent to the project. The project proposes a distinctive architectural style and character creating a project identity for its residents who can take pride in the development.

The project proposes 15 residential units on the 1.41-gross acre site resulting in a density of 10.6 units per acre and is consistent with the allowed density of up to 10.8 units/acre for the Low Medium Density land use designation. The project is consistent with the density allowed for the site by the General Plan.

## Zoning Compliance

### *Density*

The existing CP zoning for the site applies to areas suitable for low-scale professional offices and related support services. The CP zoning district is consistent with the office commercial land use designation of the general plan.<sup>34</sup> Residential uses is not allowed in the CP zone. Therefore, the project requires approval by the city of a zone change from CP to GH (Garden Homes). The GH zone allows a density of up to 10.8 units/acre<sup>35</sup>

The Fountain Valley Municipal Code (FVMC) establishes the following development standards for a project in the GH zone.

### *GH development standards.*

Lot Area: Minimum lot area = 1,800 square feet.

Lot width: 23 feet

Lot depth: As approved by the commission

Maximum number of dwelling units per parcel: 1 unit per parcel

Setbacks:

Front, As determined by the commission

Sides (each): As determined by the commission

Rear: As determined by the commission

Height Limit: 30 feet/2 stories

Ratio of 2<sup>nd</sup> story building area to 1<sup>st</sup> story building: As determined by the planning commission

Balconies and decks: As determined by the planning commission

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<sup>34</sup> City of Fountain Valley Municipal Code, 21.10.020 Purposes of commercial zoning districts.

<sup>35</sup> City of Fountain Valley Municipal Code, 21.08.040, Table 2-3.

Site coverage: 30% project building coverage. Maximum 11 units per structure  
Floor area ratio: 0.5 + 0.10 (subject to Section 21.08.045)  
Minimum floor area: As required by Table 2-4  
Landscaping: As required by Section 21.20.040(B) (Landscape area requirements)  
Parking: As required by Chapter 21.22 (Parking and Loading)

The project meets all the GH zoning regulations and development standards. The project proposes a Floor Area Ratio (FAR) of 0.47 to 0.58. The residential district development standards in Table 2-3 of Chapter 21.08 of the Fountain Valley Municipal Code states the FAR for the GH zone with 5 or more lots is determined by the Planning Commission. Table 2-3 development standards for the GH zone also states the FAR is 0.5 + 0.08 (subject to Section 21.08.045). The project requires a Floor Area Ratio (FAR) bonus to increase the maximum FAR from 0.50 to 0.58 to comply with Fountain Valley Municipal Code 21.08.045.

The GH zone allows a maximum site coverage of 30%. The project proposes a site coverage of 35.3%. "Site coverage" means the percentage of total site area occupied by structures and paving for vehicle use. Structure/building coverage includes the primary structure, all accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.) and architectural features (e.g., chimneys, balconies, decks above the first floor, porches, stairs, etc.). Structure/building coverage is measured from exterior wall to exterior wall. Pavement coverage includes areas necessary for the ingress, egress, outdoor parking and circulation of motor vehicles.<sup>36</sup>

Because the project exceeds the maximum site coverage allowed in the GH zone the project applicant is requesting a Planned Development (PD) overlay. The PD overlay would allow the proposed total site coverage of 35.3% in the GH zone rather than be restricted to the maximum of 30%. The purpose of the PD overlay zoning district is, "The PD overlay district may be designated by the city in areas where the city has determined that flexibility in the application of development standards may produce development projects of higher quality than might be achieved through the strict application of the development standards required by the primary zoning district."<sup>37</sup> The project exceeds the 30% site coverage restriction due to the attractive and high quality features designed into the project along with the private streets, enhanced landscaping and exterior design features to ensure the aesthetic and land use compatibility with the existing adjacent residential development. The increased site coverage and requested PD overlay would not result in any significant land use or aesthetic impacts.

The project is consistent with the General Plan and would be consistent with the requested GH zone, GH zone development standards and PD overlay. The project would not have any significant land use impacts.

## **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? No Impact.*** The project site is in Mineral Resource Zone 3 (MRZ-3).<sup>38</sup> Areas classified MRZ-3 contain mineral deposits, but their significance cannot be evaluated from available data.<sup>39</sup> The Fountain Valley General Plan does not identify any locally important minerals either on or adjacent to the site. Furthermore, there are no mining activities either on or adjacent to the project site. Because there are no known mineral resources on the site or known

<sup>36</sup> Fountain Valley Municipal Code, 21.90.020 Definitions of specialized terms and phrases.

<sup>37</sup> Ibid, 21.14.060 (a).

<sup>38</sup> California Department of Conservation, file:///C:/Users/Phil/Downloads/ofr\_94-15\_plate\_1%20(1).pdf

<sup>39</sup> [https://www.conservation.ca.gov/cgs/Documents/Publications/Special-Reports/SR\\_146-MLC-Report03.pdf](https://www.conservation.ca.gov/cgs/Documents/Publications/Special-Reports/SR_146-MLC-Report03.pdf)

mineral resources adjacent to or within close proximity of the site, the project would not result in the loss of a locally important mineral resource or impact mineral resources.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No Impact.** See Response to section “XII.a” above of this MND.

**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 in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies? Potentially Significant Unless Mitigation Incorporated.** A noise report<sup>40</sup> was prepared for the project and is included in Appendix G. The existing farm house and garage on the project site are vacant. The site was used for agricultural and farming activities in the past. Any noise that is generated from the site currently is infrequent and limited to the occasional agricultural use of the property by the property owner. Noise sources in the immediate project area impacting the project site includes traffic on Talbert Avenue adjacent to and north of the site and noise from the residential neighborhoods adjacent to and south, west and north of the site.

**Noise Standards**

The Noise Element of the City of Fountain Valley General Plan establishes noise quality standards for land use categories based on the State of California Office of Noise Control land use compatibility recommendations. Community noise exposures are recommended as normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable for various classes of land use sensitivity. As shown in Table 11, the City guidelines an exterior noise exposure standard of 60 dB CNEL is the most desirable level for single-family residential uses while levels of 70 dB CNEL are acceptable for usable outdoor space (patios, decks, pools, etc.). A level of 70 dB CNEL is considered “conditionally acceptable”. In a “conditionally acceptable” noise category, new construction should be undertaken only after a noise analysis has been made and needed noise insulation features have been incorporated in the project design. These standards apply to exterior recreational noise.

**Table 11  
Fountain Valley Noise Ordinance Standards  
Fountain Valley Municipal Code Section 6.28.050**

Noise Zone 1	Time Period	Exterior Noise Standard
All properties located in residential zone districts	7 a.m.- 10 p.m.	55 dB
	10 p.m.-7 a.m.	50 dB

It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either incorporated or unincorporated, to exceed:

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

<sup>40</sup> Noise Impact Analysis, Bonanni Residential Project, Giroux & Associates, January 4, 2022.

- 2) The noise standard plus five (5) dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or
- 3) The noise standard plus ten (10) dB(A) for a cumulative period of more than five (5) minutes in any hour; or
- 4) The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one (1) minute in any hour; or
- 5) The noise standard plus twenty (20) dB(A) for any period of time.

An interior CNEL of 45 dB is mandated by the State of California Noise Insulation Standards (CCR, Title 24, Part 6, section T25-28) for multiple-family dwellings and hotel and motel rooms. In 1988, the State Building Standards Commission expanded that standard to include all habitable rooms in residential use, including single-family dwelling units. For this project an exterior noise level of 70 dB CNEL in any usable outdoor recreational area and interior noise level of 45 dB in any habitable residential indoor space are considered to be the appropriate compatibility standards for residential use.

Baseline Noise Levels

Baseline noise measurements were taken to document the existing noise levels on the site due to activities on the site and the immediate project vicinity. The existing noise levels are shown in Table 12. The measured noise levels provide a basis to calculate the noise levels that project residents would be exposed to with the existing noise generating activities in the area. Short term (15-minute) noise measurements were conducted early afternoon on Monday, December 6, 2022 at one location as shown in Figure 11.

**Table 12  
Measured Noise Levels (dBA)**

<b>Location</b>	<b>Leq</b>	<b>L<sub>10</sub></b>	<b>L<sub>33</sub></b>	<b>L<sub>50</sub></b>	<b>L<sub>90</sub></b>
On-site, 60-feet to Talbert centerline	57	68	58	56	53

The City of Fountain Valley considers a noise level up to 70 dB CNEL “conditionally acceptable” for residential use. In a “conditionally acceptable” noise category, new construction should be undertaken only after a noise analysis has been made and needed noise insulation features have been incorporated in the project design.

Noise impacts are considered significant if they result in:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

**Figure 11  
Noise Monitor Location**



"Substantially" is not defined in any noise guidelines. The accuracy of sound level meters and of sound propagation computer models is no better than  $\pm 1$  dB. This is also the human loudness difference discrimination level under ideal laboratory conditions. Most people cannot distinguish a change in the noise environment that differs by less than 3 dB between the pre- and post-project exposure if the change occurs under ambient conditions. For the purposes of this analysis, a traffic noise increase of more than +3 dB that worsens an area of noise/land use incompatibility would be considered a significant noise impact.

### Sensitive Receptors

The closest noise sensitive receptors to the project are the residents west and south of the site. Homes to the west have approximately a 16.5' to 20' setback from the shared property line. With project setbacks, the closest residential building façade has approximately a 27' setback to the nearest existing off-site residence. The project proposes a 6' masonry wall at the shared property line and the residences south of the project have approximately a 12' to 14' setback from the property line and a minimum 19' setback from the closest project residential unit.

### **Temporary Noise Impacts**

The existing noise levels on the site and the noise levels in the immediate vicinity of the site would increase temporarily during project construction. Short-term construction noise would be generated during grading and the construction of the residential units and other proposed site improvements. Noise would also be generated by construction workers commuting to the site, the delivery of materials and supplies to the site and the operation of on-site electrical construction equipment, etc.

Temporary construction noise impacts vary markedly due to the noise level range of the various types of construction equipment, its activity level and the distance from the equipment to the closest noise sensitive land use. Short-term construction noise impacts typically occur in discrete phases dominated by large, earth-moving equipment that is used during for grading operations. The construction equipment that would be used to construct the residential units and pave the private street typically generates less noise than the grading equipment.

In 2006, the Federal Highway Administration (FHWA) published the Roadway Construction Noise Model that includes a national database of construction equipment reference noise emissions levels. The database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power during a construction phase. The usage factor is a key input variable that is used to calculate the average Leq (Equivalent Continuous Sound Pressure Level) noise levels.

Table 13 shows the highest (Lmax) noise levels that is typically associated with each type of construction equipment that would be used by the project and then adjusts the noise level for distance to the closest sensitive receptor to the project and the extent of the use of the equipment (usage factor), which is represented as Leq. Table 13 also shows the noise level for each individual piece of equipment at a reference 50-foot distance.

**Table 13  
Construction Equipment Noise Levels**

Phase Name and Duration	Equipment	Usage Factor <sup>1</sup>	Noise @ 50 feet (dB) <sup>2</sup>	Hourly Noise Level @ 50 feet (dB))
Demolition	Concrete Saw	20%	90	83
	Dozer	40%	85	82
	Loader/Backhoe	37%	78	74
Grading	Grader	40%	85	81
	Dozer	40%	85	82
	Loader/Backhoe	37%	78	74
Construction	Crane	16%	81	73
	Loader/Backhoe	37%	78	74
	Welders	46%	74	71
	Generator Set	50%	81	78
	Forklift	20%	75	69
Paving	Paver	50%	77	74
	Mixer	40%	79	75
	Paving Equipment	40%	76	72
	Loader/Backhoe	37%	78	74
	Roller	20%	80	74

Source: FHWA's Roadway Construction Noise Model, 2006

The closest noise sensitive land use to the project site are the residences that are adjacent to and south and west of the site. The project proposes a 6' block wall along both the southern and western project boundary that would separate the existing residences adjacent to the site from the project site.

Exterior noise levels were calculated to residences closest to the site with the operation of on-site construction equipment. The proposed 6' block walls along the southern and western boundary would

reduce noise levels to the residences beyond the wall by approximately 5 dBA. The exterior noise levels to the residences closest to the project, after taking the 5 dBA credit, are shown in Table 14.

Older homes with single pane windows can reduce exterior noise levels to interior noise levels by 25 dB with the windows closed<sup>41</sup>. However, modern homes are constructed with dual pane windows, which can result in up to a 30-dB exterior to interior noise level reduction with closed windows. Thus, the homes west of the project would have an interior noise level of 33-64 dBA and the homes south of the site would have an interior noise level of 33-59 dBA. This noise level reduction could be maintained on a temporary basis since it requires windows to remain closed at all times, assuming the structures have air conditioning and windows do not have to be open for cooling.

Indoor speech interference can be expressed as a percentage of sentence intelligibility between two average adults with normal hearing and speaking fluently in relaxed conversation approximately one meter apart in a typical living room or bedroom (EPA 1974). Indoor sound levels of up to 45 dBA Leq allow 100% intelligibility of sentences. At 52-dBA, intelligibility is reduced slightly, but still approximately 97%.

**Table 14**  
**Construction Noise Equipment Levels at Off-Site Noise Sensitive Uses (dBA Leq)**

<b>Phase Name and Duration</b>	<b>Equipment</b>	<b>Noise @ Western Perimeter Homes</b>	<b>Noise @ Southern Perimeter Homes</b>
Demolition	Concrete Saw	72	72
	Dozer	71	71
	Loader/Backhoe	63	63
Grading	Grader	93	88
	Dozer	94	89
	Loader/Backhoe	86	81
Construction	Crane	73	76
	Loader/Backhoe	74	77
	Welders	71	74
	Generator Set	78	81
	Forklift	69	72
Paving	Paver	na	81
	Mixer	na	82
	Paving Equipment	na	79
	Loader/Backhoe	na	81
	Roller	na	81

The potential for construction-related noise to adversely affect nearby residential receptors would depend on the location and proximity of the on-site construction activities in relation to the location of the off-site receptors. Most of the project construction equipment would be operating at a greater setback from the adjacent noise sensitive land uses than the worst-case examples shown in Table 14. Therefore, the exterior and interior noise levels to the adjacent noise sensitive land uses would be less than shown in Table 14.

<sup>41</sup> U.S. Environmental Protection Agency, Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety, 1974.

Although construction noise levels at the residences south and west of the site would exceed the Fountain Valley Noise Ordinance, the Noise Ordinance excludes construction noise level restrictions during the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday and 9:00 a.m. and 8:00 p.m. on Saturdays. The Noise Ordinance prohibits construction on Sunday or legal holidays.

In addition to adhering to the City of Fountain Valley allowable hours of construction (7 a.m. to 8 p.m. Monday through Friday and 9 a.m. through 8 p.m. on Saturdays with no construction allowed on Sundays and any legal holiday) the following measure is recommended to reduce construction noise level impacts to the adjacent residents to the lowest level possible.

**Mitigation Measure No. 7** The following measures shall be implemented at the start of construction and continued through project completion:

- All stationary construction equipment shall be located a minimum of 75 feet from the adjacent occupied residential residences buildings;
- All construction equipment shall be shut off when not in use; and
- Electrical power shall run air compressors and similar power tools.

#### Vehicle Noise Impacts

As discussed in section “XVII.a” of this MND, the project is calculated to generate 142 daily vehicle trips. Based on an Orange County Transit Authority traffic count of 21,000 vehicles per day on Talbert Avenue adjacent to the site, the noise level on Talbert Avenue is approximately 68.4 dBA. The estimate 142 daily project trips would increase the existing noise level on Talbert Avenue by approximately 0.03 dBA and less than the noise significance level of 3 dBA and lower than the City of Fountain Valley noise compatibility guidelines. As a result, the traffic noise levels generated by the project would be screened by the existing noise levels and would not have any significant traffic noise level impacts.

#### Mechanical Equipment

Air conditioning units are proposed at the rear of each residential unit. The condensers of the proposed residential units along the west project boundary have a 16’ to 20’ setback to the 6’ block wall along the shared west property line. The condensers of the residential units along the southern project boundary have a 5’ setback to the 6-foot block wall at the shared property line.

Variable speed air compressors have a sound power noise level of approximately 58 dBA. When taking into account the distance of the air conditioning units to the 6’ block wall and the distance to the existing residences west and south of the project site, the exterior noise level of the existing residences west and south of the project would range from 36 to 47 dBA. The exterior noise standard for the City of Fountain Valley is 55 dBA daytime and 50 dBA at night. Therefore, the noise at the residential units west and south of the project from the operation of the air conditioning units of the proposed residential units would not exceed the city daytime or nighttime exterior noise threshold at the closest sensitive uses east of the site.

Based on the noise analysis above, the project would not have any significant temporary (construction) or permanent (operational) noise level impacts.

b) **Generation of excessive ground borne vibration or ground borne noise levels? Potentially Significant Unless Mitigation Incorporated.** There are residential homes south, west, and north of

the project and a SCE power line easement adjacent to and east of the site. Talbert Avenue is adjacent to and north of the site. The site is subject to occasional ground borne vibration with heavy trucks occasionally traveling on Talbert Avenue adjacent to and north of the site. However, the vibration levels on the site from the occasional passing of heavy trucks on Talbert Avenue is not significant and short-term in duration.

### Construction Activity Vibration

Construction activities generate ground-borne vibration when heavy equipment travels over unpaved surfaces or when it is engaged in soil movement, such as grading. The effects of ground-borne vibration include discernable movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Vibration related problems generally occur due to resonances in the structural components of a building because structures amplify groundborne vibration. Within the “soft” sedimentary surfaces of much of Southern California, ground vibration is quickly damped. Groundborne vibration is almost never annoying to people who are outdoors (FTA 2006).

Groundborne vibrations from construction activities rarely reach levels that can damage structures. Vibration thresholds have been adopted for major public works construction projects, but these relate mostly to structural protection (cracking foundations or stucco) rather than for human annoyance.

The vibration descriptor commonly used to determine structural damage is the peak particle velocity (ppv) and defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in in/sec. The range of vibration levels is shown in Table 15.

Over the years, numerous vibration criteria and standards have been suggested by researchers, organizations, and governmental agencies. However, there are no California Department of Transportation (Caltrans) or Federal Highway Administration standards for vibration.

**Table 15**  
**Human Response to Transient Vibration**

Average Human Response	ppv (in/sec)
Severe	2.00
Strongly perceptible	0.90
Distinctly perceptible	0.24
Barely perceptible	0.03

Source: Caltrans Transportation and Construction Vibration Guidance Manual, 2013.

According to Caltrans, the threshold for structural vibration damage for modern structures is 0.5 in/sec for intermittent sources, which include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers and vibratory compaction equipment. The American Association of State Highway and Transportation Officials (AASHTO) (1990) identifies maximum vibration levels for preventing damage to structures from intermittent construction or maintenance activities for residential buildings in good repair with gypsum board walls to be 0.4–0.5 in/sec. The damage threshold criterion of 0.2 in/sec is appropriate for fragile buildings. For this analysis because some of the area residential units adjacent to the site can be older, therefore the 0.2 in/sec damage threshold for older fragile buildings is used as the evaluation criteria. Below the level of 0.2 in./sec. there is virtually no risk of building damage. Table 16 below shows the predicted vibration levels at varying distances that are

typically generated by various types of construction equipment that could be operational on the project site during construction.

**Table 16  
Estimated Vibration Levels During Project Construction**

<b>Equipment</b>	<b>PPV at 10 ft (in/sec)</b>	<b>PPV at 15 ft (in/sec)</b>	<b>PPV at 25 ft (in/sec)</b>	<b>PPV at 40 ft (in/sec)</b>	<b>PPV at 50 ft (in/sec)</b>
Large Bulldozer	0.352	0.191	0.089	0.044	0.031
Loaded trucks	0.300	0.163	0.076	0.037	0.027
Jackhammer	0.138	0.075	0.035	0.017	0.012
Small Bulldozer	0.012	0.006	0.003	0.001	<0.001

Source: FHWA Transit Noise and Vibration Impact Assessment

As shown in Table 16, the calculated vibration levels generated by the operation of a large bulldozer within 15’ of the property line could create vibration levels that cause structural damage in older buildings (i.e., 0.2 in/sec). Based on the types of construction equipment that would be used on the site and the estimated vibration levels to the closest residences to the site from the operation of the construction equipment, the project would generate vibration levels more than the recommended acceptability threshold of 0.2 inches per second.

The following measure is recommended to reduce potential vibration impacts to the closest adjacent existing residential units to less than significant.

**Mitigation Measure No. 8** Small bulldozers (80-100 horsepower) only shall operate within 15 feet of the nearest off-site structures.

The project would not have any significant ground borne or vibration impacts and vibration impacts with the implementation of the recommended mitigation measure.

- c) ***For a project located within the vicinity of a private air strip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport, would the project expose people residing or working in the project area to excessive noise levels? No Impact.*** There are no private air strips or public airports in the City of Fountain Valley or the immediate project vicinity. John Wayne Airport is the closest public airport to the site and is located approximately seven miles southeast of the project. The project site is not located within the land use plan of John Wayne Airport. Because the project is more than seven miles from John Wayne Airport and outside of the airport plan for John Wayne Airport, the project would not be impacted by noise levels at John Wayne Airport.

**XIV. POPULATION AND HOUSING: Would the project:**

- a) ***Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)? Less Than Significant Impact.*** The project proposes 15 market rate for-sale single-family detached residential units. Currently there is an average of 3.03 persons per household in Fountain Valley.<sup>42</sup> Assuming the average persons per unit for the project is the same as the average household in Fountain Valley, the project is estimated to generate approximately 45 residents, which

<sup>42</sup> <https://www.census.gov/quickfacts/fountainvalleycitycalifornia>.

represents less than an 0.08% increase of the city's current population of 56,495<sup>43</sup>. This population increase of approximately 45 residents assumes that all project residents live outside the city and would relocate to Fountain Valley to live at the project site. This percentage would be less when taking into account any existing city residents that would move to the project, once developed and their vacated units are occupied by city residents. If the vacated units are not reoccupied by city residents the city's population would increase accordingly. However, it is speculative at this time to estimate the exact number of Fountain Valley residents and residents that live outside the city that would move into the project. While the city's population is expected to increase due to the project, the increase would not significantly increase the population of Fountain Valley.

California State Housing Element Law enacted in 1980 requires the Southern California Association of Governments (SCAG) and other regional councils of government in California to determine the existing and projected regional housing needs for persons at all income levels. SCAG is also required by law to determine each jurisdiction's share of the regional housing need in the six-county (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) Southern California region. State legislation and the Regional Housing Needs Assessment (RHNA) process are intended to address housing needs for projected state population and household growth, to create a better balance of jobs and housing in communities, and to ensure the availability of decent affordable housing for all income groups.

As the regional Council of Governments (COG) for Southern California, State law requires SCAG to "determine the existing and projected housing need for its region". SCAG takes the lead in overseeing the assessment by identifying measures to gauge housing demand and comparing those numbers against socioeconomic factors throughout the region.

The RHNA consists of two measurements: 1) existing need for housing, and 2) future need for housing. The existing need assessment examines key variables from census data, to measure ways in which the housing market is not meeting the needs of current residents. The future need assessment is determined by SCAG's growth forecast and public participation process.

The State's Housing Element law requires local governments to make plans to adequately address their share of existing and projected population growth, taking into consideration affordability of available and future housing. Recognizing that the most critical decisions regarding housing development, occur at the local level, through a City's General Plan, the Housing law seeks to adequately address housing needs and demands. The California Department of Housing and Community Development (HCD) enforces State Housing Element Law by requiring certified Housing Elements as part of every city's General Plan.

Fountain Valley's 2021-2029 Housing Element states the RHNA for Fountain Valley is 4,839 housing units, which includes 1,307 Very Low, 786 Low, 834 Moderate and 1,912 Above Moderate affordability levels. The city is required to ensure that the General Plan and Zoning Ordinance provide for the development of the 1,912 Above Moderate income residential units that are needed in Fountain Valley by 2029. The project's proposed 15 Above Moderate single-family detached residential units would contribute toward the City's 2021-2029 RHNA housing need of 1,912 Above Moderate residential units and the total 4,839 residential units."

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<sup>43</sup> Ibid, population estimate as of July 1, 2021.

## **Fountain Valley Housing Element**

The Fountain Valley Housing Element provides policy themes, goals, and policies to achieve the city's desired policy themes. The policy themes, goals and policies of the Housing Element that are applicable to the project are provided below:

### **Program Category #1: Adequate Housing Sites**

The purpose of this program category is to describe the actions that the City will take to ensure that a variety of housing types can be accommodated, including multifamily rental housing, factory-built housing, emergency shelters, and transitional housing. The City's Land Use Element, Development Code, and specific plans regulate the housing types permitted in the community.

Goal 1: Promote and encourage the development of a variety of housing opportunities to accommodate current and projected households.

#### **Policies**

1.1 Promote the construction of additional dwelling units to accommodate Fountain Valley's share of regional housing needs in accordance with adopted land use policies.

1.2 Provide a variety of housing opportunities for all income levels through different land uses and densities.

1.3 Coordinate new residential development with the provision of infrastructure and public services.

### **Program Category #2: Housing Production**

The City's existing needs include 63% of renter and 42% of mortgage-holding households that are cost burdened, expending more than 30% of their income toward housing. The City's new construction need includes 2,093 lower, 834 moderate, and 1,912 above moderate-income units, which can be supported by vacant and underutilized land.

Goal 2: Assist in the provision of housing affordable to lower income households.

#### **Policies**

2.1 Promote infill housing development through the adaptive reuse of underutilized parcels.

2.2 Promote and encourage the use of innovative construction methods, design standards, lot configurations, and energy conservation techniques that will facilitate the production of quality, affordable, and attractive new housing which varies in type, design, form of ownership, and size, and is compatible with abutting development.

2.3 Encourage new housing construction for rental and ownership housing in a mixture of price ranges.

### **Program Category #6: Equal Housing Opportunities**

Goal 6: Promote housing opportunities for all persons regardless of race, age, religion, sex, marital status, disability status, ancestry, national origin, or color.

## Policies

6.4 Continue to require compliance with the Americans with Disabilities Act standards in all new residential developments and continue to enforce the building code provisions requiring accessible design.

6.8 Encourage and facilitate housing developments that provide units affordable to a mix of lower, moderate, and above moderate income households.

The proposed 15 unit residential project meets Goal #1 of Program Category #1 by proposing a low medium density development that encourages a housing opportunity to accommodate current and projected households in Fountain Valley. The project meets policies 1.1, 1.2 and 1.3 of Goal #1 by providing housing to assist the city towards meeting its RHNA allocation of 4,839 residential units and 1,912 Above Moderate units by the year 2029, provide housing opportunities for an income level based on the proposed housing type and density and has adequate infrastructure and public services to serve the project, respectively.

Program Category #2 states, "The City's new construction need includes 2,093 lower, 834 moderate, and 1,912 above moderate-income units, which can be supported by vacant and underutilized land." The project proposes the development of 15 residential units on an underutilized 1.41-acre parcel. The project design is compatible with the existing residential development adjacent to the site and provides an attractive development in terms of design, size, etc. and a mix of rental, home ownership and price ranges.

The project meets Goal 6 of Program Category #6 by promoting housing opportunities for all persons regardless of race, age, religion, sex, marital status, disability status, ancestry, national origin, or color and also meets policies 6.4 and 6.8 by meeting all applicable Americans with Disabilities Act standards and provide all required building code provisions requiring accessible design and provide housing for an above moderate income household, respectively. The City would require the project to comply with all Federal and State equal opportunity housing mandates.

It is anticipated that many of the project buyers would be existing residents of Fountain Valley. Therefore, the project is not anticipated to substantially increase the City's population.

- b) ***Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? No Impact.*** The project site is developed with a farm house and a storage building. However, the site is currently vacant. Although there is a single-family residence on the site, the residence is vacant and the project would not displace any existing housing and require the construction of replacement housing.

## 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:***
- i. ***Fire protection? Less Than Significant Impact.*** The Fountain Valley Fire Department provides fire protection services to the site. The closest fire station to the site is Fire Station 1 and located at

17737 Bushard Street. Fire Station 1 is located approximately 1.15 miles east of the site. The other responding fire station is Fire Station 2 that is located at 16767 Newhope Street and approximately 4.12 miles northeast of the site. Once constructed, the project would require fire protection services that are typically required for residential development. While the project would require fire protection services during both construction and the life of the project, the Fountain Valley Fire Department has sufficient personnel and equipment to serve the project without any significant impact to the fire department's ability to continue to provide an adequate level of fire protection service to Fountain Valley. The impact by the project to fire protection services would be less than significant.

- ii. **Police protection? Potentially Significant Unless Mitigation Incorporated.** The Fountain Valley Police Department provides police protection services to the site from the police department located at 10200 Slater Avenue, which is approximately 1.6 miles northeast of the site. The project could require police protection services during project construction to respond to theft, vandalism, accidents and other construction related police emergencies. Once constructed, the project would require typical operational police services for residential development such as routine police patrols, vandalism, break-ins, and other service calls associated with residential development.

The project is located within coyote habitat, which increases the potential for human and coyote conflict. The Police Department and California Fish and Game manage the tracking of coyote sightings and response to immediate coyote attacks. The project developer should disclose in any Homeowners' Association documents about the presence of coyote habitat with the project site and reference local coyote call center numbers and the City's Coyote Management Plan. The project site is located in an area with a high rate of vehicular traffic due to Talbert being a major thoroughfare to local freeways, as well as the location of a large retail shopping center west of the intersection. Courreges Elementary school and Fulton Middle school are located in close proximity to the project site. During the school year a high rate of elementary age students use the sidewalk, which crosses in front of the project site entry driveways. The project site poses a traffic safety concern based on these two issues.<sup>44</sup>

The following mitigation measures are recommended to reduce potential police safety impacts by the project:

**Mitigation Measure No. 9** Stop signs and a Watch for Children shall be posted at the exit of both driveways prior to the issuance of the first certificate of occupancy.

**Mitigation Measure No. 10** Vegetation growth at the exit of both driveways shall be monitored to ensure that drivers exiting the site have a clear view of Talbert Avenue in both directions without any interference of project landscaping.

While the project would require police protection services during project construction and the life of the project, the project would not impact the Police Department's ability to continue to provide an adequate level of service to the community.<sup>45</sup>

- iii. **Schools? Less Than Significant Impact.** The project is served by the Fountain Valley School District and the Huntington Beach Union High School District. Students grades TK-5 that are generated by the project would attend Courreges Elementary School and grades 6-8 would attend

<sup>44</sup> Matthew L. Sheppard, Fountain Valley Chief of Police, letter dated December 21, 2022.

<sup>45</sup> Ibid.

Fulton Middle School. Student's grades 9-12 would attend Fountain Valley High School. The project is estimated to generate approximately 12 students, including 8 grades K-8 students and 4 grades 9-12 students.<sup>46</sup> The Fountain Valley School District has the capacity to accommodate the 8 students estimated to be generated by the project.<sup>47</sup> The Huntington Beach Union High School District also has the capacity to accommodate the estimated 4 new students that would be generated to the District.<sup>48</sup>

As required by Government Code Section 65995, the project would be required to pay a developer fee towards the cost to offset impacts from the students that would be generated by the project. Currently the developer fee for residential units in the Fountain Valley School District is \$2.92 per square foot and \$4.79 for the Huntington Beach Union High School District. The project developer would be required to pay the fee in place at the time the developer acquires building permits for the construction of the proposed residential units. Payment of the required developer fee would reduce the impact of the project to both the Fountain Valley School District and the Huntington Beach Union High School District to less than significant.

- iv. **Parks? Less Than Significant Impact.** The closest public park to the project is Courreges Park that is located at 8664-8665 Rogue River Avenue and approximately 0.25 miles south of the site adjacent to Courreges Elementary school. Courreges Park is 11.96 acres and includes a climbing unit, benches, a drinking fountain, jogging course picnic tables, rocking toy, sandpit, and swings. Because the project does not propose any on-site recreational facilities, project residents would incrementally increase the demand and use of existing park and recreational facilities in Fountain Valley, which could include Courreges Park. Mile Square Regional Park, which is an Orange County regional park, is located at 16801 Euclid Street and approximately 3.0 miles northeast of the project. Mile Square Park includes soccer, basketball, baseball, softball, cross country track meets, fishing and archery, golf and other active and passive recreational facilities. Due to the small scale of the project it is anticipated the increased demand for both city and county park and recreational facilities would not have a significant impact to the existing park and recreational facilities in Fountain Valley.

Based on the City's park requirement formula of \$10,377/unit the project would be required to pay a parkland fee of approximately \$155,655. The developer's park fee would be used by Fountain Valley to provide new or upgrade existing park and recreational facilities throughout the city. The payment of the required parkland fee would reduce the park and recreational impact of the project to less than significant. The project would not have a significant impact on park and recreational facilities in Fountain Valley with payment of the required park fee. The residents of the project are not anticipated to increase the use of city parks and significantly impact parks in Fountain Valley.

- v. **Other public facilities? No Impact.** There are no public facilities or services that would be impacted by the project.

## **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***

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<sup>46</sup> Fountain Valley School District student generation rate of 0.5 students/unit and Huntington Beach Union High School District student generation rate of 0.27 students/unit.

<sup>47</sup> Fountain Valley School District, Christine Fullerton, letter dated December 15, 2022.

<sup>48</sup> Jill Russo, Administrative Secretary, Huntington Beach Unified High School District, email March 3, 2023.

**be accelerated? Less Than Significant Impact.** The project would not significantly impact recreation facilities. Please see Public Services section “XV.a.iv” above of this MND.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? Less Than Significant Impact.** As discussed in Public Services section “XV.a.iv” above of this MND, the project does not propose the construction of any on-site recreational facilities and would not require the construction or the expansion of other recreational facilities that would impact the environment.

**XVII. TRANSPORTATION: Would the project:**

- a) **Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? Less Than Significant Impact.** A Vehicles Miles Traveled (VMT) screening analysis<sup>49</sup> was prepared for the project and is included in Appendix H.

The project is estimated to generate 142 daily vehicle trips, including 11 AM and 14 PM trips as shown in Table 17.

**Table 17  
Project Trip Generation Rates**

			AM Peak Hour			PM Peak Hour			
Land Use	Source <sup>1</sup>	Unit	%In	%Out	Rate	%In	%Out	Rate	Daily
Single Family Detached	ITE 210	DU	26	74	0.70	63	37	0.94	9.43
<b>Trips Generated</b>									
			AM Peak Hour			PM Peak Hour			
Land Use	Quantity	Unit <sup>2</sup>	In	Out	Total	In	Out	Total	Daily
Single Family Detached	15	DU	3	8	11	9	5	14	142

<sup>1</sup> Source: ITE = Institute of Transportation Engineers, Trip Generation Manual (11th Edition, 2017); ### = Land Use Code(s).

<sup>2</sup> DU- Dwelling Units.

**Screening For Level of Service Analysis**

The City of Fountain Valley has guidelines for Level of Service (LOS) impact for General Plan operational compliance. As specified in the City of Fountain Valley Transportation Impact Assessment (TIA) Guidelines, the requirement to prepare a transportation impact study (with Level of Service analysis) should be based on the following criteria:

- When either the AM or PM peak hour project trip generation exceeds 100 vehicle trips.
- Projects that generate 1600 or more average daily trips (ADT) on the Arterial Highway System.
- Projects that generate 51 or more vehicle trips during either the AM or PM peak hour to any intersection.

The project is calculated to generate 11 AM peak hour trips and 14 PM peak hour trips, which is less than 50 trips during the weekday AM and PM peak hours per the City of Fountain Valley Transportation

<sup>49</sup> 8572 Talbert Avenue Residential Project Transportation Study Screening Assessment, Ganddini Group, November 28, 2022.

Assessment Guidelines. Therefore, a Level of Service analysis is not warranted based on Fountain Valley's TIA Guidelines.<sup>50</sup>

### **Screening For Vehicles Miles Traveled Analysis**

The project VMT impact was assessed in accordance with the City of Fountain Valley TIA Guidelines. The TIA Guidelines establish screening thresholds for certain types of projects that may be presumed to cause a less than significant VMT impact based on substantial evidence provided in the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018).

The Fountain Valley TIA Guidelines specify the following three screening steps: 1) Transit Priority Area (TPA) Screening; 2) Low VMT Area Screening; and 3) Project Type Screening. To qualify for screening, a project needs to fulfill only one of the listed screening types. The screening of the project for each of the three steps is presented below:

#### Transit Priority Area (TPA) Screening

Projects located within a TPA (half mile area around an existing major transit stop or an existing stop along a high-quality transit corridor) may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may not be appropriate if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the City with input from the Metropolitan Planning Organization); or
4. Replaces affordable residential units with a smaller number of moderate or high-income residential units.

The project is not located within a TPA based on the City TIA Guidelines. Therefore, the proposed project does not satisfy the city-established screening criteria for projects located within a TPA.

#### Low VMT Area Screening

Residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident, per worker, or per service population that is similar to the existing land uses in the low VMT area.

The Orange County Transportation Authority Model (OCTAM) measures the VMT performance for individual jurisdictions and for individual traffic analysis zones (TAZs). TAZs are geographic polygons similar to census block groups used to represent areas of homogenous travel behavior. A low VMT-generating area is where the project-generated VMT per service population is less than the city's General Plan Buildout average VMT per service population. The proposed project is located in an area that is 0 – 15% below the average for the City of Fountain Valley and is located within a low VMT-generating area based on the City of Fountain Valley TIA Guidelines. Therefore, the project satisfies the city-established screening criteria for projects located within a low VMT-generating area and can be presumed to result in a less than significant VMT impact.

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<sup>50</sup> 8572 Talbert Avenue Residential Project Transportation Study Screening Assessment, Ganddini Group, November 28, 2022, p. 2.

## Project Type Screening

Local serving retail projects less than 50,000 square feet may be presumed to have a less than significant impact absent substantial evidence to the contrary. Local serving retail generally improves the convenience of shopping close to home and has the effect of reducing vehicle travel. Minor interior or exterior expansions could be screened from assessment. The increase in square footage applies to the net new or increase in square footage of a new project or re-tenanting of a project. The following uses can be presumed to have a less than significant impact absent substantial evidence to the contrary as their uses are local serving in nature:

- Local-serving K-12 schools
- Local parks
- Day care centers
- Local-serving retail uses less than 50,000 square feet including:
  - Gas stations
  - Banks
  - Restaurants, bars, cocktail lounges
  - Shopping center
  - Service uses such as hair salon, barbers, gyms, equipment sales and rental, home electronics and small appliance repair, laundromats, tailors and other uses listed as permitted in Section 21.10.030 of the Fountain Valley Municipal Code
- Local-serving hotels (e.g. non-destination hotels)
- Student housing projects on or adjacent to college campuses
- Local-serving assembly uses (places of worship, community organizations)
- Community Institutions (Public libraries, fire stations, local government)
- Local serving community colleges that are consistent with the assumptions noted in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
- Affordable or supportive housing
- Assisted living facilities
- Senior housing (as defined by HUD)
- Re-tenanting of existing non-residential space
- Interior expansions
- Minor exterior expansions
- Projects generating less than 110 net new daily vehicle trips:
  - 11 single family housing units
  - 16 multi-family, condominiums, or townhouse housing units
  - 10,000 square feet of office
  - 15,000 square feet of light industrial
  - 63,000 square feet of warehousing
  - 79,000 square feet of high-cube transload and short-term storage warehouse
- Other local-serving projects as approved by the Planning and Building Director, City Engineer, and/or Public Works Director

The project site is not local-serving retail and is calculated to generate more than 110 net new daily vehicle trips. Therefore, the project does not satisfy the City-established screening criteria for project type screening.

As stated above, a project only needs to fulfill one of three listed screening thresholds to meet the City of Fountain Valley TIA Guidelines for a less than significant VMT impact. As stated, the project satisfies the city-established screening criteria for projects within a low VMT-generating area.

The existing traffic circulation system can accommodate the project traffic without significantly impacting any local intersections, city policies regarding transportation or CMP roadways or cause roadway congestion. The project would not have any significant transportation impacts.

- b) **Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? No Impact.** As stated in section “XVII.a)” above of this MND, in compliance with CEQA Guidelines Section 15064.3, subdivision (b) a VMT screening analysis was prepared. Therefore, the project would not be in conflict or inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).
- c) **Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Less Than Significant Impact.** The project proposes to construct two private streets at Talbert Avenue for project ingress/egress. Both driveways are 25 feet wide in compliance with Fountain Valley driveway design standards. The two private streets extend 119 feet onto the project site from Talbert Avenue. The city would review the improvement plans prior to the issuance of a building permit to ensure the design of the driveway meets and complies with city driveway standards. The design and width of the two proposed 25’ wide driveways in compliance with city driveway standards would provide adequate project ingress/egress. The project does not propose any roadway or site access design that would have any significant traffic or circulation hazards or impacts.
- d) **Result in inadequate emergency access? Less Than Significant Impact.** The existing public streets and circulation system would continue to provide adequate site access for emergency vehicle access. Police, fire, paramedic/ambulance, and other emergency vehicles would have adequate site access to respond to on-site emergencies to the site with a proposed driveway for the proposed residential development. The project driveway has been reviewed by the city, including the police and fire departments to ensure the site access driveway has adequate widths and turning radius for emergency vehicles to enter and exit the site. The project would not impact emergency access to the site.

#### **XVIII. TRIBAL CULTURAL RESOURCES: Would the project:**

- 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:**
  - i. **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). Potentially Significant Unless Mitigation Incorporated.** As required by AB 52, the City mailed letters to ten area Native American Indians on December 12, 2022 that are on record with the City that may have cultural resources associated with the site. The Gabrieleño Band of Mission Indians – Kizh Nation requested consultation because the project site lies within the ancestral tribal territory of the Kizh Nation. Thus, tribal cultural resources could exist on the site. After consultation with Kizh Nation in compliance with AB 52, the following mitigation measures are recommended to reduce potential impacts to Tribal resources, if present.

**Mitigation Measure No. 11** Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation. A copy of the executed contract shall be submitted to the City of Fountain Valley Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor shall only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor shall complete daily monitoring logs that shall provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the project site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the project site have little to no potential to impact Tribal Cultural Resources.

**Mitigation Measure No.12** Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe shall retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the project site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code Section 5097.98(d)(1) and (2). Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research

interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

Implementation of the recommended mitigation measures would reduce potential tribal cultural resource impacts to less than significant.

- ii) **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. Potentially Significant Unless Mitigation Incorporated.** As discussed in section “XVIII.a.i.” above of this MND, the project could significantly impact tribal resources if present. The implementation of the recommended mitigation measures would reduce potential impacts to tribal resources to less than significant.

**XIX. 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 telecommunication facilities, the construction or relocation of which could cause significant environmental effects? Less Than Significant Impact.*** The existing water main in Talbert Avenue adjacent to the site has capacity to provide the required water supply for both fire flow and the potable water demand of the project without the need to construct new water supply facilities or expand existing facilities. The existing sewer line in Talbert Avenue has capacity to serve the project without a need to upgrade or increase the size of the sewer line. All other utilities required to serve the project, including drainage, electricity, natural gas, and telecommunications are in Talbert Avenue and would not have to be expanded or relocated. The project developer would have to extend to the existing facilities to the site, but none of the existing facilities would have to be improved that could cause significant environmental impacts. The project would not have any significant public utility impacts.
- b) ***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.*** The project is estimated to consume approximately 4,545 gallons of water per day<sup>51</sup>. Based on the City’s Urban Water Management Plan the City has an adequate water supply to meet the demand of the project into the future. The project would have a less than significant impact on water supply.
- c) ***Result in a determination by the wastewater treatment provider that 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.*** Please see section “XIX.b” above of this MND.
- d) ***Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? Less Than Significant Impact.*** The construction of the project would generate various types of construction debris, including asphalt, metal, wood, etc. that cannot be

<sup>51</sup> 100 gallons/person/day and 3.03 people/household.

recycled would be hauled to a landfill. Once operational, the project is estimated to generate approximately 60 pounds of solid waste per day.<sup>52</sup>

Republic Services is the current contract solid waste hauler for the City of Fountain Valley and would serve the project. The solid waste that is collected in Fountain Valley is taken to a Materials Recovery Facility (MRF) in Huntington Beach. All recyclables are recovered and the remaining solid waste is taken to the Frank R. Bowerman Landfill. The City of Fountain Valley adopted a Source Reduction and Recycling Element (SRRE) in 1992 that outlines the City's commitment to a 25% solid waste reduction by 1995 and a 50% reduction by 2000. The solid waste generated by the project would be recycled and the materials that cannot be recycled would be hauled to the Frank R. Bowerman Landfill. The city's waste hauler would actively recycle the solid waste generated by the project to reduce the amount of material that is hauled to the landfill. The solid waste generated by the project would have a less than significant impact on the life expectancy of any of the landfills that serve the project.

- e) **Comply with federal, state, and local statutes and regulations related to solid waste? Less Than Significant Impact.** The City of Fountain Valley complies with all federal, state, and local statutes and regulations related to solid waste. The project would not have any solid waste impacts because the residents would be required to comply with all applicable solid waste statutes and regulations and large quantities of solid waste would not be generated.

**XX. 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? No Impact.** Based on review of the Very High Fire Hazard Severity Zones in Local Responsibility Areas and State and Federal Responsibility Areas map, the City of Fountain Valley is not located within a Very High Fire Hazard Severity Zone.<sup>53</sup> Furthermore, a review of the Fire Hazard Severity Zones in State Responsibility Areas map, the City of Fountain Valley is not located in a Moderate, High or Very High fire hazard zone.<sup>54</sup> The closest Moderate, High or Very High fire hazard zone to the project site is the open space that extends along the south side of University Drive from Culver Drive east to Ridgeline Drive in the City of Irvine and approximately eight miles southeast of the project. The project would not impair or impact any emergency response or emergency evacuation plan associated with an emergency response to a fire in this specific Very High fire hazard zone or any other designated local, state or Federal fire hazard zone in Orange County.
- 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.** As discussed in section "XX. a." above of this MND, the project is not in a Moderate, High, or Very High fire hazard zone and the closest designated fire hazard zone is approximately eight miles southeast of the project. The project site and surrounding properties are generally flat with no significant topographic relief and expose project occupants to wildfire risks. Santa Ana winds could expose project occupants to smoke and other pollutants associated with wildfires located east of the city. However, that exposure would not be site specific because much of the city and general geographic area would be exposed and not the project specifically. The project would not expose project occupants to pollutant concentrations from a wildfire due to slope, prevailing winds, or other factors.

<sup>52</sup> <http://www.calrecycle.ca.gov/>. Residential - 4 pounds/day/unit.

<sup>53</sup> [http://frap.fire.ca.gov/webdata/maps/orange/fhszl\\_map.30.pdf](http://frap.fire.ca.gov/webdata/maps/orange/fhszl_map.30.pdf)

<sup>54</sup> [http://frap.fire.ca.gov/webdata/maps/orange/fhszs\\_map.30.pdf](http://frap.fire.ca.gov/webdata/maps/orange/fhszs_map.30.pdf)

- 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 would be required to install fire sprinklers as required by the City of Fountain Valley Fire Department standards. However, the project would not be required to install and maintain any roads, fuel breaks, emergency water sources, power lines or other utilities to protect the project and the immediate area from a wildfire because the project is not located in a Moderate, High, or Very High fire hazard zone as discussed in section “XX. a.” above of this MND.
- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? No Impact.** As discussed in section “XX. a.” above of this MND, the project is not located within a Moderate, High, or Very High fire hazard zone. As discussed in section “XX. b.” above of this MND, the project site and surrounding properties are generally flat with no significant topographic relief that would expose structures or project occupants to significant risks due to downslope or downstream flooding or landslides. Because the project is not located in a fire hazard zone or downstream of any hillsides of areas of topographic relief the project would not expose either project residents or proposed structures to significant risks due to downstream or downstream flooding or landslides due to post-fire slope instabilities.

## **XXI. 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? Potentially Significant Unless Mitigation Incorporated.** The 1.41-acre site is vacant, except for a farm house and storage building. The vegetation on the site includes eucalyptus trees, citrus trees, palm trees, and other introduced urban vegetation. There are no important plants or wildlife on the site that would be impacted by the project. The project could impact birds that are nesting in the existing on-site vegetation. Mitigation measures are recommended to reduce potential nesting bird impacts to less than significant. The project would not significantly impact any historical resources on the site. However, if present, cultural resources could be uncovered during project grading and construction. Mitigation measures are recommended to reduce potential cultural resources impacts to less than significant. The recommended mitigation measures to reduce potential biological and cultural resource impacts to less than significant as listed in sections “IV” and “V” respectively, are duplicated below.

### Biological Resources

#### **Mitigation Measure No. 3 Nesting Birds –**

- All necessary clearing and removal of vegetation for project construction shall be conducted outside of the typical nesting season for birds (February 1 through September 1).
- If any construction activities are scheduled to occur during the nesting bird season (February 1 through September 1), a qualified biologist shall conduct a survey to determine whether there are any active bird nests within the on-site trees.

- The nesting bird survey shall occur no more than 7-days prior to the start of construction and include a search for nesting birds within the project site.
- If any active nests are observed, they should be avoided until after all young have fledged from the nest, or work shall be monitored by a biologist to ensure against negative impacts to nesting birds.

## Cultural Resources

**Mitigation Measure No. 4** The project developer shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards, to conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session shall be carried out by a cultural resource professional with expertise in archaeology, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The training session shall include a handout and focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of archaeological monitors, and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary.

**Mitigation Measure No. 5** In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 20 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist hired by the project developer, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, Native American Tribes/Individuals shall be contacted and consulted, and Native American construction monitoring shall be initiated. The City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

**Mitigation Measure No. 6** The project developer's archaeological monitor, under the direction of a qualified professional archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards, shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted to the City, the South Central Costal Information Center and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and treatment of the resources.

The project would not have any significant biological or cultural resource impacts with the implementation of the recommended mitigation measures above.

- 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.) Less Than Significant Impact.*** The City of Fountain Valley has not identified any cumulative projects that, along with the proposed project, could have cumulative impacts. Based on the air quality report, the short-term construction emissions and the long-term operational emissions of the project would not exceed any adopted air emission thresholds. The project would not have any individual or cumulative noise or traffic impacts. In addition, the project would not have any significant individual or cumulative impacts associated with aesthetics, hydrology, soils and geology, land use, public services, or utilities that along with the cumulative projects listed in Table 18 would result in any significant cumulative impacts.
- c) ***Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly? Less Than Significant Impact.*** There are no significant impacts associated with the proposed project that would cause substantial adverse effects and significantly impact human beings either directly or indirectly.