



City of Fountain Valley

Addendum to the City of Fountain Valley General Plan Final Environmental Impact Report for the 168000 Magnolia Street Project

State Clearinghouse No. 2022100563

May 2025

Prepared for:

City of Fountain Valley
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**ADDENDUM TO THE
CITY OF FOUNTAIN VALLEY GENERAL PLAN
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
16800 MAGNOLIA PROJECT**

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LEAD AGENCY: CITY OF FOUNTAIN VALLEY
Community Development Department
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Table of Contents

1	INTRODUCTION	1-1
1.1	PURPOSE AND BACKGROUND	1-1
1.2	CEQA REQUIREMENTS	1-3
1.3	INCORPORATION BY REFERENCE	1-4
2	DESCRIPTION OF THE PROPOSED PROJECT	2-1
2.1	PROJECT LOCATION	2-1
2.2	EXISTING SETTING	2-1
2.3	PROJECT CHARACTERISTICS	2-4
3	ENVIRONMENTAL APPROACH AND ANALYSIS	3-1
3.1	AESTHETICS	3-3
3.2	AGRICULTURE AND FORESTRY RESOURCES	3-9
3.3	AIR QUALITY	3-13
3.4	BIOLOGICAL RESOURCES	3-29
3.5	CULTURAL RESOURCES	3-35
3.6	ENERGY	3-39
3.7	GEOLOGY AND SOILS	3-47
3.8	GREENHOUSE GAS EMISSIONS	3-57
3.9	HAZARDS AND HAZARDOUS MATERIALS	3-64
3.10	HYDROLOGY AND WATER QUALITY	3-75
3.11	LAND USE AND PLANNING	3-84
3.12	MINERAL RESOURCES	3-88
3.13	NOISE	3-90
3.14	POPULATION AND HOUSING	3-98
3.15	PUBLIC SERVICES	3-102
3.16	RECREATION	3-107
3.17	TRANSPORTATION	3-111
3.18	TRIBAL CULTURAL RESOURCES	3-117
3.19	UTILITIES AND SERVICE SYSTEMS	3-121
3.20	WILDFIRE	3-129
4	ADDENDUM FINDING	4-1
5	REFERENCES	5-1

List of Tables

Table 1	Proposed Project Development Summary	2-5
Table 2	General Plan and Proposed Project Development Summary	3-1
Table 3	Construction-Related Emissions (Maximum Pounds Per Day)	3-20
Table 4	Operational-Related Emissions (Maximum Pounds Per Day)	3-21
Table 5	Localized Significance of Construction Emissions (Maximum Pounds per Day) ..	3-24
Table 6	Localized Significance of Operational Emissions (Maximum Pounds per Day) ...	3-25
Table 7	Project Operational Electricity and Natural Gas Usage	3-42
Table 8	On-Road Mobile Fuel Generated by Project Construction Activities – By Phase	3-43

List of Figures

Figure 1	Regional Vicinity	2-3
Figure 2	Project Location.....	2-4
Figure 3	Proposed Site Plan	2-11
Figure 4a	Proposed First Floor Plan.....	2-13
Figure 4b	Proposed Second Floor Plan	2-14
Figure 4c	Proposed Third-Fifth Floor Plan	2-15
Figure 4d	Proposed Sixth Floor Plan	2-16
Figure 4e	Proposed Seventh Floor Plan.....	2-17
Figure 4f	Proposed Roof Plan	2-18
Figure 5	Proposed Landscape Plan	2-19
Figure 6a	Proposed Building Elevation – North Building, South and West.....	2-21
Figure 6b	Proposed Building Elevation – North Building, East, and South Building, North....	2-22
Figure 6c	Proposed Building Elevation – South Building, East and South.....	2-23
Figure 6d	Proposed Building Elevation – South Building, West	2-24

Figure 7a Proposed Project Rendering – Key View 1 2-25
Figure 7b Proposed Project Rendering – Key View 2 2-26
Figure 7c Proposed Project Rendering – Key View 3 2-27

Appendices

Appendix A – Air Quality/GHG Data
Appendix B – Geotechnical Investigation
Appendix C – Phase I ESA
Appendix D – Phase II ESA
Appendix E – Focused Soil Vapor Investigation
Appendix F – Preliminary Water Quality Management Plan
Appendix G – Water Supply Assessment
Appendix H – Noise Study
Appendix I – VMT Screening Analysis
Appendix J – Sewer Study

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1 INTRODUCTION

1.1 PURPOSE AND BACKGROUND

The City of Fountain Valley is the Lead Agency for this Project under the California Environmental Quality Act (CEQA). In November 2023, the City Council certified the City of Fountain Valley General Plan Final Program Environmental Impact Report (State Clearinghouse [SCH]# 2022100563) (General Plan FEIR) and adopted the City of Fountain Valley General Plan (General Plan). The General Plan consists of five elements that together meet state requirements for the General Plan. The Fountain Valley General Plan elements are Land Use; Mobility; Housing; Open Space and Conservation; and Public Facilities and Safety.

Subsequent to the November 2023 adoption of the General Plan, the City received an application to construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use at 16800 Magnolia. The Project site has a General Plan land use designation of Mixed-Use 2 (MU2). The MU2 land use designation allows for a maximum residential density of 30 to 55 dwelling units per acre (du/ac), which may be increased to 75 du/ac when the nearest property line of the perimeter is either separated by I-405 from or located at least 400 feet from the property line of an R1 designation; and a maximum floor area ratio (FAR) of 2.20. Within the MU2 land use designation, the General Plan allows for 1,078 dwelling units.

This environmental document is an Addendum to the General Plan FEIR (which includes the Draft EIR or "DEIR") and serves as the environmental review for the 16800 Magnolia Project ("Project" or "proposed Project") pursuant to CEQA, Public Resources Code Sections 21000 et seq., and the State CEQA Guidelines. The General Plan FEIR is a Program EIR prepared to address the environmental impacts associated with the General Plan and related actions. The General Plan FEIR found that any identified significant impacts will be adequately mitigated or that there are overriding considerations to render such impacts acceptable. For purposes of the environmental analysis, the General Plan FEIR analyzed the impacts generated by 6,238 residential units and 1,305,886 square feet of non-residential uses.¹

Program EIRs generally analyze broad environmental effects of the program with the acknowledgment that site-specific environmental review may be required. The proposed Project is a subsequent activity within the program covered by the General Plan FEIR and is within the scope of the project covered by the Program EIR. As discussed below, the proposed Project is consistent with the General Plan FEIR and General Plan. The analysis in this document compares

¹ PlaceWorks, *City of Fountain Valley General Plan EIR, Draft Environmental Impact Report*, June 2023. Table 3-1 (p. 3-8).

the proposed Project with the assumptions in the General Plan FEIR. For comparison purposes, the analysis throughout this Addendum is consistent with the organization of the General Plan FEIR.

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City is the lead agency charged with the responsibility of deciding whether or not to approve the requested action. As part of the decision-making process, the City is required to review and consider the potential environmental effects that could result from construction and operation of the proposed Project.

1.2 CEQA REQUIREMENTS

The City has analyzed the potential differences between the impacts identified in the General Plan FEIR and those that would be associated with the proposed Project. Pursuant to the provisions of CEQA and State CEQA Guidelines, the City is the Lead Agency charged with deciding whether to approve the Project. As part of its decision-making process, the City is required to review and consider whether the proposed Project would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the General Plan FEIR. (Public Resource Code § 21166; CEQA Guidelines § 15162.) If major revisions to the General Plan FEIR are not necessary and none of the conditions described in State CEQA Guidelines Section 15162 calling for the preparation of additional CEQA documentation has occurred, the City may adopt an Addendum to the General Plan FEIR. (CEQA Guidelines § 15164.)

Generally, in accordance with CEQA, prior to approving further discretionary action and depending upon the situation, the lead agency must: (1) prepare a Subsequent EIR; (2) prepare a Supplemental EIR; (3) prepare a Subsequent Negative Declaration; (4) prepare an Addendum to the EIR or Negative Declaration; or (5) prepare no further documentation. (See State CEQA Guidelines, §§ 15162 – 15164.) Specifically, State CEQA Guidelines Section 15162 states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of

the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 of the State CEQA Guidelines explains when an Addendum to an EIR is appropriate. Per this section, where some changes or additions are necessary to the previously certified EIR, but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR (as described above) have occurred, then the lead agency is directed to prepare an Addendum to the certified EIR (State CEQA Guidelines, §15164). Further, the Addendum should include a “brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162,” and that “explanation must be supported by substantial evidence” (State CEQA Guidelines, §15164 [e]). The Addendum need not be circulated for public review but may simply be attached to the certified EIR (State CEQA Guidelines, §15164 [c]).

1.3 INCORPORATION BY REFERENCE

The documents outlined below, which were utilized during preparation of this Addendum and are a matter of public record, are hereby incorporated by reference.

Fountain Valley General Plan

The City Council adopted the Fountain Valley General Plan in November 2023. The General Plan is the City’s primary long-range policy and planning document guiding the physical development, conservation, and improvement of Fountain Valley. The General Plan Vision Statement expresses the community’s shared outcomes for the City’s future. The General Plan supports the realization of the Vision through goals and policies. The General Plan presents the City’s planning and land use framework through a set of five elements: land use; mobility; housing; open space and conservation; and public facilities and safety.

General Plan Land Use Element Table LU-2 summarizes the land use distribution, and the resultant growth and long-term (2045) buildout for housing units, population, and jobs. Based upon assumed development intensities and densities, a total of 73,668 people, 25,633 housing units, and 36,542 jobs are anticipated at buildout.

Fountain Valley General Plan Update Final EIR (FEIR)

The City Council certified the General Plan FEIR (FEIR) in November 2023. The FEIR fulfills the requirements for a Program EIR. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document is necessary. However, if the Program EIR addresses the program’s effects as specifically and comprehensively as possible, many subsequent activities may be within the Program EIR’s scope, and additional environmental documents may not be required. When a lead agency relies on a

Program EIR for a subsequent activity, it must incorporate feasible mitigation measures and alternatives from the Program EIR into the subsequent activities.

The General Plan FEIR provided a description of potential environmental impacts that could result from General Plan implementation and identifies mitigation measures to avoid or reduce impacts to a less than significant level where feasible. The General Plan FEIR's analysis was based on the 2045 buildout potential (General Plan FEIR Table 3-1) associated with the planned distribution of land uses specified in the General Plan Proposed Land Use Plan (General Plan FEIR Figure 3-24).² The General Plan FEIR analyzed the environmental impacts resulting from the potential growth of 6,238 additional dwelling units, 16,073 people, and 1,305,886 additional square feet of non-residential uses anticipated by 2045.

Each environmental issue area addressed in the General Plan FEIR Section 5.0, Environmental Analysis, provides a discussion of the environmental setting, impacts associated with the proposed project, and mitigation measures designed to reduce significant impacts where required and when feasible. The General Plan FEIR concluded that based on the General Plan growth assumptions, projected future development would result in less than significant impacts or less than significant impacts with the implementation of mitigation measures for all issue areas analyzed with the exception of the following, which were determined to be significant and unavoidable:

- Air Quality
 - Construction activities associated with future development that would be accommodated under the General Plan Update could generate short-term emissions in exceedance of the South Coast AQMD's threshold criteria.
 - Implementation of the proposed project would generate additional, long-term emissions in exceedance of South Coast AQMD's threshold criteria and cumulatively contribute to the South Coast Air Basin's nonattainment designations.
- Greenhouse Gas Emissions
 - Implementation of the General Plan Update would not result in a substantial increase in emissions but would not place the city on a trajectory to achieve the goals established under Executive Order S-03-05 or progress toward the State's carbon neutrality goal.
- Noise
 - Construction activities associated with the buildout of the plan area would result in temporary noise increases at sensitive receptors.

² PlaceWorks, *City of Fountain Valley General Plan EIR, Draft Environmental Impact Report*, June 2023. Table 3-1 (p. 3-8).

- Population and Housing
 - The proposed project would directly induce substantial unplanned population growth.
- Transportation
 - The proposed project would conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b).

The General Plan FEIR's background and policy information and environmental impact conclusions are cited throughout this Addendum.

Fountain Valley Municipal Code (FVMC)

The Fountain Valley Municipal Code (FVMC) consists of all the regulatory and penal ordinances and administrative ordinances of the City of Fountain Valley. The City's development code, included in FVMC Title 21, Development Code, is a primary tool to implement the policies of the General Plan by classifying and regulating the uses of land and structures within the City. FVMC Title 18, Building Codes and Regulations, adopts the provisions of Chapter 1 of the 2022 Edition of the California Building Code and the 2022 California Administrative Code. Other relevant FVMC regulations include the following, among others: Title 11, Streets and Sidewalks, Title 13 Public Works, and Title 14 Water and Sewers.

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2 DESCRIPTION OF THE PROPOSED PROJECT

2.1 PROJECT LOCATION

The 16800 Magnolia Project is located in the City of Fountain Valley (City) within the County of Orange; refer to [Figure 1, *Regional Vicinity*](#). The Project site consists of four parcels (corresponding to APNs 143-301-31, 143-301-32, 143-294-02, and 143-294-01) totaling approximately 6.87 acres; refer to [Figure 2, *Project Location*](#). The Project site is located at 16800 Magnolia Street and 9025 Recreation Circle in the northwest portion of the City near the border of Huntington Beach. The site is bounded by Magnolia Street to the west, Interstate 405 (I-405) to the northeast, commercial uses to the southeast, and Recreation Circle to the south.

Regional access to the site is provided via I-405, located to the northeast. Local access to the site is provided directly from Magnolia Street and Recreation Circle.

2.2 EXISTING SETTING

2.2.1 ONSITE LAND USES

The Project site is a flat, irregularly shaped property located approximately 31 feet above mean sea level. The site was previously developed with an amusement park and miniature golf course, which operated until 2017. The onsite structures were subsequently removed, and the site currently consists primarily of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles remaining from the former use. The site is currently used intermittently for vehicle storage/parking.

A total of three driveways provide access to the Project site. One driveway on Magnolia Street provides access along the western portion of the site. Two driveways on Recreation Circle provide access along the southern portion of the site. A chain-link fence extends along the southern, southeastern, southwestern, and northeastern boundaries. A concrete wall associated with Magnolia Street slopes upwards in a south-north direction along the site's northwestern boundary.

An approximately 1.01-acre parcel owned by the Orange County Flood Control District (OCFCD) runs in a general east-west direction across the middle of the Project site.³ This parcel is also subject to an easement in favor of the Project Applicant (Grantee), conveying certain development rights to the Grantee.

³ The Applicant holds rights to a non-exclusive easement for ingress, egress and surface use together with the right to pave over or construct buildings or other permanent structures upon the OCFCD property.

2.2.2 GENERAL PLAN AND ZONING

In 2023, the City adopted the City of Fountain Valley General Plan and certified the General Plan EIR. According to the City of Fountain Valley General Plan, the Project site is designated Mixed-Use 2 (MU2). Table LU-1 of the City's Land Use Element describes the MU2 land use designation as a master planned project area on parcels larger than five acres containing a range of residential product types and densities mixed with non-residential uses, such as retail, dining, entertainment, offices, and public spaces. Building and site design fosters lively and pedestrian-friendly streetscapes and connectivity to surrounding uses and neighborhoods, with public spaces to promote community gathering. The MU2 land use designation allows for a maximum residential density of 30 to 55 dwelling units per acre (du/ac), which may be increased to 75 du/ac when the nearest property line of the perimeter is either separated by I-405 from or located at least 400 feet from the property line of an R1 designation; and a maximum floor area ratio (FAR) of 2.20.

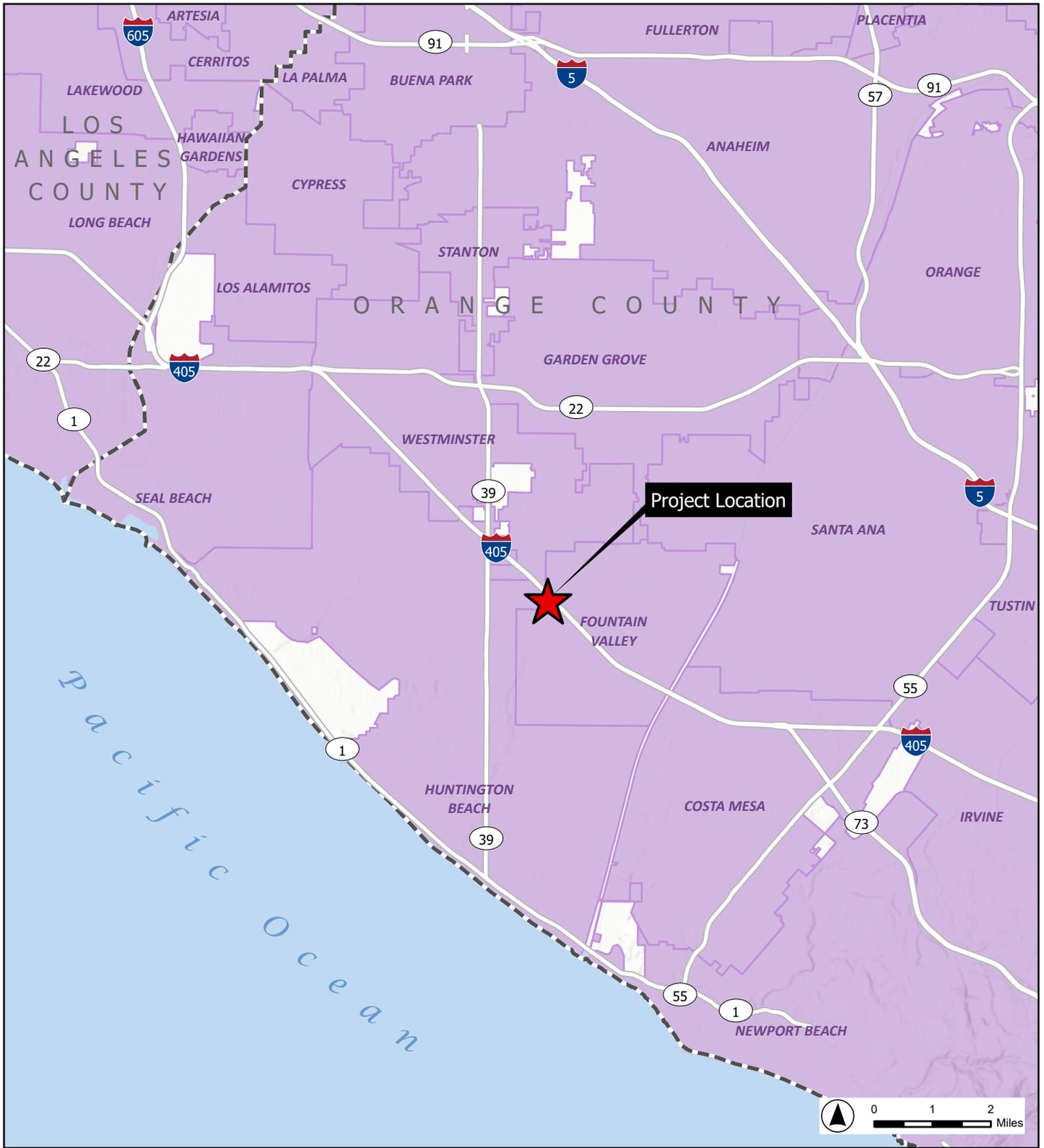
According to the City's Zoning Map, the Project site is zoned Mixed Use 2 (MU-2). The MU-2 zoning district applies to sites that are larger than five acres and, because of the size, is intended to achieve an integrated project area with a range of residential product types and densities mixed with ample non-residential uses, such as retail, dining, entertainment, and offices, and public spaces. Per footnote 14 of Table 2-11 of Fountain Valley Municipal Code (FVMC) Section 21.15.040, *Mixed-use district development standards*, a master plan for the development of the entire area within the boundaries of a MU-2 zoned area or a contiguous MU-2 zoned area shall be required to be approved prior to or in conjunction with the development of any individual parcel or phase within the particular MU-2 zoned area that contains the project. This applies even if individual parcels within the boundaries of a MU-2 zoned area, or a contiguous MU-2 zoned area are under separate ownership. While a MU-2 zoned area may develop in phases or as individual parcels smaller than five acres, it is intended that MU-2 zoned areas be planned in a cohesive manner per the standards of the MU-2 zone and not as individual and unconnected projects.

2.2.3 SURROUNDING USES

The Project site is surrounded by the following uses:

- North and East: Directly northeast of the Project site is I-405. Northeast of I-405 are single-family residential uses. Areas to the northeast are zoned Single Family Residential (R1).
- West: Directly west of the Project site is Magnolia Street. West of Magnolia Street is (from north to south) the I-405 onramp/offramp, multifamily residential uses, and a commercial shopping center that includes restaurant, retail, and service uses, located in the City of Huntington Beach. Areas to the west are zoned (from north to south) Residential Medium High Density (RMH) and Commercial General (CG) by the City of Huntington Beach.
- South: Directly south of the Project site is Recreation Circle. Directly southeast of the Project site (from west to east) is a single-story commercial/entertainment use (Fountain Valley Skating Center, located at 9105 Recreation Circle) and a three- to four-story hotel use (Motel 6, located at 9125 Recreation Circle). South of Recreation Circle is a commercial shopping center that includes a car wash and various restaurant, retail, and service uses.

Areas to the south are zoned Local Business (C1); areas to the southeast are zoned General Commercial (C2).

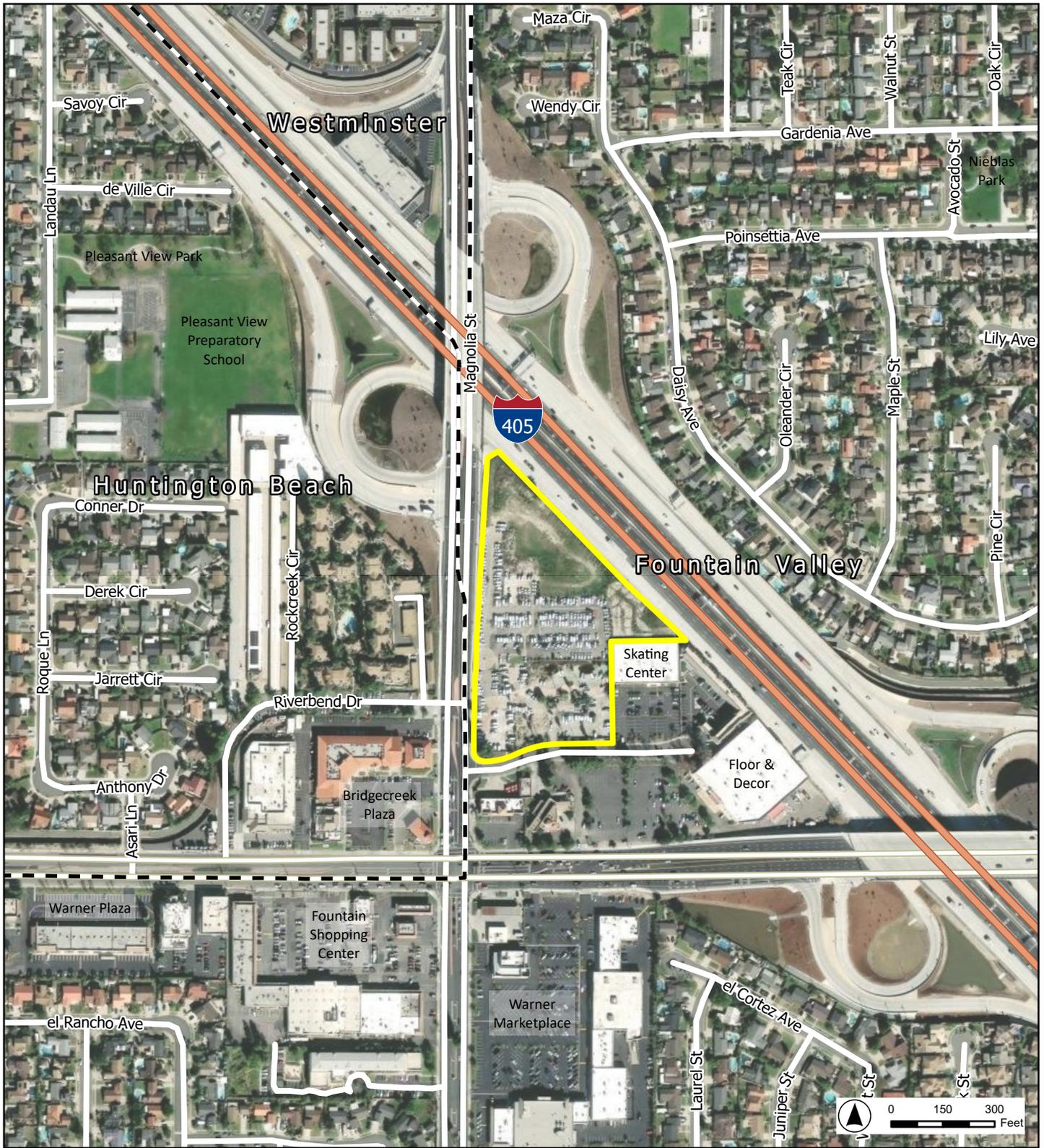


Legend

-  Project Location
-  Incorporated Area
-  County Boundary

**16800 MAGNOLIA ADDENDUM
FOUNTAIN VALLEY, CALIFORNIA**

Figure 1. Regional Vicinity



Legend

- Project Boundary
- City Boundary

**16800 MAGNOLIA ADDENDUM
FOUNTAIN VALLEY, CALIFORNIA**

Figure 2. Project Location

2.3 PROJECT CHARACTERISTICS

2.3.1 BUILDINGS/USES

The Project proposes to construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop parking; refer to [Table 1, Proposed Project Development Summary](#) and [Figure 3, Proposed Site Plan](#). The two buildings would be separated by a proposed interior driveway, further described below.

Table 1: Proposed Project Development Summary

Use	Square Feet (SF)/Units		
	North Building	South Building	Total
Residential			
<i>Apartments Total</i>	339 units	318 units	657 units
Studio units	60 units	45 units	105 units
One-bedroom units	164 units	151 units	315 units
Two-bedroom units	103 units	112 units	215 units
Three-bedroom units	12 units	10 units	22 units
Commercial			
Commercial/Retail Space	2,774 SF	1,686 SF	4,460 SF
Amenities/Open Space			
Fitness Center	3,620 SF	4,272 SF	7,892 SF
Lobby/Mail Room	1,296 SF	1,810 SF	3,106 SF
Leasing Office	1,942 SF	2,467 SF	4,409 SF
Co-Working Space	--	1,734 SF	1,734 SF
Dog Wash	--	820 SF	820 SF
Bike Storage (number of bikes)	30 racks	30 racks	60 racks
Pool Area/Sky Lounge	2,100 SF sky lounge plus 10,500 SF pool deck	1,890 SF sky lounge plus 8,590 SF pool deck	3,990 SF sky lounge plus 19,090 SF pool deck
Sky Lounge/Viewing Deck	750 SF sky lounge plus 990 SF roof deck	650 SF sky lounge plus 1,400 SF roof deck	1,400 SF sky lounge plus 2,390 SF roof deck
Courtyards/Outdoor Fitness ¹	6,215 SF	8,540 SF	14,755 SF
Dog Park	--	--	6,460 SF
Paseo with Outdoor Seating	7,739 SF	7,021 SF	14,760 SF
Note: SF = square feet.			
1. Courtyards/Outdoor Fitness only includes square footage of usable amenity areas; it does not include areas such as landscaping.			

The 657 residential units would be distributed within levels one through seven of the proposed mixed-use buildings; refer to [Figure 4a, Proposed First Floor Plan](#), [Figure 4b, Proposed Second Floor Plan](#), [Figure 4c, Proposed Third-Fifth Floor Plan⁴](#), [Figure 4d, Proposed Sixth Floor Plan](#), [Figure 4e, Proposed Seventh Floor Plan](#), and [Figure 4f, Proposed Roof Plan](#).

With 339 units in the North Building, each residential unit would average 923 square feet in size. With 318 units in the South Building, each residential unit would average 928 square feet in size. Of the 657 total residential units, 78 would be deed restricted affordable units for low income households. The units would consist of 105 studio apartments, 315 one-bedroom units, 215 two-bedroom units, and 22 three-bedroom units, ranging in size from 573 to 1,540 square feet. Approximately 300 residential units would have private open space within a patio (ground floor) or balcony (second through seventh levels). The Project includes requests for a density bonus, incentive, waivers and parking ratio pursuant to the State Density Bonus Law (Government Code Section 65915).

In addition to commercial space, the ground floor of each building would contain a leasing office, lobby/mail room, and fitness center. Co-working space would also be provided within the South Building.

As shown in [Figure 3](#), and described further below, the proposed buildings would surround outdoor courtyard areas with various amenities and activities. An entry within the western portion of the site would provide vehicular and pedestrian access between the two buildings from Magnolia Street to the leasing office/lobby spaces, and ground floor retail space, as well as the parking garages, described below. A retail paseo with outdoor seating area would be located adjacent to the proposed retail space and lobby spaces on the north and south sides of the entry driveway. A dog park would be provided to the east of the proposed entry driveway/roundabout.

2.3.2 OPEN SPACE, LANDSCAPING, AND AMENITIES

The Project includes 55,388 square feet of private open space and other amenities for residents and 20,110 square feet of publicly accessible open space; refer to [Table 1](#) and [Figure 5, Proposed Landscape Plan](#). Private open space areas include 34,658 square feet of courtyards and 20,730 square feet of decks, as described below:

- **Courtyards:** The ground floor of the North Building would feature three courtyards totaling 12,678 square feet with residential amenities including an outdoor BBQ and lounge seating, as well as an outdoor fitness area. The South Building would feature three courtyards totaling 21,980 square feet with residential amenities including an outdoor BBQ, lounge

⁴ Floors three through five would feature a similar floor plan.

seating, outdoor fire pits, and ping pong table and other gaming activities, as well as an outdoor fitness area.

- Pool Area/Sky Lounge. A sky lounge, pool and spa, and pool deck would be located on the seventh floor within the southeastern portion of the North Building and within the southeastern portion of the South Building. Additional amenities within the pool areas include outdoor BBQ dining and entertainment area and fireplace with lounge seating. A multi-purpose game lawn would also be provided in the South Building.
- Sky Lounge/Viewing Deck. An additional sky lounge and viewing deck would be located within the southwestern portion of the North Building and northwestern portion of the South Building.

In addition to the open space amenities, the Project would provide a dog wash room located on the ground floor of the parking garage of the South Building and bike storage rooms would be located on the ground floor of the parking garages within both buildings.

Landscaping would be provided on the ground floor along the interior driveway, pedestrian walkways, dog park, and courtyards. Landscaping would also be provided within the seventh level of each building, within the Pool Area/Sky Lounge and Sky Lounge/Viewing Deck. The landscaping would include drought tolerant trees, groundcover, and shrubs with efficient water irrigation systems. A monument sign would be located along the western boundary of the Project site.

2.3.3 ACCESS AND PARKING

Vehicular access to the Project site would occur from two driveways; refer to Figure 3. One driveway along the western boundary of the site would provide site access from Magnolia Street via a proposed interior driveway. A second driveway along the southern boundary of the site would provide access to the South Building parking garage from Recreation Circle. A total of 980 automobile parking spaces would be provided for residents, guests, and retail customers within two seven-story parking garages and ground-level surface parking located along the interior driveway. The North Building parking garage would provide 466 parking spaces for residents and 11 parking spaces for retail customers; the South Building parking garage would provide 450 parking spaces for residents and eight (8) parking spaces for retail customers. The ground-level surface parking would include 45 guest parking spaces.

The proposed main interior driveway would extend in an east-west direction between the two mixed-use buildings, terminating in a roundabout. The western portion of the main interior driveway would connect to a secondary driveway traversing in a south-north direction, located within the northwestern portion of the site. The North Building parking garage would be accessible from two entrances via the secondary and main driveways, located in the northern and eastern portions of the site, respectively. The South Building parking garage would similarly be accessible from two entrances: one entrance would be accessed via the main internal driveway in the center of the site, and the second entrance would be accessed directly via Recreation Circle along the site's southern boundary.

Pedestrian access to the site would be provided via pedestrian facilities located along Magnolia Street, Recreation Circle, and the proposed interior roadway. The residential uses would be accessed from ground level entrances connected to the pedestrian facilities and within the parking garages. Elevators and staircases within each building would provide access to the upper floors. The retail uses would be accessed from ground level entrances connected to the pedestrian facilities along the proposed interior roadway.

2.3.4 ARCHITECTURE

The proposed Project would have a building height of 71.5 feet and a maximum height of 86.5 feet to the rooftop structure; refer to Figure 6a, Proposed Building Elevation – North Building, South and West, Figure 6b, Proposed Building Elevation – North Building, East, and South Building, North, Figure 6c, Proposed Building Elevation – South Building, East and South, and Figure 6d, Proposed Building Elevation – South Building, West. The proposed mixed-use structure would incorporate a variety of materials (such as painted stucco, terra cotta roof tiles, and stone veneer) and decorative elements (such as exposed wood rafter tails, terra cotta vents, and decorative shutters). Balconies would include dark bronze metal guardrails. Windows and residential window frames and aluminum storefronts would be used throughout the site. Visual simulations of the Project are shown in Figure 7a, Proposed Project Rendering – Key View 1, Figure 7b, Proposed Project Rendering – Key View 2, and Figure 7c, Proposed Project Rendering – Key View 3.

2.3.5 UTILITIES

The Project would connect to existing utilities within the Project area. Dry utilities, including electricity, natural gas, and telephone lines currently serve the Project site and surrounding area. As part of the Project, the necessary infrastructure would be installed on-site to serve the proposed development, which would connect to existing infrastructure for service.

Domestic water and fire water service lines would be installed within the Project site and connect to the existing 16-inch water main within Magnolia Street and eight-inch water main within Recreation Circle.

Sanitary sewer laterals would be installed within the Project site and connect to the existing 12-inch sewer main that runs in a general east-west direction through the center of the Project site and eight-inch sewer main within Recreation Circle.

The Project would install an on-site underground storm drainage system that would convey flows into a series of modular wetland unit best management practices (BMPs). Overflow from the northern drainage areas would be discharged to the existing OCFCD storm drain that runs in a general east-west direction across the middle of the Project site, while overflow from the southern drainage areas would be discharged to the existing catch basin along Magnolia Avenue.

2.3.6 PROJECT CONSTRUCTION AND PHASING

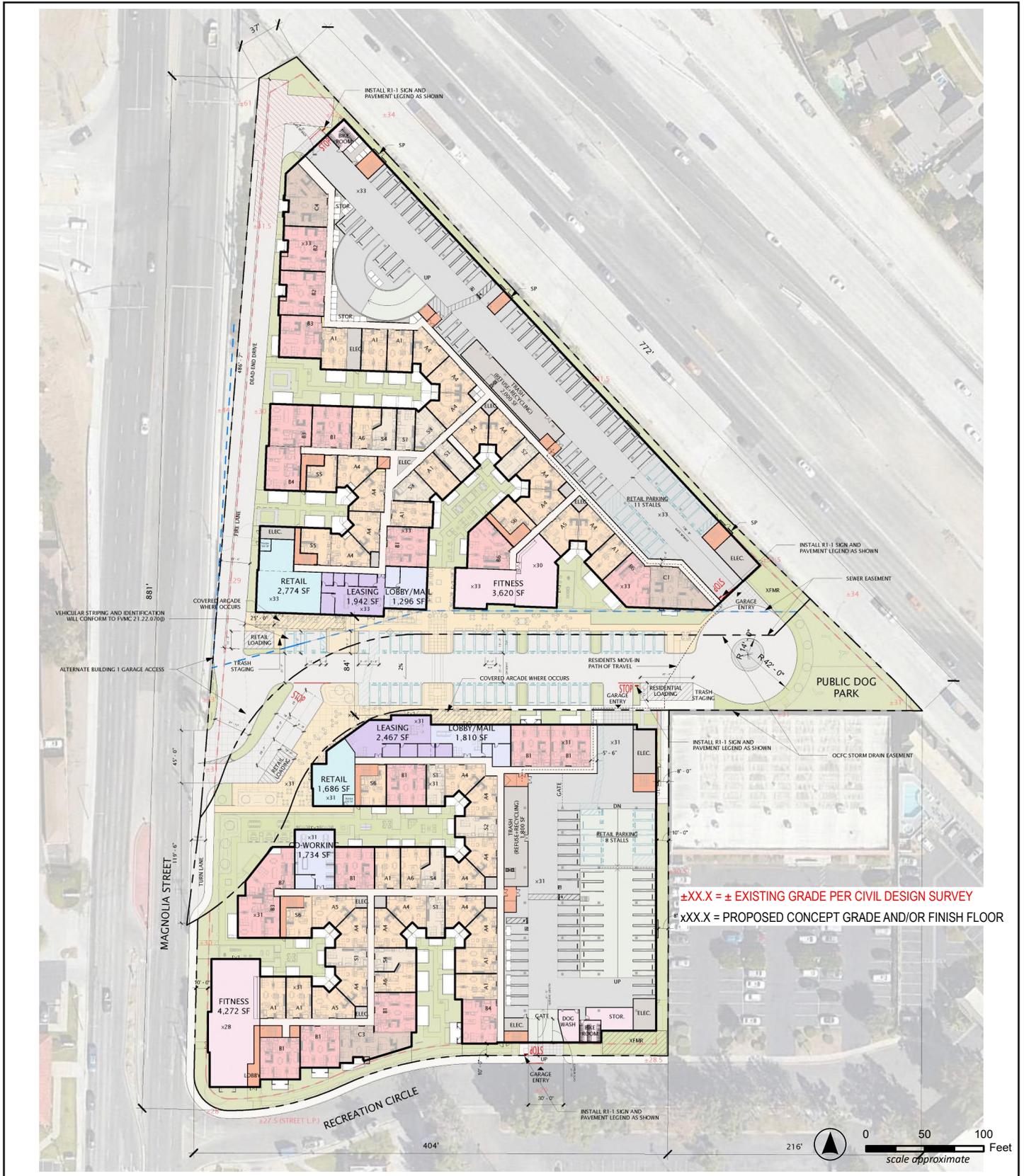
The Project is proposed to be constructed in two phases, with construction anticipated to begin in the fourth Quarter of 2025 and end in the first quarter of 2028. Construction of the Project would include demolition, grading, building construction, painting/architectural coating, and paving activities.

2.3.7 ENTITLEMENTS AND APPROVALS

The Project is consistent with the General Plan land use and zoning designations for the site and would require the following entitlements and discretionary approvals:

- CEQA Environmental Clearance
- Site Plan Review – Precise Plan 580
- Lot Tie Agreement
- Density Bonus, incentive, waiver and parking ratio pursuant to State Density Bonus Law
- Housing Agreement (Density Bonus) – Density Bonus and Affordable Housing Agreement

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Legend

- Landscape
- Paver
- Sidewalk
- Street

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Figure 3. Site Plan

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scale unknown

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Figure 4a. Proposed First Floor Plan

Source: Holland Partner Group and MVE+Partners, 2-19-2025.
Map date: March 26, 2025.



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Figure 4b. Proposed Second Floor Plan



North Building Levels 3, 4, 5

South Building Levels 3, 4, 5

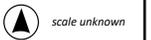
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Figure 4c. Proposed Third-Fifth Floor Plan



North Building Level 6

South Building Level 6



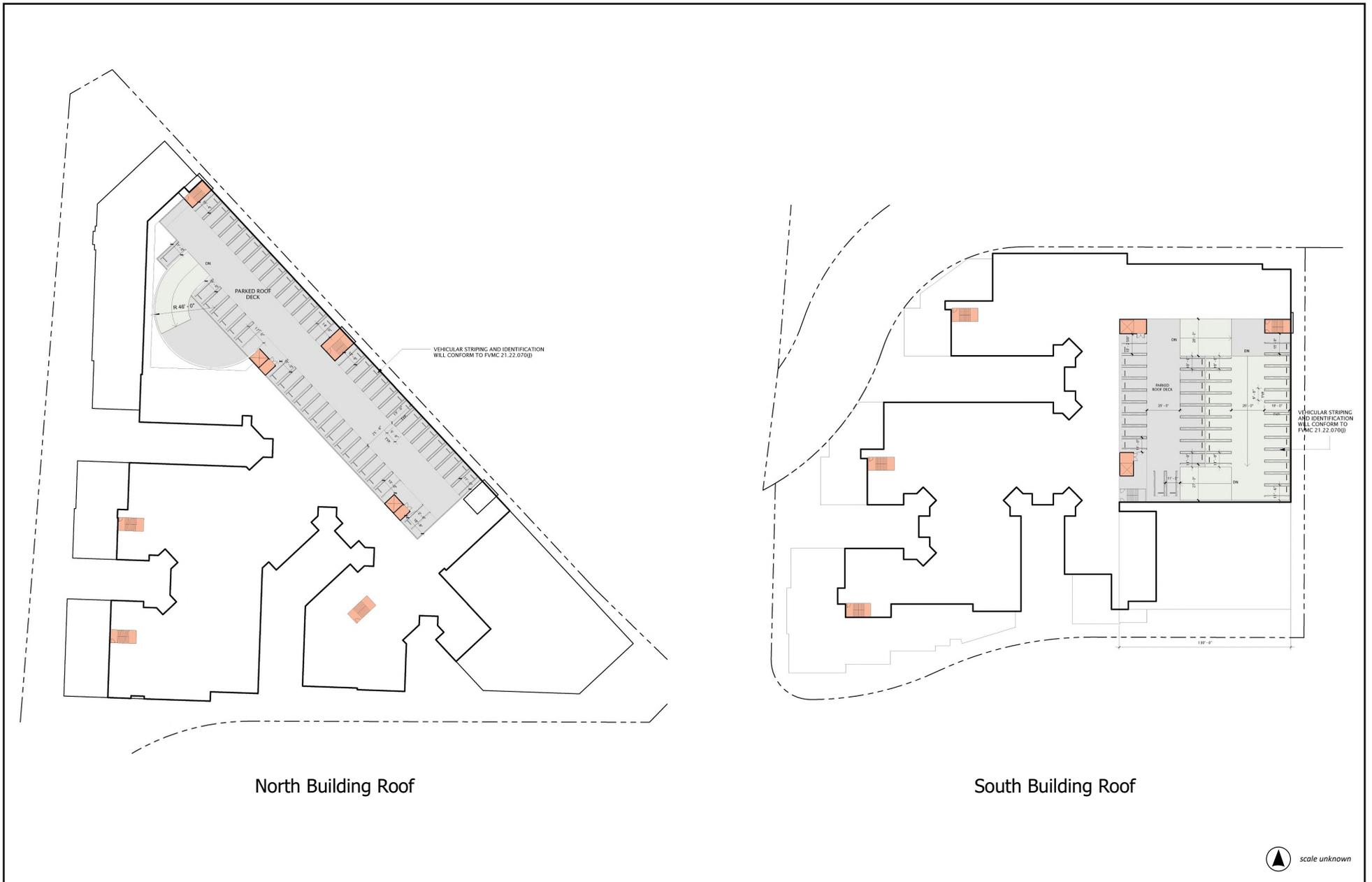
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Figure 4d. Proposed Sixth Floor Plan



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Figure 4e. Proposed Seventh Floor Plan



North Building Roof

South Building Roof

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Figure 4f. Proposed Roof Plan



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Figure 5. Landscape Plan

Source: Holland Partner Group and MVE+Partners and LME, 1-20-2025.
Map date: March 26, 2025.

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North Building South Elevation



North Building West Elevation

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Figure 6a. Proposed Building Elevation - North Building, South and West



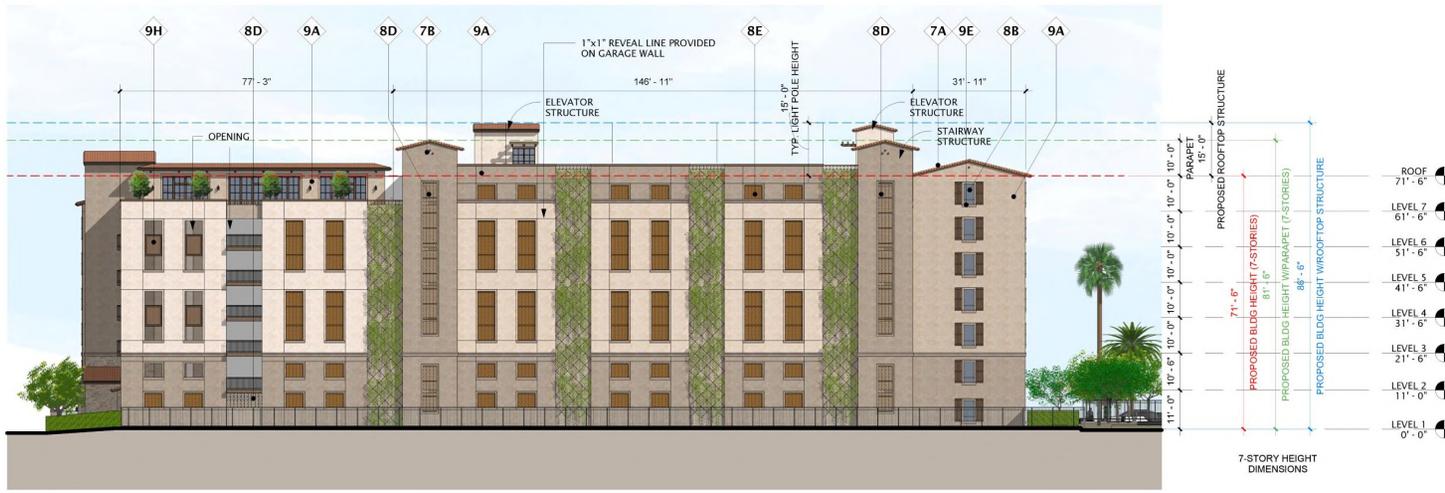
North Building East Elevation



South Building North Elevation

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Figure 6b. Proposed Building Elevation - North Building, East, and South Building, North



South Building East Elevation



South Building South Elevation

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Figure 6c. Proposed Building Elevation - South Building, East and South



South Building West Elevation

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Figure 6d. Proposed Building Elevation - South Building, West

Source: Holland Partner Group and MVE+Partners, 2-19-2025.
 Map date: March 26, 2025.



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Figure 7a. Proposed Project Rendering - Key View 1



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Figure 7b. Proposed Project Rendering - Key View 2



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Figure 7c. Proposed Project Rendering - Key View 3

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3 ENVIRONMENTAL APPROACH AND ANALYSIS

This analysis has been prepared to determine whether the proposed Project could result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts in the General Plan FEIR. This review is limited to evaluating whether the Project would trigger further environmental analysis beyond the General Plan FEIR.

The General Plan FEIR analyzed the potential environmental impacts from projected future development intensity and density based upon anticipated development associated with the future land use opportunities described in the Land Use Element. Overall, the General Plan FEIR analyzed the environmental impacts based on a buildout of 25,633 residential units, a population of 73,668 people, and 13,231,538 square feet of non-residential building floor area. This represents an increase of 6,238 residential units, 16,073 people, and 1,305,886 square feet of non-residential building floor area over baseline (2021) conditions.

Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-residential building floor area. Table 2, General Plan and Proposed Project Development Summary, provides a summary comparison of the development potential analyzed in the General Plan FEIR and the Project. As indicated in Table 2, development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR.

Table 2: General Plan and Proposed Project Development Summary

Development Type	General Plan Planning Area (2045 Buildout)	General Plan – Boomers Site (Project Site) (2045 Buildout)	Proposed Project	
			Proposed Project	Change Compared to General Plan Buildout for the Boomers Site
Residential (Dwelling Units)	25,633	674	657	(17)
Population (Persons)	73,668	1,982 ¹	1,880 ²	(102)
Non-Residential (Square Feet)	13,231,538	50,948	4,460	(46,488)

Source: PlaceWorks, *City of Fountain Valley General Plan, Draft Environmental Impact Report*, June 2023; California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State – January 1, 2020-2024*, May 2024.

Note:

1. Based upon an average household size of 2.94 persons per household per the California Department of Finance for 2020.
2. Based upon an average household size of 2.86 persons per household per the California Department of Finance for 2024.

This analysis is based on the CEQA Guidelines Appendix G Checklist and provides a summary of impacts in the General Plan FEIR and the potential impacts associated with the Project. This comparative analysis provides the City with the factual basis for determining whether the Project would require additional environmental review such as the preparation of a Subsequent EIR or Supplemental EIR.

3.1 AESTHETICS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant Effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Except as provided in Public Resources Code Section 21099, would the project:						
a. Have a substantial adverse effect on a scenic vista?					X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X	
c. In 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?					X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					X	

- a. *Would the project have a substantial adverse effect on a scenic vista?*
- b. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

General Plan FEIR Conclusions

The General Plan FEIR characterizes Fountain Valley as highly urbanized; therefore, views of the City are characterized by an urban landscape. Visual relief of the urban landscape is provided by the parks and limited views of the San Gabriel Mountains. Buildout under the General Plan Update would consist mainly of infill and redevelopment efforts. Although new development would alter the appearance of the existing conditions, it would not create a substantial adverse impact on scenic vistas or degrade the City's visual character or quality due to the urbanized character of the City. Further, future development would be guided by design standards under

the FVMC, such as height and setback requirements. Therefore, the General Plan FEIR determined the limited views of scenic resources within the City would not be adversely impacted.

The General Plan FEIR found there are no scenic highways in or near the City that would be adversely affected by future development under the General Plan Update. Due to the distance, varying topography, and developed nature of the city, no impacts would occur to SR-1, which is eligible for listing as a designated State scenic highway, or SR-91, which is an officially designated scenic highway.

The General Plan FEIR concluded that buildout under the General Plan Update would not have a substantial adverse effect on scenic vistas due to the urbanized nature of the City and because future development would be required to comply with the design and development specifications outlined in the Land Use Element and the FVMC. Consistency with existing state and local regulations and the General Plan Update Policies, including LU-1.1, LU-3.1, LU-3.2, and LU-3.4, which address new project design and development compatibility with surrounding uses, would ensure that development would not degrade the views and visual character of the City and would not conflict with zoning and other regulations that govern scenic quality. Therefore, the General Plan FEIR concluded that impacts on scenic resources would be less than significant.

Analysis of Project

The Project site itself is not identified as a scenic vista and does not contain any unique or distinguishing features that would qualify the site for designation as a scenic vista. There are no designated State scenic highways within view of the Project site. The Project site is relatively flat and consists primarily of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The site is currently used intermittently for vehicle storage/parking. Magnolia Street slopes upwards in a south-north direction along the site's northwestern boundary. Views of the site are primarily unobstructed for motorists traveling adjacent to the site on Magnolia Street. Short-to-mid-range views of the site are available to motorists traveling on I-405; however, long-range views are obstructed to motorists traveling southbound by the Magnolia Street on/off-ramp and overpass, and long-range views are obstructed to motorists traveling northbound by existing commercial uses adjacent to I-405.

The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop parking, and associated improvements. The proposed Project would have a maximum height of 86.5 feet to the rooftop structure. The structures proposed under the Project would be visible from surrounding roadways and would alter existing views across the site from the roadways. However, similar to the General Plan FEIR, the Project would not adversely impact scenic vistas or State scenic highways, as these resources are absent from the site and surrounding area. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to scenic vistas and scenic resources within a State scenic highway.

- c. *Would the project, 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?***

General Plan FEIR Conclusions

Future development and redevelopment facilitated under the General Plan Update would allow development of currently undeveloped parcels and intensification of already developed areas in the City. Although new development would alter the visual appearance of the City, because of the existing urban character, it would not substantially degrade Fountain Valley's visual character or quality. Under the implementation of the General Plan Update, areas designated as Open Space and Parks would remain undeveloped.

The General Plan Update's goals and policies, such as LU-1.1, LU-3.1, LU-3.2, LU-3.4, would ensure that future development and redevelopment reflect and maintain Fountain Valley's existing visual character and resources and would enhance vitality, context, form, and function. These policies support development in the City and seek to establish and/or retain the City's sense of place. Additionally, development under the General Plan Update would be required to comply with existing City regulations that maintain the City's character, such as the City's Development Code. Implementation of the General Plan Update would not introduce a substantial amount of new development or intensify development to the point that it would damage or substantially alter the existing visual character or quality of the City. Therefore, the General Plan FEIR concluded that buildout in accordance with the General Plan Update would alter the existing visual appearance of the City but would not substantially degrade its existing visual character or quality and would not conflict with applicable zoning and other regulations governing scenic quality.

Analysis of Project

Short-term construction activities associated with development of the Project would temporarily influence the Project site and immediate surroundings. Construction fencing would reduce potential impacts to sensitive viewers in the area (e.g., public roadway users). Additionally, construction-related impacts would be temporary in nature and all construction equipment would ultimately be removed following completion of construction activities.

The Project site is located within an urbanized area and surrounded by roadway infrastructure and residential and commercial uses. Magnolia Street slopes upwards in a south-north direction along the site's northwestern boundary. Views of the site are primarily unobstructed for motorists traveling adjacent to the site on Magnolia Street. Short-to-mid-range views of the site are available to motorists traveling on I-405; however, long-range views are obstructed to motorists traveling southbound by the Magnolia Street on/off-ramp and overpass, and long-range views are obstructed to motorists traveling northbound by existing commercial uses adjacent to I-405.

Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-

residential building floor area. The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop and basement parking. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR. The Project would be required to comply with the City's applicable zoning regulations specific to the MU-2 zone. These include, but are not limited to, development standards related to building height, setbacks, and landscape coverage, in order to address compatibility and overall scenic quality. Refer to Section 3.11, Land Use and Planning, for a discussion of the Project's consistency with land use and zoning standards. Additionally, the Project would be reviewed for conformance with land use standards and policies of the General Plan and site development standards in the Development Code that ensure the Project would not degrade views, visual character, or scenic resources. The Project is a discretionary project subject to various City permits and approvals, including a Precise Plan. The Project would be required to undergo design review, in accordance with Municipal Code Chapter 21.44, *Precise Plan of Design*. The design standards would ensure high quality physical design for the Project, including visual compatibility with existing development. Additionally, the Project is subject to the development standards, guidelines, and regulations of the Fountain Valley General Plan and FVMC, which would ensure the physical design of the development is consistent with the overall vision for the site. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to visual character and scenic quality.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

General Plan FEIR Conclusions

As discussed in the General Plan FEIR, light and glare are concentrated in the western and central portions of the City where commercial and more densely developed residential areas are located. Future development in accordance with the General Plan Update would allow for the intensification and redevelopment of existing land uses, which could increase nighttime light and glare in the City. For instance, the conversion of underutilized or vacant areas into residential or commercial uses would introduce new sources of light. However, future development and redevelopment projects in the City would be required to comply with the City Municipal Code Section 21.18.060, Exterior Lighting, which requires outdoor lighting to be shielded to reduce lighting directly visible from any point five feet or more beyond the property line. This would ensure that substantial light and glare does not extend substantially beyond the site where it is generated. As such, the General Plan FEIR concluded that development in accordance with the General Plan would not generate substantial additional light and glare and the impact would be less than significant.

Analysis of Project

The Project site was previously developed with an amusement park and miniature golf course and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The site is surrounded by residential and commercial uses, as well as roadway infrastructure, including the I-405 freeway, and therefore currently experiences lighting and glare typical of a developed and urbanized area (e.g., security and landscape lighting, automobile headlights, glare from glass surfaces).

The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop parking, and associated improvements. The proposed building materials would include windows and aluminum storefronts; however, these materials are not anticipated to exhibit highly reflective properties potentially resulting in significant glare impacts.

All lighting installed as part of the Project would be subject to compliance with the City's lighting requirements, including Section 21.18.060, *Exterior Lighting*. Compliance with the FVMC provisions specific to lighting would ensure proper design, installation, and operation of all exterior lighting, thereby reducing the potential for glare effects, light spillover onto adjacent properties, or conflicts with adjacent land uses. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to light or glare.

Conclusion

Following compliance with the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant aesthetics impacts beyond those identified in the General Plan FEIR.

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3.2 AGRICULTURE AND FORESTRY RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					X	
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?						X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?						X
d. Result in the loss of forest land or conversion of forest land to non-forest use?						X
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?					X	

- a. Would the project 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?**

General Plan FEIR Conclusions

The General Plan FEIR found that the majority of the City is categorized as Urban and Built-up Land, except for a number of parcels categorized as Prime Farmland and Grazing Land. Prime Farmland is found at the intersection of Euclid Street and Heil Avenue and is designated as Low Density Residential. Prime Farmland (Euclid Street and Talbert Avenue) and Grazing Land (Euclid Street and South Park Avenue, Euclid Street and Grace Avenue, and Euclid Street and Slater Avenue)

are designated Specific Plan. Additionally, the City's Zoning Map shows residential neighborhoods occupied by mobile home parks (west of Redbud Circle and Talbert Avenue and north of Toucan Avenue and Bushard Street) located within areas zoned A1-General Agriculture.

The General Plan Update proposes to change the land use designation of the Low Density Residential parcel to High Density Residential, under the General Plan Update. The General Plan FEIR determined this change would not result in significant impacts on agricultural land since this area is designated for non-agricultural uses under the existing General Plan. Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The Project site is located on Urban, Built-Up Land.⁵ According to the City's Zoning Map, the Project site is zoned Mixed Use 2 (MU-2). The MU-2 zoning district applies to sites that are larger than five acres and, because of the size, is intended to achieve an integrated project area with a range of residential product types and densities mixed with ample non-residential uses, such as retail, dining, entertainment, and offices, and public spaces. The Project site does not include mapped prime farmland, unique farmland, or farmland of statewide importance; therefore, the Project would not result in the conversion of agricultural land to non-agricultural uses. Further, the City's General Plan does not designate the site for agricultural use. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to the conversion of farmland to non-agricultural use.

b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

General Plan FEIR Conclusions

The General Plan FEIR found that there is no land zoned for Williamson Act contracts in the City. Therefore, the General Plan FEIR concluded that no impact on existing agricultural zoning or Williamson Act Contract would occur.

Analysis of Project

The Project site is not under a Williamson Act contract and as discussed above, the Project site is not zoned for agricultural use. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to agricultural zoning or land under Williamson Act Contract.

⁵ California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed March 25, 2025.

- c. ***Would the project 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. ***Would the project result in the loss of forest land or conversion of forest land to non-forest use?***

General Plan FEIR Conclusions

The General Plan FEIR found that the City does not have areas designated as forestland or timberland. Therefore, the General Plan FEIR concluded that the General Plan Update would not conflict with forestland or timberland areas or result in the loss of forest land or conversion of forest land to non-forest use and no impacts would occur.

Analysis of Project

The Project site is not zoned for or located in areas designated as forestland or timberland. There are no lands zoned for forest land, timberland or timberland production and the City does not have any forest land areas. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to forest land or timberland.

- f. ***Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

General Plan FEIR Conclusions

As discussed in the General Plan FEIR, the City is characterized as an urban and built-up environment. There are no lands zoned for agricultural or forest land within the City. Further, there are sites with agricultural or forest land uses. Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The Project Site is located on urban and built-up land; there are no agricultural or forest land uses on-site or within the surrounding area. The Project would not involve changes in the existing environment that would result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to this topic.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with agriculture and forestry resources beyond those identified in the General Plan FEIR as these resources do not occur within the City.

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3.3 AIR QUALITY

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Conflict with or obstruct implementation of the applicable air quality plan?				X		
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				X		
c. Expose sensitive receptors to substantial pollutant concentrations?					X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?					X	

- a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

General Plan FEIR Conclusions

Fountain Valley is in the South Coast Air Basin (SoCAB) and is subject to the rules and regulations imposed by the South Coast Air Quality Management District (SCAQMD), as well as the California Ambient Air Quality Standards (AAQS) adopted by California Air Resources Board (CARB) and National AAQS adopted by the United States Environmental Protection Agency (EPA). The SCAQMD is responsible for preparing the air quality management plan (AQMP) for the SoCAB in coordination with the Southern California Association of Governments (SCAG).

The two principal criteria for conformance with an AQMP are: whether the project would exceed the assumptions in the AQMP; and whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timeline attainment of air quality standards.

With regards to Criterion 1, the General Plan FEIR determined that the General Plan Update would result in more vehicle miles traveled (VMT) as a result of an increase in population; however, VMT per service population would decrease from the existing conditions as well as from the current General Plan. As a result, the General Plan Update provides a more efficient land use than existing

conditions and a more efficient land use plan that reduces VMT per resident and employee. The General Plan FEIR determined that the General Plan Update would be consistent with the AQMP under the first criterion.

With regards to Criterion 2, the General Plan FEIR determined that because the General Plan Update involves long-term growth associated with buildout of the City, cumulative emissions generated from operation of individual development projects would exceed the SCAQMD regional and localized thresholds. Consequently, emissions generated by development projects in addition to existing sources in the City are considered to cumulatively contribute to the nonattainment designations of the SoCAB. Buildout of the proposed land use plan associated with the General Plan Update could contribute to an increase in frequency or severity of air quality violations and delay attainment of the AAQS or interim emission reductions in the AQMP, and emissions generated from buildout would result in a significant air quality impact. Therefore, the General Plan FEIR determined that the General Plan Update would be inconsistent with the AQMP and would result in a substantial increase in VOC compared to existing conditions.

Buildout of the General Plan Update would be consistent with the AQMP under the first criterion. However, air pollutant emissions associated with buildout of the General Plan Update would cumulatively contribute to the nonattainment designations in the SoCAB. Therefore, the General Plan FEIR determined that the General Plan Update would be inconsistent with the AQMP. The General Plan FEIR concluded that incorporation of Mitigation Measures AQ-1 and AQ-2 into future development projects for the operation phase would reduce criteria air pollutant emissions associated with buildout of the General Plan Update. Additionally, goals and policies in the General Plan would promote increased capacity for alternative transportation modes. However, the General Plan Final FEIR concluded that this impact would remain significant and unavoidable.

Analysis of Project

State law requires that the City accommodate its "fair share" of regional housing needs, which are assigned by SCAG for all jurisdictions in the SCAG region. The objectives of the RHNA include increasing housing supply and the mix of housing types; promoting infill, equity, and environment; and ensuring jobs housing balance and fit.

The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop parking, and associated improvements.

Two main criteria must be addressed to determine if a project would conflict with or obstruct implementation of the 2022 AQMP.

Criterion 1. South Coast AQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

- a) *Would the project result in an increase in the frequency or severity of existing air quality violations?*

Since the consistency criteria identified under the first criterion pertains to pollutant concentrations, rather than to total regional emissions, an analysis of the Project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating Project consistency. As discussed in Response 3.3(b), localized concentrations of CO, NO_x, and particulate matter (PM₁₀ and PM_{2.5}) would be less than significant. Therefore, the proposed Project would not result in an increase in the frequency or severity of existing air quality violations. Because reactive organic gasses (ROGs) are not a criteria pollutant, there is no ambient standard or localized threshold for ROGs. Due to the role ROGs play in ozone formation, it is classified as a precursor pollutant and only a regional emissions threshold has been established. As discussed in Response 3.3(b), the proposed Project would result in emissions that would be below the South Coast AQMD's thresholds for ROGs.

- b) *Would the project cause or contribute to new air quality violations?*

As discussed in Response 3.3(b), the proposed Project would result in emissions that would be below the SCAQMD's thresholds for regional and localized emissions. Therefore, the proposed Project would not have the potential to cause or affect a violation of the ambient air quality standards.

- c) *Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?*

The proposed Project would result in less than significant impacts with regard to localized concentrations during Project construction. As such, the proposed Project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

Criterion 2. South Coast AQMD's second criterion for determining project consistency focuses on whether or not the project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether or not a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below.

- a) *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

A project is consistent with the 2022 AQMP in part if it is consistent with the population, housing, and employment assumptions that were used in the development of the 2022 AQMP. The emissions inventory for SoCAB is formed, in part, by existing city and county General Plans. The AQMP is based on population, employment, and VMT forecasts by SCAG. A project might be in conflict with the AQMP if the development is greater than that anticipated in the local general plans and SCAG's growth projections.

The proposed Project is designated Mixed-Use 2 (MU2) and zoned Mixed Use 2 (MU-2). The MU2 land use designation allows for a maximum residential density of 30 to 55 du/ac, which may be increased to 75 du/ac when the nearest property line of the perimeter is either separated by I-405

from or located at least 400 feet from the property line of an R1 designation; and a maximum FAR of 2.20. Project implementation would develop 657 net new dwelling units, and 4,460 square feet of retail space. The residential growth could increase the City's population by approximately 1,880 people.⁶

The General Plan FEIR analyzed the potential environmental impacts from projected future development intensity and density based upon anticipated development associated with the future land use opportunities described in the Land Use Element. Overall, the General Plan FEIR analyzed the environmental impacts based on a buildout of 25,633 residential units, a population of 73,668 people, and 13,231,538 square feet of non-residential building floor area. This represents an increase of 6,238 residential units, 16,073 people, and 1,305,886 square feet of non-residential building floor area over baseline (2021) conditions.

Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-residential building floor area. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR.

Connect SoCal (SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy), forecasts the City's population will reach 59,000 by 2045.⁷ As stated, the AQMP is based on SCAG's growth forecasts which are informed by the local jurisdictions.

According to the California Department of Finance, the City's current (January 2024) population is 56,333.⁸ With the increased residential development potential and associated population growth of 1,880 people, the City's population could reach 58,213, which is within the population of 73,668 anticipated by the General Plan FEIR and population of 59,000 forecast by SCAG. Further, the Project is consistent with the growth forecasts analyzed in the General Plan FEIR. As such, it can be concluded that the proposed Project would be consistent with the projections.

⁶ Population increase based upon an average household size of 2.86 persons per household per the California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State – January 1, 2020-2024*, May 2024.

⁷ SCAG adopted Connect SoCal 2024 (2024–2050 RTP/SCS) in April 2024. While SCAG has adopted the 2024-2050 RTP/SCS, CARB has not yet certified it. However, the 2022 AQMP utilizes growth forecasts and measures from Connect SoCal 2020 (2020-2045 RTP/SCS).

⁸ California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State – January 1, 2020-2024*, May 2024.

- b) Would the project implement all feasible air quality mitigation measures?

The Project would be required to comply with existing SCAQMD regulations that provide for emission reductions. Thus, the Project would meet this 2022 AQMP consistency criterion.

- c) Would the project be consistent with the land use planning strategies set forth in the AQMP?

As discussed, the Project site is designated Mixed-Use 2 (MU2) and zoned Mixed Use 2 (MU-2). The MU2 land use designation is described as a master planned project area on parcels larger than five acres containing a range of residential product types and densities mixed with non-residential uses, such as retail, dining, entertainment, offices, and public spaces. Building and site design fosters lively and pedestrian-friendly streetscapes and connectivity to surrounding uses and neighborhoods, with public spaces to promote community gathering. The MU2 land use designation allows for a maximum residential density of 30 to 55 du/ac, which may be increased to 75 du/ac when the nearest property line of the perimeter is either separated by I-405 from or located at least 400 feet from the property line of an R1 designation; and a maximum FAR of 2.20. The Project proposes a mix of residential and commercial uses on an approximately 6.87-acre site at a density of 96 du/ac and FAR of 2.77. As discussed in Section 3.11, *Land Use and Planning*, the Project Applicant is requesting a Density Bonus pursuant to State Density Bonus Law (Government Code Section 65915 et seq.) and the City's Density Bonus Ordinance (FVMC Section 21.08.050(a), *Affordable Housing Density Bonus Incentives*). Additionally, the Project is requesting approval of a Precise Plan. In accordance with FVMC Chapter 21.44, *Precise Plan of Design*, in order to approve a Precise Plan, the review authority must find that the project is consistent with the General Plan, applicable Specific Plan, and the Development Code. Further, as discussed above, the Project would be consistent with the land use envisioned in the General Plan and analyzed in the General Plan FEIR. The Project would not cause SCAG's population forecast to be exceeded. As such, the proposed Project meets this AQMP consistency criterion. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to consistency with the AQMP.

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

General Plan FEIR Conclusions

Short-term Impacts. Construction activities under the General Plan Update would temporarily increase PM₁₀, PM_{2.5}, VOC, NO_x, SO_x, and CO regional emissions in the SoCAB. Construction activities associated with the General Plan Update would occur over the buildout horizon of the plan, causing short-term emissions of criteria air pollutants. However, information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with construction activity. Due to the scale of development activity associated with buildout of the proposed project, emissions would likely exceed the South Coast AQMD regional significance thresholds. In accordance with the

SCAQMD methodology, emissions that exceed the regional significance thresholds would cumulatively contribute to the nonattainment designations of the SoCAB.

Air quality emissions related to construction must be addressed on a project-by-project basis. For the General Plan Update, which is a broad-based policy plan, it is not possible to determine whether the scale and phasing of individual projects would exceed the SCAQMD's short-term regional or localized construction emissions thresholds. In addition to regulatory measures—e.g., SCAQMD Rule 403 for fugitive dust control, Rule 1113 for architectural coatings, and CARB's Airborne Toxic Control Measures—mitigation imposed at the project level may include extension of construction schedules and/or use of special equipment.

While individual projects under the General Plan Update may not exceed the South Coast AQMD regional significance thresholds, the likely scale and extent of construction activities associated with the future development project under the proposed General Plan would likely continue to exceed the relevant South Coast AQMD thresholds for some projects. Construction-related regional air quality impacts of developments that would be accommodated by the General Plan Update would be potentially significant. Mitigation Measure AQ-1 and the goals and policies of the General Plan Update would reduce construction-related air pollutant emissions to the extent feasible. However, individual projects accommodated under the proposed project may exceed the South Coast AQMD regional significance thresholds. Therefore, the General Plan Final FEIR concluded that this impact would remain significant and unavoidable.

Long-term Impacts. The General Plan Update guides growth and development in the City by designating allowed land uses by parcel and through implementation of its goals and policies. New development would increase air pollutant emissions in the City and contribute to the overall emissions in the SoCAB. The proposed project sets up the framework for growth and development but does not directly result in development. Before development can occur, it must be analyzed for conformance with the general plan, zoning requirements, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

Buildout of the General Plan Update would result in an increase in long-term emissions that exceed the daily SCAQMD thresholds for VOC. Emissions of NO_x, CO, PM₁₀, and PM_{2.5} would slightly decrease compared to the existing land uses in the City in 2045. Emissions of VOC that exceed the SCAQMD regional significance thresholds would contribute to the O₃ nonattainment designation of the SoCAB.

The General Plan Update includes policies that would reduce operational emissions associated with development projects. Policies OSC-3.1 through OSC-3.8 would reduce air quality pollutant emissions in the City and Policies LU-2.5 and CM-2.1 through CM-2.10 would reduce VMT. Mitigation Measure AQ-2, in addition to the goals and policies of the proposed project, would reduce air pollutant emissions to the extent feasible; however, the proposed project would exceed the South Coast AQMD regional significance thresholds and would contribute to the nonattainment designation of the SoCAB. This impact would remain significant and unavoidable due to the magnitude of the overall land use development associated with the General Plan

update. Therefore, the General Plan Final FEIR concluded that this impact would remain significant and unavoidable.

Analysis of Project

Short-Term Construction Impacts. Similar to the General Plan FEIR's conclusions, potential future construction activities associated with implementation of the proposed Project would result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Pollutant emissions associated with construction would be generated from the following construction activities: (1) demolition, grading, and excavation; (2) construction workers traveling to and from the area; (3) delivery and hauling of construction supplies to, and debris from, the area; (4) fuel combustion by onsite construction equipment; (5) building construction; application of architectural coatings; and paving. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants.

The thresholds of significance recommended by SCAQMD for construction emissions were developed for individual development projects. Construction-related emissions are described as short-term or temporary in duration and have the potential to represent a significant impact with respect to air quality. The potential for new residential development associated with implementation of the Project is dependent on a variety of factors, including but not limited to residential market conditions, individual housing decisions, the decisions of financial institutions related to development projects, and other similar factors. Future residential development projects and plans would continue to define specific phasing at a detailed level and be reviewed by the City to ensure that development occurs in a logical manner consistent with policies in the General Plan, and that additional environmental review is conducted under CEQA, as needed.

The maximum daily construction emissions associated with development of the proposed Project were estimated using CalEEMod; refer to Table 3, Construction-Related Emissions (Maximum Pounds Per Day). The construction schedule associated with the proposed Project was provided by the Project applicant and is anticipated to begin in the fourth Quarter of 2025 and end in the first quarter of 2028.

Table 3: Construction-Related Emissions (Maximum Pounds Per Day)

Source	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
2025	6.5	48.5	74.9	0.1	23.5	10.4
2026	8.8	58.8	108.1	0.1	30.5	12.2
2027	28.5	33.2	85.5	0.1	16.8	4.5
2028	27.4	25.9	73.3	0.1	14.3	3.8
South Coast AQMD Threshold	75	100	550	150	150	55
Exceeds Threshold?	N	N	N	N	N	N

Source: CalEEMod version 2022.1; refer to [Appendix A](#) for model outputs.

As shown in [Table 3](#), criteria pollutant emissions associated with construction activities would not exceed the SCAQMD significance thresholds. Thus, total construction related air emissions would be less than significant. Further, Project-related construction activities would be required to comply with SCAQMD rules and regulations, which would further reduce specific construction-related emissions. Thus, the proposed Project would have a less than significant impact relative to short-term construction impacts.

Long-Term Operational Impacts. Operational emissions would be associated with mobile source (i.e., motor vehicle use associated with Project operations) and area sources (e.g., landscaping and maintenance equipment, natural gas for heating and cooking, consumer products, and the reapplication of architectural coatings) associated with the Project. Typically, area sources are small sources that contribute very minor emissions individually, but when combined may generate substantial amounts of pollutants. Area specific defaults in CalEEMod were used to calculate area source emissions. CalEEMod was also used to calculate pollutants emissions from vehicular trips generated from potential future residential development associated with implementation of the proposed Project.

For analysis purposes, the operational emissions associated with the 657 dwelling units and 4,460 square feet of retail space associated with the proposed Project were estimated using CalEEMod; refer to [Table 4, Operational-Related Emissions \(Maximum Pounds Per Day\)](#). Note that emissions rates differ from summer to winter because weather factors are dependent on the season and these factors affect pollutant mixing, dispersion, ozone formation, and other factors.

Table 4: Operational-Related Emissions (Maximum Pounds Per Day)

Source	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
Summer Emissions						
Mobile	8.9	5.8	70.9	0.2	19.2	5.0
Area	18.0	0.4	37.6	0	0.0	0.0
Energy	0.1	1.8	0.8	0	0.1	0.1
Total	26.9	8.0	109.2	0.2	19.4	5.1
South Coast AQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	N	N	N	N	N	N
Winter Emissions						
Mobile	8.8	6.3	66.2	0.2	19.2	5.0
Area	14.7	0	0	0	0	0
Energy	0.1	1.8	0.8	0	0.1	0.1
Total	23.6	8.2	67.0	0.2	19.4	5.1
South Coast AQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	N	N	N	N	N	N
Source: CalEEMod version 2022.1; refer to Appendix A for model outputs.						

As shown in [Table 4](#), emissions calculations generated from CalEEMod demonstrate that Project operations would not exceed the SCAQMD significance thresholds. Thus, total operational-related air emissions would be less than significant.

Conclusion. Overall, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

General Plan FEIR Conclusions

Development and operation of new land uses accommodated under the General Plan Update proposed land use plan could generate new sources of localized criteria air pollutant and toxic air contaminants (TACs) in the City from area/stationary sources and mobile sources.

CO Hotspots. Areas of vehicle congestion have the potential to create pockets of CO called hotspots. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix in order to generate a significant CO impact. Implementation of the General Plan Update under horizon year conditions would not result in

hourly traffic increases of this magnitude. This net increase would be below the screening criteria. Thus, the General Plan FEIR concluded that implementation of the General Plan Update would not produce the volume of traffic required to generate a CO hotspot, and CO hotspots impacts would be less than significant.

Permitted Stationary Sources. Various industrial and commercial processes (e.g., manufacturing, dry cleaning) allowed under the proposed land use plan would be expected to release TACs. Industrial land uses, such as chemical processing facilities, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities, have the potential to be substantial stationary sources that would require a permit from South Coast AQMD. Emissions of TACs would be controlled by South Coast AQMD through permitting and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under South Coast AQMD Rule 1401, which the General Plan FEIR concluded would ensure less than significant impacts.

Industrial Land Uses. Warehousing or industrial operations generate substantial diesel particulate matter (DPM) emissions from off-road equipment use, truck idling, and/or use of transport refrigeration units for cold storage. However, the General Plan Update would not result in a net increase in new industrial or warehousing in Fountain Valley. The General Plan Update would result in a net reduction of 201,182 square feet of industrial land uses and a net increase of retail (123,511 square feet), and commercial, office, and research and development (531,771 square feet) land uses. Additionally, implementation of proposed General Plan policies would reduce localized impacts from existing and future development in the City, including proposed policy OSC-3.2 and CM-1.8. As such, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Analysis of Project

Pollutant concentrations are highly dependent on a multitude of interconnected variables. In particular, ozone precursors VOCs and NO_x affect air quality on a regional scale. Health effects related to ozone are therefore the product of emissions generated by numerous sources throughout a region. As described in the General Plan FEIR, construction-related activities would result in short-term emissions of particulate matter (PM₁₀ and PM_{2.5}) primarily from activities that disturb the soil, such as grading and excavation, road construction, and building demolition and construction. The primary sources of VOC emissions are the application of architectural coating and off-gas emissions associated with asphalt paving. The amount to which receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards).

Construction. The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment would dissipate rapidly. Construction-related activities would be typical to similar development-type projects, and construction-related TAC emissions would not expose sensitive receptors to substantial concentrations of TACs. Construction activities would be required to comply with the General Plan FEIR construction dust mitigation requirements, which would also reduce particulate

matter exhaust emissions. As a result, construction-related TAC impacts would be considered less than significant.

The nearest sensitive receptors to the Project site are the residences located west of the Project site, west of Magnolia Street. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

The appropriate SRA for the LSTs is the Central Orange County area (SRA 17) since SRA 17 includes the Project site. LSTs apply to CO, NO_x, PM₁₀, and PM_{2.5}. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5.0 acres. Project construction is anticipated to disturb a maximum of approximately 5 acres in a single day.

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, as recommended by the SCAQMD, LSTs for receptors located at 25 meters were utilized in this analysis.⁹ Table 5, Localized Significance of Construction Emissions (Maximum Pounds per Day), presents the results of localized emissions during proposed Project construction.

As shown in Table 5, the emissions of these pollutants on the peak day of Project construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Further, the Project would be subject to compliance with SCAQMD Rules 402, 403, and 1113, which would further reduce specific construction-related emissions. Therefore, the proposed Project would result in a less than significant impact concerning LSTs during construction activities.

⁹ The nearest residential property line is approximately 30 meters with the nearest receptors approximately 50 meters from the Project site; however, 25 meters was used, representing a more conservative analysis.

Table 5: Localized Significance of Construction Emissions (Maximum Pounds per Day)¹

Source	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
Demolition – Phase 1 (2025)	22.2	19.9	0.9	0.8
Demolition – Phase 2 (2025)	22.2	19.9	0.9	0.8
Grading – Phase 1 (2025)	16.2	17.9	7.8	4.0
Grading – Phase 1 (2026)	15.0	17.4	7.7	4.0
Grading – Phase 2 (2025)	16.3	17.9	7.8	4.0
Grading – Phase 2 (2026)	15.0	17.4	7.7	4.0
Building Construction – Phase 1 (2025)	10.4	13.0	0.4	0.4
Building Construction – Phase 1 (2026)	9.9	13.0	0.4	0.3
Building Construction – Phase 1 (2027)	9.4	12.9	0.3	0.3
Building Construction – Phase 1 (2028)	8.9	12.9	0.3	0.3
Building Construction – Phase 2 (2026)	9.9	13.0	0.4	0.3
Building Construction – Phase 2 (2027)	9.4	12.9	0.3	0.3
Building Construction – Phase 2 (2028)	8.9	12.9	0.3	0.3
Paving (2027)	6.9	10.0	0.3	0.3
Architectural Coatings – Phase 1 (2027)	0.8	1.1	<0.1	<0.1
Architectural Coatings – Phase 2 (2028)	0.8	1.1	<0.1	<0.1
SCAQMD Localized Screening Thresholds (5 acres at 25 meters)	183	1,253	13	7
Exceed SCAQMD Threshold?	No	No	No	No
Source: CalEEMod Version 2022.1; refer to Appendix A for model outputs.				
Notes:				
1. Emissions reflect on-site construction emissions only, per SCAQMD guidance.				

Operation. Consistent with the General Plan, the Project would provide for the development of residential and commercial land uses that would not introduce new TACs during Project operation. Therefore, operational-related TAC impacts would be less than significant.

The on-site operational emissions are compared to the LST thresholds in [Table 6, Localized Significance of Operational Emissions \(Maximum Pounds per Day\)](#). [Table 6](#) shows that the maximum daily emissions of these pollutants during Project operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, the proposed Project would result in a less than significant impact concerning LSTs during operational activities.

Table 6: Localized Significance of Operational Emissions (Maximum Pounds per Day)

Emission Sources	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
On-Site Emissions (Area Sources)	0.4	37.6	<0.1	<0.1
SCAQMD Localized Screening Threshold (5 acres at 25 meters)	183	1,253	3	2
Exceed SCAQMD Threshold?	No	No	No	No
Source: CalEEMod Version 2022.1; refer to Appendix A for model outputs.				

Sensitive Receptors. The General Plan anticipated a mix of land uses which could place sensitive receptors adjacent to the I-405 freeway and near commercial uses, potentially exposing occupants to diesel PM emissions. Although the Project would provide for residential and commercial development adjacent to the I-405 freeway and near commercial uses, the Project would be consistent with the General Plan and development assumptions of the General Plan FEIR. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR. Therefore, the Project would not introduce a new sensitive land use to the area, potentially exposing sensitive receptors to substantial pollutant concentrations.

CO Hotspots. Implementation of the Project would not result in an increase in CO hotspot emissions within the City that could expose sensitive receptors to pollutant concentrations. As the potential trips identified in the General Plan FEIR would not be at a level where a CO hotspot would be experienced within the City, and development of the Project would result in slightly less development than analyzed in the General Plan FEIR, the potential trips associated with implementation of the Project would similarly not have the potential for a CO hotspot to occur.

Conclusion. As discussed above, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to exposure of sensitive receptors to substantial pollutant concentrations.

d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

General Plan FEIR Conclusions

Growth within the City under the General Plan Update could generate new sources of odors. Nuisance odors from land uses in the SoCAB are regulated under South Coast AQMD Rule 402, Nuisance.

Compost facilities, landfills, solid-waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), asphalt batch manufacturing plants, chemical

manufacturing, and food manufacturing facilities are typical sources of odors from industrial land uses. Industrial land uses are required to comply with South Coast AQMD Rule 402. The General Plan Update would not result in a net increase in new industrial or warehousing in Fountain Valley. Therefore, the General Plan FEIR concluded that impacts from potential odors generated from industrial land uses associated with the General Plan Update are considered less than significant.

Residential and other nonindustrial land uses that would be accommodated by the General Plan Update could result in the generation of odors such as exhaust from landscaping equipment and from cooking. Unlike industrial land uses, these are not considered potential generators of odor that could affect a substantial number of people. Nuisance odors are regulated under SCAQMD Rule 402, which requires the abatement of any nuisance generating a verified odor complaint. Therefore, the General Plan FEIR concluded that impacts from potential odors generated from residential and other nonresidential land uses associated with the General Plan Update are considered less than significant.

During construction activities of development projects that would be accommodated by the General Plan Update, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent. Noxious odors would be confined to the immediate vicinity of the construction equipment in use. By the time such emissions reached any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Short-term construction-related odors are expected to cease upon the drying or hardening of odor-producing materials. Therefore, the General Plan FEIR concluded that impacts associated with construction-generated odors are considered less than significant.

Analysis of Project

Construction activities associated with development of the Project could generate airborne odors associated with the operation of construction vehicles (i.e., diesel exhaust) and the application of architectural coatings. However, similar to the General Plan FEIR's conclusions, construction related odors would be short-term in nature and cease upon completion of construction. Odors would not affect a substantial number of people and impacts would be limited to people living and working near the source. Due to the types of odors that would occur and limited exposure, implementation of the Project would not create construction-related objectionable odors affecting a substantial number of people; thus, impacts would be less than significant in this regard.

Residential and retail uses are not identified by the SCAQMD as having the potential to generate nuisance odors. Implementation of the Project would not create the potential for new or increased odors compared to those identified in the General Plan FEIR. Odor impacts would be less than significant, consistent with the conclusions of the General Plan FEIR. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to other emissions adversely affecting a substantial number of people.

Conclusion

Following compliance with the established regulatory framework, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with air quality beyond those identified in the General Plan FEIR.

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3.4 BIOLOGICAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
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 Game or U.S. Fish and Wildlife Service?					X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?						X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?						X

- a. *Would the project 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 Game or U.S. Fish and Wildlife Service?***

General Plan FEIR Conclusions

The City of Fountain Valley is urbanized with buildings, and contains a few areas of open space, such as Mile Square Regional Park. As such, it is unlikely to contain sensitive species or habitats. Nonetheless, trees and buildings, as well as open space areas, could contain special status species, such as nesting birds. Future development in the City would be required to comply with local, State, and federal regulations pertaining to the protection of special status, candidate, and/or sensitive species, should they occur on or near a development site, particularly those within proximity to Mile Square Regional Park. Additionally, Policy OSC-2.6 calls for coordination with the County to maintain and enhance the Mile Square Park Urban Nature Center and minimize impacts on biological resources within Mile Square Regional Park. Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The Project site was previously developed with an amusement park and miniature golf course and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The area surrounding the Project site is generally urbanized and developed with residential and commercial uses and roadway infrastructure. The Project site does not contain candidate, sensitive, or special status species or habitats. There is the potential that trees within the Project site that would be removed to allow for development may contain nesting birds, depending upon the timing of removal. Consistent with the General Plan FEIR, the Project would be required to comply with regulations pertaining to the protection of sensitive species, including the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, which provide protections for migratory birds, raptors, and other bird species as specified. Project implementation would remain consistent with the impact determination of the General Plan FEIR. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to special status plant or wildlife species.

- b. *Would the project 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 Game or U.S. Fish and Wildlife Service?***

General Plan FEIR Conclusions

The General Plan FEIR found that there are no riparian habitats in the City. Therefore, the General Plan FEIR concluded that no impact would occur.

Analysis of Project

There are no riparian habitats or other sensitive natural communities within the Project site. Consistent with the conclusions of the General Plan FEIR, the proposed Project would have no impact in this regard. Thus, the proposed Project would not result in any new significant impacts

or more severe impacts than those identified in the General Plan FEIR with respect to riparian habitat or other sensitive natural communities.

- c. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

General Plan FEIR Conclusions

The City is primarily developed and contains a few areas of open space. According to the National Wetlands Inventory, the City contains wetland habitat in Mile Square Regional Park and the Santa Ana River, which bounds the eastern portion of the City. Buildout of the General Plan Update would intensify the uses of several sites adjacent to the channel which could contribute to an increase in pollutants in the waterway. However, all development would adhere to existing regulations in addition to General Plan Policies OSC-3.5 and OSC-3.6 which would improve groundwater quality and minimize stormwater pollution, respectively. Additionally, Policy OSC-2.6 calls for coordination with the County to maintain and enhance the Mile Square Park Urban Nature Center and minimize impacts on biological resources within Mile Square Regional Park. Potential future development would be required to comply with local, state, and federal regulations adopted to minimize impacts to potential sensitive natural communities (e.g., Endangered Species Act, California Endangered Species Act, California Native Plant Protection Act, etc.). Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The Project site was previously developed and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The Project site is not identified as containing wetland habitat and is physically separated from wetland habitat in Mile Square Regional Park and the Santa Ana River by the I-405 freeway and urban uses. Consistent with the conclusions of the General Plan FEIR, the Project would result in less than significant impacts relative to federally protected wetlands. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to federally protected wetlands.

- d. *Would the project 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?***

General Plan FEIR Conclusions

The City is primarily developed with few, scattered open space areas that could serve as migration corridors. The Santa Ana River and parks, such as Mile Square Regional Park, could be used for migration. Future development would be required to comply with local, state, and federal regulations adopted to minimize impacts on potential sensitive species, including but not limited to the Migratory Bird Treaty Act and relevant statutes in the Fish and Game Code. Additionally, Policy OSC-2.6 calls for the coordination with the County to maintain and enhance the Mile

Square Park Urban Nature Center and minimize impacts on biological resources within Mile Square Regional Park. As such, the General Plan FEIR concluded that development under the general plan would have a less than significant impact relative to this topic.

Analysis of Project

The Project site was previously developed and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The Project site is surrounded by existing development, including the I-405 freeway and major arterials, and does not provide open space connections or area supporting wildlife corridors or nursery sites. The Project site is physically separated from the Santa Ana River, parks, and open space areas with the potential to serve as migration corridors by the I-405 freeway and urban uses. Consistent with the General Plan FEIR, the Project would have a less than significant impact relative to this topic. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to the movement of fish or wildlife species, or with wildlife corridors or nursery sites.

- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

General Plan FEIR Conclusions

The FVMC Chapter 12.04, *Trees, Shrubs, and Plants*, protects trees by ensuring that no person shall cut, trim, plant, prune, remove, injure, or interfere with any tree within public property without prior permission and approval from the Director of Public Works. The City is recognized as a "Tree City USA" city, which recognizes environmental improvement and higher levels of tree care in Tree City USA communities. The General Plan Update would not conflict with Chapter 12.04 of the FVMC, nor would it conflict the City's status as a "Tree City USA" city. Additionally, General Plan Update Policy OSC-2.1 and Policy OSC-2.2 call for maintaining and enhancing a diverse and healthy urban forest and replacing dead, missing, or removed trees and facilitating tree replacement, respectively. Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

There is the potential for public trees adjacent to the Project site to be removed to allow for Project development. The Project would be reviewed for consistency with the FVMC, including Chapter 12.04, which protects trees by ensuring that no person shall cut, trim, plant, prune, remove, injure, or interfere with any tree within public property without prior permission and approval from the Director of Public Works. Additionally, the Project proposes landscaping that would include drought tolerant trees, groundcover, and shrubs within the ground floor and seventh level of each building. Consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to conflicts with any local policies or ordinances protecting biological resources.

- f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

General Plan FEIR Conclusions

There are no habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans that cover the City or SOI. Therefore, the General Plan FEIR concluded that no impacts would occur.

Analysis of Project

As indicated in the General Plan FEIR, there are no habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans that cover the City or SOI. Therefore, consistent with the conclusions of the General Plan FEIR, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Conclusion

Following compliance with the established regulatory framework, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with biological resources beyond those identified in the General Plan FEIR.

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3.5 CULTURAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				X		
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				X		
c. Disturb any human remains, including those interred outside of formal cemeteries?					X	

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?***

General Plan FEIR Conclusions

The General Plan FEIR found that future development under the General Plan Update could adversely impact historic resources through changes to accommodate adaptive reuse, removal, or reconstruction. Notable historic resources in the City include the Japanese Bath House, the 1898 Courreges Tank House, and a historical real estate office in Heritage Park; however, there are no historical resources listed in the California Register of Historic Places and the National Register of Historic Places. Known or future historic sites or resources listed in the national, California, or local registers maintained by the City would be protected through state and federal regulations, as well as General Plan Update Policy OSC-2.3, which calls for the preservation of national and state historic resources, and Policy OSC-2.4, which calls for the preservation and maintenance of local historic resources. Nonetheless, changes to historic resources could result in a significant impact. The General Plan FEIR concluded that with the implementation of Mitigation Measure CUL-1 through Mitigation Measure CUL-4, impacts would be less than significant.

Project Analysis

As discussed in the General Plan FEIR, there are no historical resources in the City listed in the California Register of Historic Places and the National Register of Historic Places. The Project site was previously developed with an amusement park and miniature golf course, which operated until 2017. The onsite structures were subsequently removed, and the site currently consists primarily of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles

remaining from the former use. As such, no historic or potentially historic built environment resources are located within the site. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to historical resources.

- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?***

General Plan FEIR Conclusions

While the majority of the City has been developed, future construction and redevelopment of sites would include ground-disturbing activities that could have the potential to uncover archaeological resources. However, the General Plan FEIR concluded that with the implementation of Mitigation Measure CUL-5, impacts would be less than significant.

Project Analysis

The Project site has been altered by previous ground disturbance and currently consists primarily of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles remaining from the former use. As such, archaeological resources are not anticipated to occur; however, there is the potential for unknown or undiscovered resources to be uncovered through ground-disturbing construction activities. In accordance with General Plan FEIR Mitigation Measure CUL-5, the Project Applicant would be required to retain a qualified archaeologist prior to construction activities to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. If cultural resources are discovered during ground disturbing activities, all ground disturbing activities within 50 feet of the find shall be halted until a meeting is convened between the developer, archaeologist, tribal representatives, and the Director of the Community Development Department. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representatives, developer, and archaeologist, a decision shall be made, with the concurrence of the Director of the Community Development Department, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources. Compliance with General Plan FEIR Mitigation Measure CUL-5 would reduce potential impacts to archeological resources to a less than significant level. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to archeological resources.

- c. *Would the project disturb any human remains, including those interred outside of dedicated cemeteries?***

General Plan FEIR Conclusions

California Health and Safety Code, Section 7050.5; CEQA Section 15064.5; and Public Resources Code, Section 5097.98, mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Specifically, California Health and Safety Code, Section 7050.5, requires that if human remains are discovered on a project site, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the

recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Although soil-disturbing activities associated with development in accordance with the General Plan Update could result in the discovery of human remains, the General Plan FEIR concluded that compliance with existing law would ensure that significant impacts to human remains would be less than significant.

Project Analysis

There are no dedicated cemeteries within the Project site or surrounding area. The Project site has been altered by previous ground disturbance. Due to the extensive ground disturbance that has occurred on the Project site and in the surrounding area associated with construction of existing development and infrastructure, the potential for the proposed Project to disturb previously undiscovered human remains is unlikely.

In the unlikely event that human remains are encountered during Project development, those remains would require proper treatment, in accordance with applicable laws. These include California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e), which mandate procedures of conduct following the discovery of human remains on non-federal lands. According to these applicable regulations, should human remains be encountered, all work in the immediate vicinity of the burial would be required to cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The County Coroner would be immediately notified and must then determine whether the remains are Native American in origin. If the Coroner determines the remains are Native American, the Coroner has 24 hours to notify the NAHC, who would in turn, notify the person they identify as the Most-Likely-Descendent of any human 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 less than significant, consistent with the conclusions of the General Plan FEIR. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to human remains.

Conclusion

Following compliance with State law and General Plan FEIR Mitigation Measure CUL-5, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to cultural resources beyond those identified in the General Plan FEIR.

Applicable General Plan FEIR Mitigation Measures:

CUL-5 Prior to construction activities, the future project applicant shall retain a qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown

archaeological resources. If cultural resources are discovered during ground disturbing activities, all ground disturbing activities within 50 feet of the find shall be halted until a meeting is convened between the developer, archaeologist, tribal representatives, and the Director of the Community Development Department. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representatives, developer, and archaeologist, a decision shall be made, with the concurrence of the Director of the Community Development Department, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.

3.6 ENERGY

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
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?					X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

- 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?*

General Plan FEIR Conclusions

Short-Term Construction Impacts:

Projects constructed under the General Plan Update would create temporary increases in demand for electricity. Though electricity use would fluctuate according to the phase of construction, it is anticipated that most electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in reduced overall electricity usage.

The implementation of development projects proposed in the General Plan Update would also temporarily increase demands for transportation energy. Most energy use during construction comes from the transportation of construction equipment, supplies, and employees in vehicles powered by diesel fuel or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. It is anticipated that most off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered. In addition, all operation of construction equipment would cease upon completion of project construction. Furthermore, the construction contractors would minimize nonessential idling of construction equipment during construction in accordance with the California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 to limit wasteful and unnecessary energy consumption. Moreover, future development projects within the City would

be similar to the construction processes of any current development projects within Fountain Valley. Therefore, the General Plan FEIR concluded that the General Plan Update would not result in wasteful, inefficient, or unnecessary consumption of fuel use during construction.

Long-Term Impacts

Non-Transportation Energy. New development projects accommodated under the General Plan Update would create additional demands for electricity and natural gas compared to existing conditions. By horizon year 2045, the General Plan FEIR found that electricity use in the City would increase by 39,331,861 kWh/year, or 15 percent, and natural gas use in the City would increase by 2,021,403 therms annually, or 19 percent, from existing conditions to a total of 12,387,705 therms per year.

Development accommodated under the General Plan Update would be required to comply with the current and future updates to the Building Energy Efficiency Standards and CALGreen, which would contribute to reducing the energy demands. New and replacement buildings in compliance with these standards would generally have greater energy efficiency than existing buildings. In addition, the General Plan Update includes policies such as OSC-3.3, OSC-3.8, and PFS-4.6, to increase energy efficiency and reduce wasteful, inefficient use of energy resources.

Transportation Energy. Growth accommodated under the General Plan Update would consume transportation energy from the use of motor vehicles (e.g., gasoline, diesel, compressed natural gas, and electricity). The General Plan FEIR found that the General Plan Update would result in an increase in VMT for gasoline- and electric-powered vehicles, but not for diesel- and compressed natural gas-powered vehicles. Although annual VMT would increase for gasoline-powered vehicles by 11,525,843 miles, gasoline fuel usage would decrease. For electric-powered vehicles, annual VMT would increase by 56,005,810 miles and annual consumption would increase by 14,385,016 kWh. The decrease in fuel usage for gasoline powered vehicles and large increase in VMT and fuel usage for electric powered vehicles are primarily based on the assumption that a greater mix of light-duty automobiles would be electric-powered in future years based on regulatory and consumer trends.

Compared to existing uses under year 2045 conditions, the General Plan Update would result in an increase in VMT and fuel usage for all fuel types. However, the fuel efficiency will be the same, and implementation of the General Plan Update would not result in less efficiency in transportation fuel usage. Additionally, fuel efficiency of vehicles under year 2045 conditions would improve compared to baseline year due to regulatory compliance, resulting in new cars that are more fuel efficient and the attrition of older, less fuel-efficient vehicles. Regulatory compliance would ensure that vehicles produced in future years have greater fuel efficiency and would generally result in an overall benefit of reducing fuel usage by providing the population of the City more fuel-efficient vehicle options. Furthermore, while the demand in electricity would increase under the General Plan Update, in conjunction with the regulatory and general trend toward increasing the supply and production of energy from renewable sources, it is anticipated that a greater share of electricity used to power electric vehicles would be from renewable sources in future years.

In addition to regulatory compliance that would contribute to more fuel-efficient vehicles and less demand in fuels, the General Plan Update includes policies such as LU-1 LU-2.5 CM-1.7, CM-2.1 CM-2.2, CM-2.6, and CM-2.7 that will contribute to minimizing overall VMT, and thus fuel usage associated with the City. The General Plan FEIR found that since most of the proposed buildout would be infill development and the jobs-housing ratio will decrease, encouraging the creation of more employment opportunities for City's residents and workers commuting to Fountain Valley, this could result in shorter distances traveled between where people work and live and to amenities. The General Plan Update also encourages people to use multimodal transportation options like biking, walking, or taking public transportation, which help reduce Fountain Valley's projected VMT. Implementation of proposed policies under the General Plan Update in conjunction with and complementary to regulatory requirements, will ensure that energy demand associated with growth under the General Plan Update would not be inefficient, wasteful, or unnecessary. Therefore, the General Plan FEIR concluded that energy impacts associated with implementation and operation of land uses accommodated under the General Plan Update would be less than significant.

Analysis of Project

The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered "wasteful, inefficient, and unnecessary" if it were to violate State and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with an applicable plan, policy, or regulation.

The Project proposes to develop 657 residential units and 4,460 square feet of retail space. The amount of energy used at the Project site would directly correlate to the size of the proposed units, the energy consumption of associated unit appliances, and outdoor lighting, as well as other on-site uses. Other major sources of Project energy consumption include fuel used by vehicle trips generated during Project construction and operation, and fuel used by off-road construction vehicles during construction.

The following discussion provides calculated levels of energy use expected for the proposed Project, based on commonly used modelling software (i.e., CalEEMod v.2022.1 and the California Air Resource Board's EMFAC2021). It should be noted that many of the assumptions provided by CalEEMod are conservative relative to the Project; thus, this discussion provides a conservative estimate of proposed Project emissions.

Electricity

The electricity used by the Project would be used primarily to power on-site buildings; natural gas would also be utilized for the proposed Project. Total annual electricity (kWh/year) and natural gas (kBTU/year) usage associated with the operation of the Project is shown in Table 7, Project Operational Electricity and Natural Gas Usage.

Table 7: Project Operational Electricity and Natural Gas Usage

Emissions	Project Annual Consumption	Orange County Annual Consumption	Percent Increase
Operational Electricity Consumption (MWh/year)	2,452	20,243,721	0.01%
Operational Natural Gas Consumption (kBTU/year)	7,323,898	5,724,547,440	0.1%
Sources: CalEEMod version 2022.1; California Energy Commission, Electricity Consumption by County; Natural Gas Consumption by County.			

CalEEMod uses the California Commercial End Use Survey (CEUS) database to develop energy intensity value for non-residential buildings. The energy use from residential land uses is calculated based on the Residential Appliance Saturation Survey (RASS). Similar to CEUS, this is a comprehensive energy use assessment that includes the end use for various climate zones in California.

As shown in Table 7, Project operational electricity usage is forecast to represent an approximately 0.01 percent increase above the County's typical annual electricity consumption. Additionally, Project operational natural gas consumption is forecast to represent an approximately 0.1 percent increase above the County's typical natural gas consumption. This increase is minimal in the context of the County as a whole.

On-Road Vehicles (Operation)

The Project would generate vehicle trips during its operational phase. The Project would generate approximately 3,138 average daily vehicle trips.¹⁰ In order to calculate operational on-road vehicle energy usage and emissions, default trip lengths generated by CalEEMod (version 2022.1) were used, which are based on the Project location and urbanization level parameters selected

¹⁰ Linscott, Law & Greenspan, Engineers (LLG), *Traffic Impact Analysis, Magnolia Residential, Fountain Valley, California*, December 4, 2024.

within CalEEMod; refer to [Appendix A](#). Based on fleet mix data provided by CalEEMod and Year 2029 gasoline and diesel miles per gallon (MPG) factors for individual vehicle classes as provided by EMFAC2021, weighted MPG factors for operational on-road vehicles of approximately 29.8 MPG for gasoline vehicles and 15.8 MPG for diesel vehicles were derived. Based on these factors, as well as fleet mix assumptions from CalEEMod, and an estimated 27,028 Average Daily VMT, the Project would generate vehicle trips that would use approximately 854 gallons of gasoline per day and 102 gallons of diesel per day, or 311,556 gallons of gasoline per year and 37,146 gallons of diesel per year.

On-Road Vehicles (Construction)

The Project would also generate on-road vehicle trips during Project construction (from construction workers and vendors). Estimates of anticipated vehicle fuel consumption were derived based on the assumed construction schedule, vehicle trip lengths, and number of workers per construction phase as provided by CalEEMod, and Year 2025 gasoline MPG factors provided by EMFAC2021. It was assumed that all vehicles would use gasoline as a fuel source (as opposed to diesel fuel or alternative sources). [Table 8, On-road Mobile Fuel Generated by Project Construction Activities – By Phase](#), describes gasoline and diesel fuel used by on-road mobile sources during each phase of the construction schedule. As shown, the vast majority of on-road mobile vehicle fuel used during the construction of the Project would occur during the grading phase.

Table 8: On-Road Mobile Fuel Generated by Project Construction Activities – By Phase

Construction Phase	# of Days	Total Daily Worker Trips ⁽¹⁾	Total Daily Vendor Trips ⁽¹⁾	Total Hauler Trips ⁽¹⁾	Gallons of Gasoline Fuel ⁽²⁾	Gallons of Diesel Fuel ⁽²⁾
Demolition – Phase 1	10	15	0	<1	99	1
Demolition – Phase 2	10	15	0	<1	99	1
Grading – Phase 1	271	15	0	12	2,684	570
Grading – Phase 2	271	15	0	0	2,684	0
Building Construction – Phase 1	631	474	71	0	9,876	4,007
Building Construction – Phase 2	567	474	71	0	8,874	3,601
Paving	23	15	0	0	288	0
Architectural Coatings	175	190	0	0	1,098	0
Total					25,702	4,583
Sources: CalEEMod Version 2022.1; EMFAC2021.						
Notes:						
1. Provided by CalEEMod.						
2. Refer to Appendix A for further detail.						

Off-Road Vehicles (Construction)

Off-road construction vehicles would use diesel fuel during the construction phase of the Project. Off-road construction vehicles expected to be used during the construction phase of the Project include, but are not limited to, cranes, forklifts, generator sets, tractors, excavators, and dozers. Based on the total amount of CO₂ emissions expected to be generated by the proposed Project (as provided by the CalEEMod output), and a CO₂ to diesel fuel conversion factor (provided by the U.S. Energy Information Administration), the Project would use up to approximately 39,059 gallons of diesel fuel for off-road construction vehicles during the site preparation and grading phases of the Project; refer to [Appendix A](#) for detailed calculations.

Conclusion

The proposed Project would use energy resources for the operation of the Project buildings (e.g., electricity), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the Project (both during Project construction and operation), and from off-road construction activities associated with the Project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The Project would be responsible for conserving energy, to the extent feasible, and would be required to comply with Statewide and local measures regarding energy conservation, such as Title 24 building efficiency standards.

The proposed Project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. For example, Southern California Edison (SCE) is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the Statewide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g., solar and wind) within its energy portfolio. SCE has achieved at least a 33 percent mix of renewable energy resources and will be required to achieve a renewable mix of at least 50 percent by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to the proposed Project. Other statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g., the Pavley Bill and the Low Carbon Fuel Standard) are improving vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

As a result, the Project would not result in any significant adverse impacts related to Project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the Project including construction, operations, maintenance, and/or removal. SCE, the electricity provider to the site, maintains sufficient capacity to serve the proposed Project. The Project would be required to comply with all existing energy efficiency standards and would not result in significant adverse impacts on energy resources. Therefore, the proposed Project would not result in a wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Furthermore, the Project, as proposed, would be slightly less than the development capacity anticipated by the General Plan Update and analyzed in the General Plan FEIR for the site. Impacts would be less than significant, consistent with the conclusions of the General Plan FEIR. Thus, the proposed Project would not result in any

new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to energy.

Conclusion

Following compliance with existing regulations, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with energy usage beyond those identified in the General Plan FEIR.

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3.7 GEOLOGY AND SOILS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> • 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. • Strong seismic ground shaking? • Seismic-related ground failure, including liquefaction? • Landslides? 					X	
b. Result in substantial soil erosion or the loss of topsoil?					X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?					X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?						X
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X		

The following analysis is based in part on the *Geotechnical Investigation Proposed Mixed-Use Apartment Development* (Geotechnical Investigation) prepared by Geotechnical Professionals Inc., dated November 3, 2023, and included in its entirety as [Appendix B](#).

a. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

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

General Plan Final EIR Conclusions

Ground Rupture. There are no Alquist-Priolo Fault Zones in the City. Therefore, the City would not experience ground rupture in the event of an earthquake.

Strong Seismic Ground Shaking. Active and potentially active faults within and near the City include the Newport-Inglewood, San Andreas, Palos Verdes, Whittier, Elsinore, El Modina, San Jacinto, Norwalk, Santa Monica-Raymond Hills Faults. The seismic design of buildings within the General Plan Area is governed by the most recent California Building Code (CBC). All structures that would be constructed under the General Plan Update would be designed to meet or exceed current design standards as required in the latest CBC. Therefore, while new structures may suffer damage requiring closure and replacement after a seismic event, compliance with the CBC would reduce potential seismic-related hazards on residents and visitors.

Seismic-Related Ground Failure. Secondary effects of earthquakes are nontectonic processes such as ground deformation, including fissures, settlement, displacement, and loss of bearing strength, and are the leading causes of damage to structures during a moderate to large earthquake. Secondary effects could lead to ground deformation including liquefaction, lateral spreading, seismically induced landslides, and ground lurching. The General Plan FEIR found the City has a very high potential for liquefaction due to the high groundwater level throughout the City. All structures constructed under the General Plan Update would be designed in accordance with current seismic design standards as found in the CBC. Design measures would be implemented according to the most recent CBC, which would reduce the impacts related to liquefaction.

Landslides. Marginally stable slopes (including existing landslides) may be subject to landslides caused by earthquakes. The landslide hazard depends on many factors, including existing slope stability, shaking potential, and presence of existing landslides. Landslides, debris flows, or any movement of earth or rock are most common in areas of high topographic relief, such as steep canyon walls or steep hillsides. The Newport Beach Seismic Hazard Zones Quadrangle does not

identify any area within the City as at risk to landslide or slope instability. The General Plan FEIR concluded that with the implementation of existing federal, state, and local regulations, as well as the General Plan Update policies, such as Policy PFS-2.1, Policy PFS-2.2, Policy PFS-2.3, Policy PFS-2.6, and Policy PFS-2.7, impacts would be less than significant.

Analysis of Project

Ground Rupture. The City of Fountain Valley is not located within a designated Alquist-Priolo fault zone. Given this fact, the Geotechnical Investigation concluded that ground rupture due to faulting is considered unlikely at this site. Therefore, the proposed Project would not expose people or structures to potentially substantial adverse effects involving rupture of a known earthquake fault. Consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

Strong Seismic Ground Shaking. According to the Earthquake Zone of Required Investigation Map, the closest fault to the Project site is the North Branch Fault located approximately 3.36 miles away.¹¹ As discussed in the Geotechnical Investigation, the Project site is located in a seismically active area of southern California and is likely to be subjected to strong ground shaking due to earthquakes on nearby faults. The seismic design of buildings within the City is governed by the most recent CBC, as adopted and amended by the City under FVMC Chapter 18.04, *Building Code*. The City would review Project design and construction plans for compliance with the CBC and FVMC, as well as the recommendations of the soil engineering and engineering geology reports pursuant to FVMC Chapter 18.06, *Grading*. Compliance with the CBC and FVMC would reduce potential seismic-related hazards on residents and visitors. Therefore, consistent with the conclusions of the General Plan FEIR impacts would be less than significant in this regard.

Seismic-Related Ground Failure. Secondary effects of earthquakes are nontectonic processes such as ground deformation, including fissures, settlement, displacement, and loss of bearing strength, and are the leading causes of damage to structures during a moderate to large earthquake. Secondary effects could lead to ground deformation including liquefaction, lateral spreading, seismically induced landslides, and ground lurching.

As discussed in the Geotechnical Investigation, the Project site is located within a zone identified as having a potential for liquefaction by the State. The Geotechnical Investigation evaluated the potential for liquefaction at the site and concluded that total liquefaction-induced settlement is

¹¹ Department of Conservation California Geologic Survey, *Earthquake Zones of Required Investigation*, <https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/>, accessed March 12, 2025.

estimated to be on the order of one to two inches at the ground surface, with differential settlement of approximately 0.5 to one inch across a span of 40 feet.

The Geotechnical Investigation also concluded that due to the shallow depths to groundwater and the limited amount of sandy soils above this groundwater level that will not be densified during remedial earthwork, the potential to adversely affect the site is considered to be low. As such, the Geotechnical Investigation does not anticipate measurable seismic settlement of the soil above the groundwater.

All structures within the City are required to be designed in accordance with current seismic design standards in accordance with the CBC, as adopted and amended by the City under FVMC Chapter 18.04, *Building Code*. The City would review Project design and construction plans for compliance with the CBC and FVMC, as well as the recommendations of the soil engineering and engineering geology reports pursuant to FVMC Chapter 18.06, *Grading*. Therefore, consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

Landslides. The Project site is relatively flat; there are no known landslides near the site, nor is the site in the path of any known or potential landslides. According to the Earthquake Zones of Required Investigation Map, the Project site is not located in an area prone to seismically induced landslides.¹² Further, the Project would be required to comply with all applicable regulations in the CBC as amended by the FVMC. The City would review Project design and construction plans for compliance with the CBC and FVMC, as well as the recommendations of the soil engineering and engineering geology reports pursuant to FVMC Chapter 18.06, *Grading*. Therefore, consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

¹² Department of Conservation California Geologic Survey, *Earthquake Zones of Required Investigation*, <https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/>, accessed March 12, 2025.

- b. Would the project result in substantial soil erosion or the loss of topsoil?**
- c. Would the project 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. Would the project 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?**

General Plan FEIR Conclusions

As discussed in the General Plan FEIR, the proposed General Plan Update buildout would involve soil disturbance, construction, and operation of developed land uses that could each be subject to unstable soil conditions.

Soil Erosion. The use of a Storm Water Pollution Prevention Plan (SWPPP), which specifies best management practices for temporary erosion control, would reduce the potential for erosion during construction activities. Standard erosion control measures would be implemented as part of a SWPPP for proposed projects within the General Plan Planning Area to minimize the risk of erosion or sedimentation during construction. The SWPPP must include an erosion control plan that prescribes measures, such as phasing grading, limiting areas of disturbance, designating restricted-entry zones, diverting runoff from disturbed areas, protective measures for sensitive areas, outlet protection, and provisions for revegetation or mulching. The General Plan FEIR concluded that mandatory compliance with existing regulations, including the preparation and submittal of a SWPPP and a soil engineering evaluation, and compliance with the General Plan Update policies PFS-2.1, PFS-2.2, and PFS-2.6, would reduce impacts of soil erosion to a less than significant level.

Expansive Soils. Most of the City is comprised primarily of alluvial sediments and, therefore, there is some potential for expansive soils throughout the City. The CBC has been adopted by the City under FVMC Chapter 18.04, *Building Code*, and compliance requires that structures be designed to mitigate for expansive soils. Methods that could be used to reduce the impact of expansive soils include drainage control devices to limit water infiltration near foundation, over-excavation and recompaction of engineered fill method, or support of the foundation with piles. The General Plan FEIR concluded that these methods as well as the General Plan Update policies, such as Policy PFS-2.1, Policy PFS-2.2, and Policy PFS-2.6, would reduce the impact related to expansive soils to less than significant.

Settlement and Collapse. Risk of settlement or collapse have the potential to exist in areas with alluvial soils. Areas of large settlement can damage, or in extreme cases, destroy structures. The presence of compressible soils in the city represents a hazard to structures and people. The CBC has been adopted by the City and compliance requires that structures be designed to mitigate compressible soils. Methods that could be used to reduce the impact of compressible soils include transferring the load to underlying non-compressible layers with piles and over excavation of compressible soil and recompacting with engineered fill. Additionally, General Plan Update

policies, PFS-2.1, PFS-2.2, and PFS-2.7, would reduce the impact of compressible soils. Therefore, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Subsidence. The City is within an area known for subsidence and is considered a hazard. Approximately 95 percent of the City could be affected by subsidence, and there are multiple instances of subsidence adversely affecting buildings in the City. Because overdraft of groundwater can result in subsidence, groundwater storage by Orange County Water District and statutory commitments to sustainable groundwater management practices would reduce the potential for future land subsidence. Further, ongoing surveying of the ground surface by Orange County Water District provides a way to verify that its efforts in preventing subsidence are effective. The General Plan FEIR concluded that the statutorily required sustainable groundwater management practices of the Orange County Water District, as well as the General Plan Update policies PFS-2.1, PFS-2.2, and PFS-2.6, would reduce the General Plan Update's impact of subsidence to less than significant.

Analysis of Project

Soil Erosion. Project construction activities would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Construction-related impacts to soils would be short-term and would cease upon construction completion. Project construction activities would be required to comply with applicable City requirements to control erosion and reduce or eliminate stormwater runoff containing sediment, including Chapter 18.06, *Grading*. Project construction activities would also be required to comply with applicable water quality measures, including Chapter 14.40 of the FVMC, which establishes standards to ensure that development projects reduce or eliminate urban and storm water run-off in accordance with the Federal Clean Water Act, National Pollution Discharge Elimination System (NPDES), Orange County Drainage Area Management Plan (OC DAMP), and the City's local implementation plan (LIP). In accordance with FVMC Section 21.18.120, *Storm Water and Urban Runoff Management*, prior to issuance of a grading or discretionary permit, the City would review the proposed Project plans and impose conditions as necessary to comply with the LIP, sections of the FVMC related to stormwater and water quality (Chapters 14.38, 14.40, 18.06), and applicable NPDES permits to reduce or eliminate pollutants in storm water or urban runoff. Project compliance with the established regulatory framework, including the FVMC, would reduce impacts of soil erosion to a less than significant level. Therefore, consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

Expansive Soils. Based on the Geotechnical Investigation explorations, granular, non-expansive soils are limited on the Project site and may need to be imported. The Project would be required to comply with all applicable regulations in the CBC as amended by the FVMC. The City would review Project design and construction plans for compliance with the CBC and FVMC, as well as the recommendations of the soil engineering and engineering geology reports pursuant to FVMC Chapter 18.06, *Grading*. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's plan review process, would ensure potential impacts associated with expansive soils at the Project

site would be reduced to a less than significant impact, consistent with the conclusions of the General Plan FEIR.

Other Geologic Hazards. The Project would be required to comply with all applicable regulations in the CBC as amended by the FVMC, which includes design requirements to mitigate the effects of potential soil and geologic hazards, including landslide, lateral spreading, liquefaction, and seismic settlement. Further, pursuant to FVMC Chapter 18.06, *Grading*, the Project would incorporate applicable site-specific recommendations of the soil engineering and engineering geology reports, which would address any identified potential soil and geologic hazards. The City would review Project design and construction plans for compliance with the CBC and the FVMC prior to construction activities. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's plan review process, would ensure potential impacts associated with a geologic unit or soil that is unstable or would become unstable at the Project site would be reduced to a less than significant impact.

Subsidence. According to U.S. Geological Survey, the Project Site is located in an area with previously recorded subsidence due to groundwater pumping.¹³ The Geotechnical Investigation concluded that subsidence at the Project site is expected to be less than 0.1 feet. Because overdraft of groundwater can result in subsidence, groundwater storage by Orange County Water District and statutory commitments to sustainable groundwater management practices would reduce the potential for future land subsidence. Further, pursuant to FVMC Chapter 18.06, *Grading*, the Project would incorporate applicable site-specific recommendations of the soil engineering and engineering geology reports, which would address any identified potential soil and geologic hazards. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's plan review process, would ensure potential impacts associated with subsidence would be reduced to a less than significant impact, consistent with the conclusions of the General Plan FEIR.

¹³ U.S. Geological Survey, *Areas of Land Subsidence in California*, https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html, accessed March 12, 2025.

- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

General Plan FEIR Conclusions

The City is fully developed and is highly urbanized. Future development would be required to connect to the City's sewer system and the use of septic tanks or alternative wastewater disposal systems would not be required. Therefore, the General Plan FEIR concluded that there would be no impact related to the use of septic tanks or alternative wastewater disposal systems.

Analysis of Project

The Project would be served by the existing sewer system and would not involve the use of septic tanks or alternative wastewater disposal systems. No impact would occur, consistent with the conclusions of the General Plan FEIR.

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

General Plan FEIR Conclusions

Paleontological resources are recognized as nonrenewable and, therefore, receive protection under the California Public Resources Code and CEQA. Adoption of the General Plan Update itself would not directly affect paleontological resources; however, long-term implementation of the General Plan Update land use plan would allow development (e.g., infill development, redevelopment, and revitalization/restoration), including grading of known and unknown sensitive areas. Grading and construction activities of undeveloped areas or redevelopment that required more intensive soil excavation than in the past could potentially disturb paleontological resources. Therefore, future development that would be accommodated by the General Plan Update could potentially unearth previously unrecorded resources. Review and protection of paleontological resources are also afforded by CEQA for individual development projects that would be accommodated by the General Plan Update, subject to discretionary actions that are implemented in accordance with the land use plan of the General Plan Update.

Future development projects would be required to implement Mitigation Measures GEO-1 through GEO-3 to reduce potential impacts to known and unknown paleontological resources. Mitigation Measure GEO-1 requires ground-disturbing activities in areas mapped as "high" paleontological sensitivity to be monitored by a qualified paleontological monitor. Mitigation Measure GEO-2 requires consultation with a geologist or paleontologist prior to issuance of a grading permit for projects involving ground disturbance in undisturbed areas mapped with "low to high" paleontological sensitivity to confirm whether the grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. Mitigation Measure GEO-3 requires, in the event of any fossil discovery, that ground disturbing activities to be halted within a 50-foot radius of the find until its significance can be determined by a paleontologist, and that significant fossils be recovered and curated in with the standards of the Society of Vertebrate Paleontology.

The General Plan FEIR concluded that with implementation of Mitigation Measures GEO-1, GEO-2, and GEO-3, impacts to paleontological resources would be reduced to a level that is less than significant.

Analysis of Project

The Project site has been altered by previous ground disturbance. As such, paleontological resources are not anticipated to occur within the Project site. However, there is the potential to unearth previously undiscovered paleontological resources during ground-disturbing activities. The Project would be required to implement General Plan FEIR Mitigation Measures GEO-1 through GEO-3 to reduce potential impacts to known and unknown paleontological resources. General Plan FEIR Mitigation Measure GEO-1 requires ground-disturbing activities in areas mapped as "high" paleontological sensitivity to be monitored by a qualified paleontological monitor. General Plan FEIR Mitigation Measure GEO-2 requires consultation with a geologist or paleontologist prior to issuance of a grading permit for projects involving ground disturbance in undisturbed areas mapped with "low to high" paleontological sensitivity to confirm whether the grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. General Plan FEIR Mitigation Measure GEO-3 requires, in the event of any fossil discovery, that ground disturbing activities to be halted within a 50-foot radius of the find until its significance can be determined by a paleontologist, and that significant fossils be recovered and curated in with the standards of the Society of Vertebrate Paleontology. Following compliance with General Plan FEIR Mitigation Measures GEO-1 through GEO-3, potential impacts to paleontological resources would be reduced to a level that is less than significant, consistent with the conclusions of the General Plan FEIR.

Conclusion

Following compliance with the established regulatory framework, including the General Plan policies and FVMC, and implementation of General Plan FEIR Mitigation Measures GEO-1, GEO-2, and GEO-3, the proposed Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with geology and soils beyond those identified in the General Plan FEIR.

Applicable General Plan FEIR Mitigation Measures:

GEO-1 **High Sensitivity.** Projects involving ground disturbances in previously undisturbed areas mapped as having "high" paleontological sensitivity shall be monitored by a qualified paleontological monitor during all ground disturbing activities. Monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, if the fossils are determined to be significant, professionally and efficiently recover the fossil specimens and collect associated data. The paleontological monitor shall use field data forms to record pertinent location and geologic data, measure stratigraphic sections (if applicable), and collect appropriate sediment samples from any fossil localities.

GEO-2 **Low-to-High Sensitivity.** Prior to issuance of a grading permit for projects involving ground disturbance in previously undisturbed areas mapped with “low-to-high” paleontological sensitivity, the project applicant shall consult with a geologist or paleontologist to confirm whether the grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have sensitivity, construction activity shall be monitored by a qualified paleontologist. The paleontologist shall have the authority to halt construction during ground disturbing activities as outlined in Mitigation Measure GEO-3.

GEO-3 **All Projects.** In the event of any fossil discovery, regardless of depth or geologic formation, ground disturbing activities shall halt within a 50-foot radius of the find until its significance can be determined by a qualified paleontologist. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology. The most likely repository is the Natural History Museum of Los Angeles County. The repository shall be identified, and a curatorial arrangement shall be signed prior to collection of the fossils.

3.8 GREENHOUSE GAS EMISSIONS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X		
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?					X	

- a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

General Plan FEIR Conclusions

The General Plan FEIR found that development under the General Plan Update would contribute to global climate change through direct and indirect emissions of greenhouse gasses (GHG) from land uses within the City. Before any development can occur in the City, it must be analyzed for consistency with the General Plan, zoning requirements, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

Horizon Year 2045 Emissions Forecast. Buildout of the General Plan Update is not linked to a specific development time frame but is assumed over a 25-year horizon. Table 5.5-5 in the General Plan FEIR shows that buildout of the land uses accommodated under the General Plan Update would result in a net decrease of GHG emissions from existing conditions. In addition, GHG emissions per service population would decrease, despite an increase in population and employment in the City, primarily due to regulations adopted to reduce GHG emissions and turnover of California's on-road vehicle fleets.

Consistency with the State's 2045 GHG Reduction Targets and Carbon Neutrality Goals. To determine whether the General Plan Update would result in a potentially significant impact, it must demonstrate consistency with the State's 2045 GHG reduction target of carbon neutrality. Under the General Plan Update, new growth would be focused on areas of the City where services exist or can be expanded and/or extended to serve additional and more intensive development. The General Plan FEIR found that the General Plan Update would not achieve an

85 percent reduction in GHG emissions within the City by 2045. Reduction strategies to meet the long-term 2045 GHG reduction goal would be included in the planned future updates to the Climate Action Plan. Additionally, State strategies to achieve post-2030 targets would be necessary. Therefore, until such time, GHG emissions impacts for the proposed General Plan Update are considered potentially significant regarding meeting the long-term year 2045 reduction goal.

The General Plan FEIR found the majority of emissions are from on-road transportation (43 percent) and building energy use (38 percent). To reduce energy and mobile source emissions, the General Plan FEIR found implementation of the General Plan Update goals and policies OSC-3.2, OSC-3.3, OSC-3.8, LU-1.3, LU-2.5, CM-2.1, CM-2.2, CM-2.7, CM-2.8, and CM-2.10 could minimize energy and mobile source emissions.

The General Plan FEIR found that proposed development is likely to increase energy sector emissions due to the forecast growth in population. The General Plan Update included policies that reduce energy sector emissions by increasing energy efficiency, energy conservation, and use of renewable energy to reduce GHG emissions to the extent feasible. However, GHG emissions reduction are only two percent less than the CEQA baseline and not the 85 percent necessary to ensure the City is on a trajectory to achieve the long-term reductions goals in Assembly Bill (AB) 1279 and substantial progress toward the State's carbon neutrality goals. Implementation of the General Plan Update would not result in a substantial increase in emissions but would not place the City on a trajectory to achieve the goals established under Executive Order S-03-05 or progress toward the State's carbon neutrality goal. Implementation of Mitigation Measure GHG-1 would ensure that the City prepares a Climate Action Plan to achieve the GHG reduction goals of Senate Bill (SB) 32 and chart a trajectory to achieve the long-term year 2045 GHG reduction goal and State's carbon neutrality goal set by AB 1279. Mitigation Measure GHG-1 would also ensure that the City is tracking and monitoring the City's GHG emissions. However, given the growth in population and employment within the City and the magnitude of emissions reductions needed to achieve the GHG reduction target, the General Plan FEIR concluded that GHG emissions associated with the General Plan Update are considered significant and unavoidable.

Analysis of Project

The General Plan FEIR analyzed the potential environmental impacts from projected future development intensity and density based upon anticipated development associated with the future land use opportunities described in the Land Use Element. Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-residential building floor area. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR. The Project would be within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. Therefore, the Project would be within the City's GHG emissions forecasts analyzed in the General Plan FEIR. The proposed Project would be within the scope of the General Plan FEIR

and would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to GHG emissions.

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

General Plan FEIR Conclusions

The General Plan FEIR prepared a consistency analysis to CARB's Scoping Plan and SCAG's Connect SoCal to the General Plan Update.

CARB Scoping Plan. CARB's Scoping Plan is applicable to State agencies but is not directly applicable to cities/counties and individual projects. However, new regulations adopted by the State agencies from the Scoping Plan result in GHG emissions reductions at the local level. So local jurisdictions benefit from reductions in transportation emissions rates, increases in water efficiency in the building and landscape codes, and other statewide actions that affect a local jurisdiction's emissions inventory from the top down. Statewide strategies to reduce GHG emissions include the low carbon fuel standard, changes in the corporate average fuel economy standards, RPS, and triannual updates to the California building codes.

Development projects accommodated under the General Plan Update are required to adhere to the programs and regulations identified by the Scoping Plan and implemented by state, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32, SB 32, and AB 1279. Future development projects would be required to comply with these state GHG emissions reduction measures because they are statewide strategies. For example, new buildings associated with land uses accommodated by implementing the General Plan Update would be required to meet the CALGreen and Building Energy Efficiency Standards in effect at the time when applying for building permits. Furthermore, the General Plan Update includes goals, policies, and programs that would help reduce GHG emissions and therefore help achieve GHG reduction goals. Therefore, the General Plan FEIR concluded that implementation of the General Plan Update would not obstruct implementation of the CARB Scoping Plan, and impacts would be less than significant.

Connect SoCal. Connect SoCal is Southern California's regional transportation plan to achieve the passenger vehicle emissions reductions identified under SB 375. Connect SoCal's "core vision" centers on maintaining and better managing the transportation network for moving people and goods while expanding mobility choices by locating housing, jobs, and transit closer together and increasing investment in transit and complete streets. Moreover, Connect SoCal identifies areas in the region that can house near-term and long-term growth and support a diverse economy and workforce. The General Plan FEIR concluded that the General Plan Update would be consistent with the Connect SoCal goals. General Plan Update Policies LU-1.3, LU-2.5, and CM-2.1 through CM-2.10 would reduce VMT per service population consistent with the regional goals. Furthermore, implementation of the General Plan Update would bring the City closer to a more equal distribution of employment and housing. Thus, the General Plan Update would provide for residents to both live and work in the City instead of commuting to other areas, which would contribute to minimizing VMT and reducing VMT per service population. Therefore, the General

Plan FEIR concluded that the General Plan Update would not interfere with the local jurisdiction's ability to implement strategies in Connect SoCal, and therefore, no impact would occur.

Analysis of Project

Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. A consistency analysis with these plans is presented below.

CARB 2022 Scoping Plan. CARB's latest Climate Change Scoping Plan (2022) outlines the State's strategies to reduce GHG emissions in accordance with the targets established under AB 32, SB 32, and AB 1279. The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Statewide strategies to reduce GHG emissions in the 2022 Climate Change Scoping Plan include: implementing SB 100, which expands the RPS to 60 percent by 2030; expanding the Low Carbon Fuel Standards to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Statewide strategies to reduce GHG emissions include the low carbon fuel standards, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy (CAFE) standards, and other early action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of Assembly Bill AB 32, SB 32, and AB 1279. In addition, new developments are required to comply with the current Building Energy Efficiency Standards and CALGreen. The Project would comply with these GHG emissions reduction measures since they are statewide strategies. The proposed Project's GHG emissions would be reduced from compliance with statewide measures that have been adopted since AB 32, SB 32, and AB 1279 were adopted.

SCAG's Regional Transportation Plan/Sustainable Communities Strategy. SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal) in September 2020.¹⁴ Connect SoCal finds that land use

¹⁴ While SCAG has adopted Connect SoCal 2024 (2024–2050 RTP/SCS), CARB has not yet certified it. Connect SoCal 2024 carries forward policy direction established in Connect SoCal

strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands. Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. The Project is an infill development project and would provide residential and retail uses near public transit, which would reduce demand for and dependence on single-occupancy vehicle use and reduce VMT. Furthermore, the retail portion would serve the proposed Project's population and the existing local population, which would contribute to reducing the VMT between residential and retail needs. Therefore, the proposed Project would not interfere with SCAG's ability to implement the regional strategies in Connect SoCal. As such, the proposed Project would not result in a potential conflict with the 2022 Scoping Plan or Connect SoCal Plan, the relevant regional plans adopted to reduce GHG emissions.

Conclusion. The General Plan FEIR analyzed the potential environmental impacts from projected future development intensity and density based upon anticipated development associated with the future land use opportunities described in the Land Use Element. Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-residential building floor area. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR. The Project would be within the population

2020, as well as more recent Regional Council actions that address emerging issues facing the region. Until CARB makes the decision to certify, the 2024-2050 RTP/SCS is not a fully adopted document and is potentially subject to further updates. As CARB has not made the decision at the time of preparation of this document, the consistency analysis relies upon the 2020-2045 RTP/SCS.

projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. Therefore, the Project would be within the City's GHG emissions forecasts analyzed in the General Plan FEIR. As previously discussed, the proposed Project would not result in a potential conflict with the 2022 Scoping Plan or Connect SoCal, the relevant regional plans adopted to reduce GHG emissions. The proposed Project would be within the scope of the General Plan FEIR and would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to GHG emissions or conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Conclusion

Following compliance with the General Plan FEIR mitigation measures and General Plan policies, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with the generation of greenhouse gas emissions or potential conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases, beyond those identified in the General Plan FEIR.

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3.9 HAZARDS AND HAZARDOUS MATERIALS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?					X	
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X	

The following analysis is based in part on the *Phase I Environmental Site Assessment, 16800 Magnolia Street, and 9025-9063 Recreation Circle, Fountain Valley, California* (Phase I ESA) prepared by Northgate Environmental Management, Inc., dated April 19, 2021 and included in its entirety as Appendix C; the *Consolidated Phase II Environmental Site Assessment Report* (Phase II

ESA), prepared by Northgate Environmental Management, Inc., dated August 14, 2024 and included in its entirety as [Appendix D](#); and the *Focused Soil Vapor Investigation Report and Low-Threat Closure Request, 16800 Magnolia Street, and 9025-9063 Recreation Circle Fountain Valley, California* (Focused Soil Vapor Investigation), prepared by Northgate Environmental Management, Inc., dated November 4, 2024 and included in its entirety as [Appendix E](#).

- a. ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***
- b. ***Would the project 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. ***Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

General Plan FEIR Conclusions

Construction. The General Plan EIR found that during construction of future projects throughout the City, new development would potentially involve the use of hazardous materials, such as fuels, lubricants, paints, solvents, and greases in construction equipment and coatings used in construction. Future construction activities would be short-term in nature, and the materials used would not require use or storage of hazardous materials in quantities that would pose a substantial safety hazard. The use, transport, and disposal of construction-related hazardous materials would be required to conform with existing laws and regulations. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur; and all contaminated waste would be required to be collected and disposed of at an appropriate licensed disposal or treatment facility.

Grading and excavation in infill areas may expose construction workers and the public to known or potentially unknown hazardous materials in the soil or groundwater. There are various sites throughout the City that have been identified as containing hazardous materials, which have the potential to pose health hazards. However, contaminated areas on construction sites are required to be remediated prior to construction activities to prevent exposure of people and the environment to these hazards.

New development may involve the demolition of older buildings, which could result in potential exposure of workers or residents living near these project sites to asbestos containing materials (ACM) and lead-based paints (LBP). However, demolition contractors would be required to comply with the California Health and Safety Code, Occupational Safety and Health Administration (OSHA), and South Coast Air Quality Management District Rule 1403 related to removal of ACM and LBP, including the preparation of ACM and LBP surveys and appropriate remediation measures for removal of LBP and ACM. Additionally, implementation of the General Plan Update policies, such as Policy PFS-3.3, which is intended to ensure that the use and storage of hazardous materials comply with applicable federal, state, county, and local laws and

management plans to prevent and mitigate hazardous materials releases, would reduce potentially significant impacts. Therefore, the General Plan FEIR concluded that implementation of the General Plan Update would not result in substantial impacts to the public due to the transport, use, and/or disposal of hazardous material; impacts would be less than significant.

Operation. The General Plan FEIR found that projected buildout is expected to result in an increase in the number of hazardous waste generators. Land uses like residential, school, institutional, and some office have less hazardous material use than industrial land uses. Hazardous wastes would be required to be stored, transported, and disposed of in conformance with existing regulations of the Environmental Protection Agency (EPA), U.S. Department of Transportation, California Department of Resources Recycling and Recovery (CalRecycle), and other agencies.

Implementation of the General Plan Update policies, such as Policy PFS-3.3, would reduce potentially significant impacts. Therefore, the General Plan FEIR concluded that the General Plan Update would not result in substantial hazards to the public due to the transport, use, and/or disposal of hazardous material; impacts would be less than significant.

Analysis of Project

A summary of the Phase I ESA, Phase II ESA, Focused Soil Vapor Investigation, and additional site characterization and remediation activities and documentation are provided below:

Phase I ESA

A Phase I ESA was prepared in 2021 to identify recognized environmental conditions (RECs) that may exist at the Project site. No historical RECs were identified in connection with the Project site. The following REC was identified during the Phase I ESA:

- Soil vapor testing at the Project site in 2017 indicated the presence of chloroform at levels exceeding the U.S. EPA screening level for residential land use. As the likely source of the chloroform was thought to be chlorine chemicals for a bumper-boats pool formerly operated at that location, chloroform in soil vapor could be expected to dissipate over time. However, at the time of the Phase I ESA, current subsurface conditions at the Project site were not known; refer to the Phase II ESA discussion.

In addition, the Phase I ESA identified the following controlled REC:

- A remediated release related to a former gasoline underground storage tank (UST) was overseen and closed by the Orange County Health Care Agency (OCHCA), which requires that the agency be notified of any future change in land use.

An agency listings database report conducted as part of the Phase I ESA indicates that the Project site is listed on the State Water Resources Control Board (SWRCB)'s GeoTracker database with a remediated release under OCHCA oversight. The cleanup site received OCHCA regulatory closure on February 26, 2019. Information related to the release is presented below.

Information available from the SWRCB GeoTracker indicates that subsurface contamination was discovered at the Project site in December 1998 during removal of a 2,000-gallon gasoline UST used for fueling bumper boats. Soil samples collected beneath the UST and a fuel dispenser at that time contained total petroleum hydrocarbons as gasoline (TPHg) at 2,988 milligrams per kilogram (mg/kg), with benzene, toluene, ethylbenzene, and xylenes (or BTEX) reported at 0.155 mg/kg, 2.64 mg/kg, 2.73 mg/kg, and 3.50 mg/kg, respectively. Methyl tert-Butyl Ether (MTBE) was reported at 0.33 mg/kg.

Environmental investigations performed between 1999 and 2007 indicated that a primary contamination source area near the fuel dispenser, with the highest concentrations of TPHg, BTEX, and MTBE detected in soil samples at depths of 4 to 14 feet below ground surface (bgs). Site assessment activities included drilling three soil borings to depths of 15 to 30 feet bgs, one hand-auger boring to 13 feet bgs, installing 10 groundwater monitoring wells to depths of 25 feet bgs, two confirmation borings to 5 feet bgs, and installing three soil vapor probes to depths of 5 feet bgs.

Site remediation activities conducted between 2006 and 2013 consisted of an 8-hour high-vacuum dual-phase extraction (DPE) pilot test and groundwater over-purging events. According to the OCHCA UST Case Closure Summary Form, the DPE pilot test only removed less than 0.5 pounds of hydrocarbons from soil vapor and approximately 497 gallons of groundwater, indicating a lack of hydrocarbons in the vadose zone. Weekly groundwater over-purging using three select monitoring wells was performed between October 2010 and March 2013 using a mobile extraction and treatment unit, resulting in the removal of about 24,220 gallons of impacted groundwater.

Soil samples collected at depths of 2 and 5 feet bgs from two confirmation borings advanced to a depth of 5 feet bgs near the former dispenser contained up to 2,500 mg/kg TPHg and less than 1 mg/kg benzene and toluene and less than 2 mg/kg MTBE. Ethylbenzene and toluene were reported in the samples at 17 and 23 mg/kg, respectively. Naphthalene was reported at 38.4 mg/kg, and 1,3,5-trimethylbenzene was reported at 11.4 mg/kg. The OCHCA concluded that overall, residual hydrocarbon contamination in soil is localized near the former dispenser area below an equipment storage shed on the Site. According to the OCHCA, the residual contamination reportedly decreases with depth indicating that soil contamination is not migrating vertically and does not appear to pose a significant threat to groundwater, and thus not cost-effective to demolish the shed in order to remove residual contamination.

Groundwater initially contained TPHg up to 26,700 micrograms per liter ($\mu\text{g/l}$), with BTEX reported at maximum concentrations of 135, 716, 506, and 825 $\mu\text{g/l}$, respectively. MTBE was reported at 11,600 $\mu\text{g/l}$. The dissolved hydrocarbon contamination plume extended east-southeast of the fuel dispenser area. Free product was not reported in wells at the site. In October 2017, groundwater at the site contained <100 $\mu\text{g/l}$ TPHg, with BTEX <1 $\mu\text{g/l}$, and MTBE reported at 6.0 $\mu\text{g/l}$. The OCHCA Case Closure Summary concluded that overall, post-remedial monitoring results show that the core of the hydrocarbon plume has reduced in concentration, residual dissolved-phase hydrocarbon concentrations detected in site wells low, and the plume is stable and generally

decreasing over time. The OCHCA concluded that the site is not expected to impact the closest receptors due to low contaminant concentrations in groundwater.

In August 2017, a soil vapor survey was performed consisting of collecting vapor samples from three vapor wells installed at depths of 2 and 5 feet bgs in the immediate vicinity of the former UST. Samples were analyzed for volatile organic compounds (VOCs), fuel oxygenates, and polyaromatic hydrocarbons (PAH). The vapor samples collected during the survey contained dibromochloromethane up to 10 µg/m³, chloroform at 245 - 859 µg/m³, toluene at 155 µg/m³, 4-isopropyltoluene at 19 - 104 µg/m³, 1,2,4-trimethylbenzene at 18 µg/m³, and naphthalene at 1.1 - 7.7 µg/m³, respectively. Benzene, ethylbenzene, and MTBE were not reported in any of the vapor samples. According to OCHCA, the reported naphthalene concentration did not exceed the Low Threat Closure Policy soil gas criteria for residential or commercial land use and did not appear to result in a risk from vapor intrusion to adjacent buildings. A site-specific health risk evaluation performed by Atlas using the maximum detected concentrations of all detected VOCs except chloroform (which was not related to the gasoline release) reportedly produced a non-cancer cumulative Hazard Index of 2.1E-03 (below the generally acceptable Hazard Index of 1) and a cumulative incremental lifetime cancer risk of 1E-06 (one in one million). Chloroform was reported in soil vapor samples in excess of the 4.1 µg/m³ screening level for residential land use established by the U.S. EPA.

The 2019 OCHCA Case Closure Summary identifies land use at the time of closure as a miniature golf/amusement park with no anticipated plans to change the property use at that time. The Closure Summary states that site conditions should be reviewed if land use changes in the future.

Phase II ESA

Phase II studies were performed in 2021 and 2024 to delineate the lateral and vertical extent of soil and soil vapor contaminants. A summary of the results is as follows:

- Concrete: No contaminants above residential screening levels were detected in concrete samples except for total petroleum hydrocarbons — motor oil range (TPH-mo) in one sample. Based on the sample results, the concrete would be acceptable for crushing and reuse onsite or could be disposed of as non-hazardous.
- Soil: No contaminants were detected in the soil samples above residential screening levels except for the pesticide toxaphene in four shallow samples. One sample reported toxaphene above the commercial Department of Toxic Substances Control-Modified Screening Levels (DTSC-SL).
- Soil Vapor: All volatile organic compounds (VOCs) detected in soil vapor were below their respective residential and commercial screening levels (assuming the most conservative default attenuation factor [AF] of 0.03) with the exception of 1,3 butadiene, benzene, bromodichloromethane, chloroform, ethylbenzene, tetrachloroethene (PCE), trichloroethylene (TCE), 1,2,4 trimethylbenzene, and m,p-xylenes. In general, the fuel-related VOCs were located near the former underground storage tank (UST) and the chloroform and related compounds were in the vicinity of the bumper-boat pool, both in the southern portion of the site.

- Groundwater: No compounds were detected above drinking water maximum contaminant levels (MCLs).

Regulatory closure was granted by the OCHCA under the Low Threat Closure Policy (LTCP) for removal of impacted soil associated with UST removal. The closure form indicated that the OCHCA should be notified if a land use change was anticipated. Follow up discussions with the OCHCA indicated that naphthalene and other residual UST-related compounds should be re-evaluated for closure under the LTCP. As part of the notification and closure discussions related to the proposed Project, the OCHCA approved a conceptual workplan for sampling it required to evaluate the UST closure for the residential use proposed under the Project, requiring sampling from a soil vapor probe (SVP) and analysis for oxygen and naphthalene, and evaluation of the petroleum hydrocarbon data with respect to the LTCP.

Focused Soil Vapor Investigation

A Focused Soil Vapor Investigation was conducted in 2024 to answer agency questions about the residual UST-related contamination. In accordance with the OCHCA approved workplan, a new boring (SVP SV2R) was installed on September 27, 2024, adjacent to the former UST and a soil vapor sample was collected to evaluate whether residual concentrations in soil vapor along with previously collected soil data meet the LTCP; refer to [Appendix E](#). The Focused Soil Vapor Investigation concluded that the State-certified, fixed laboratory analysis of the sample showed that residual concentrations of soil vapor are well below LTCP criteria for unrestricted land use. Taken together with previously approved data from 2019, the 2024 soil gas sampling data shows that the Project site meets the conditions for residential use in that benzene, ethylbenzene, and naphthalene concentrations are below all Low-Threat Closure criteria.

Conclusion

The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven story parking structures, and associated improvements. Construction activities associated with the proposed Project may involve the routine transport, use, or disposal of hazardous materials, such as residual contaminated soil excavated as part of the construction, and petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and federal law.

Operation of the proposed mixed-use development would not involve the use or storage of hazardous substances other than limited quantities of hazardous materials such as solvents, fertilizers, pesticides, and other materials used for regular maintenance of buildings and landscaping. The use of these materials has occurred within the site associated with the former

amusement park use, and the quantities of these materials with the proposed mixed-use residential and retail development would not typically be at an amount that would pose a significant hazard to the public or the environment. Any transport, storage, use or disposal of hazardous materials would be subject to applicable State and federal laws, minimizing the potential for upset and accident conditions to occur within the site. Compliance with existing laws and regulations would reduce the risk of hazardous materials use, transportation, and handling through the implementation of established safety practices, procedures, and reporting requirements, minimizing the potential for upset and accident conditions to occur within the site.

The closest school to the Project site is the Hisamatsu Tamura school, located approximately 0.34 miles southwest of the Project site. The site of the former Pleasant View school is approximately 0.11 miles west of the Project site; however, this former school site is closed.¹⁵ Therefore, the Project site is not located within one-quarter of a mile of a school and impacts would be less than significant in this regard.

Therefore, the Project's potential impact related to the creation of a hazard to the public or the environment through the routine transport, use, or disposal of hazard materials; through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or hazardous emissions or handling of acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school would be less than significant. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

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

General Plan FEIR Conclusions

The General Plan Update Final EIR found that there are a number of hazardous sites in the City that are listed as open or active according to the State Water Resources Control Board's GeoTracker and/or Department of Toxic Substances Control's EnviroStor databases. Any development, redevelopment, or reuse on or next to any of these sites would require environmental site assessment by a qualified professional to ensure that future development would not disturb hazardous materials or would not create a substantial hazard to the public or the environment. Phase I Environmental Site Assessments are required for land purchasers to qualify for the Innocent Landowner Defense under Comprehensive Environmental Response,

¹⁵ Ocean View School District, *School Site Locator*, <https://www.schoolsitelocator.com/apps/oceanview/>, accessed March 27, 2025.

Compensation, and Liability Act (CERCLA) and to minimize environmental liability under other laws, such as the Resource Conservation and Recovery Act (RCRA), and for lenders as a prerequisite to extend a loan for purchase of land. Additionally, implementation of General Plan Update Policy PFS-3.3 would help reduce potentially significant impacts of hazardous materials. Therefore, the General Plan FEIR concluded that the General Plan Update would have a less than significant impact on exposing the public to causing significant hazards.

Analysis of Project

Government Code Section 65962.5, commonly referred to as the "Cortese List," requires the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) to compile and update a regulatory sites list (pursuant to the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

Agency listings and records were reviewed and considered as part of the Phase I ESA to evaluate the environmental status and condition of the Project site. Agency research includes an agency listings database report through a third-party provider; the database records search (including search radii) meets and exceeds the agency listings search provisions of ASTM Standard E 1527-13 and 40 Code of Federal Regulations (CFR) Part 312. The Project site appears on regulatory agency listings related to the former use of the site as an amusement park and miniature golf course (Boomers Fountain Valley Family Fun Center). Information from the regulatory database listings indicates that hazardous materials use at the Project site included oils, waste oils, and aqueous solutions with less than 10 percent organic residues from 1989 to 2019. Chemical use at the site also included halogenated solvents and liquids with halogenated organic compounds greater than 1,000 milligrams per liter (mg/l) from 2002 to 2004. There are also listings related to the former presence of underground and aboveground storage tanks (USTs, ASTs) within the southern portion of the Project site used to store gasoline for fueling bumper boats operated in a large pool at the site.

As previously discussed, the Project site is listed in the GeoTracker database.¹⁶ The listing has a cleanup status of “Completed – Case Closed.” The Phase I ESA indicates that this listing is due to a remediated release under OCHCA oversight; the site received OCHCA regulatory closure on February 26, 2019. The Project site is listed in the DTSC EnviroStor database under Magnolia (Former Boomers) (EnviroStor ID 60003842).¹⁷ The listing has a cleanup status of “Active” as of December 20, 2024. According to the EnviroStor listing, a voluntary agreement between the Project Applicant and DTSC was executed in January 2025 and the site is under DTSC oversight. Prior to construction of the Project, DTSC would analyze site conditions and oversee remediation activities, if deemed necessary, to ensure safety of the site. Therefore, the Project’s potential impact related to the creation of a hazard to the public or the environment as a result of being included on a list of hazardous materials sites would be less than significant. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

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

General Plan FEIR Conclusions

As discussed in the General Plan FEIR, the closest airport, John Wayne Airport in Santa Ana, is approximately 4.3 miles east of the City of Fountain Valley. Therefore, the General Plan Update would not result in a safety or noise hazard for people residing or working within the General Plan Planning Area. Therefore, the General Plan FEIR concluded that the General Plan Update would have a less than significant impact relative to this topic.

Analysis of Project

The proposed Project is not located within the boundaries of an airport land use plan, nor is the Project site located within two miles of a public airport or public use airport. Thus, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

¹⁶ California State Water Resources Control Board, *GeoTracker*, https://geotracker.waterboards.ca.gov/profile_report?global_id=T0605902225, accessed March 28, 2025.

¹⁷ California Department of Toxic Substances Control, *EnviroStor*, https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003842, accessed March 28, 2025.

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

General Plan FEIR Conclusions

The General Plan EIR found that the General Plan Update would result in construction activities that could temporarily affect roadways through lane closures or narrowing for roadway and/or utility improvements. The proposed General Plan Update would allow development resulting in increased square footage and dwelling units in the city. By increasing the population, traffic congestion may increase. Therefore, in the event of an accident or natural disaster, evacuation plans and routes could be adversely affected by the increased traffic.

The General Plan FEIR found that proposed buildout of the General Plan Update would not result in substantial changes to the circulation patterns or emergency/evacuation access routes. The General Plan policies, including Policy PFS-2.1 and Policy PFS-2.2, would ensure emergency access is not impacted by future development. Therefore, the General Plan FEIR concluded that impacts to emergency response planning would be less than significant.

Analysis of Project

The Project proposes to redevelop the site with a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use. Figure PFS-7 of the General Plan Safety Element identifies evacuation routes in the City. Within the vicinity of the Project site, Magnolia Avenue and I-405 are identified as primary evacuation routes. Project-related construction activities are not anticipated to result in significant traffic or queuing along Magnolia Avenue, Recreation Circle, or other roadways within the area that could potentially impede emergency vehicles or impair any emergency evacuation plan. Additionally, any impacts associated with construction activities would be temporary in nature. The Project would be required to comply with all applicable requirements of the FVMC, including the CBC and California Fire Code, as amended by the FVMC, and would be subject to approval by the Fountain Valley Fire Department (FVFD), which provides fire protection and safety services to the Project site. As such, construction and operation of the proposed Project would not impair implementation of or physically interfere with the City's emergency response operations or emergency evacuation plan. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

g. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

General Plan FEIR Conclusions

Fountain Valley is not within a fire hazard severity zone, nor is it surrounded by a fire severity hazard zone. The nearest fire hazard severity zone to the General Plan Planning Area is over five miles away to the southeast. Therefore, development pursuant to the General Plan Update would not pose wildfire hazards. Nonetheless, the General Plan Update includes policies governing fire protection such as Policy PFS-2.1, Policy PFS-2.2, and Policy PFS-3.1. Therefore, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Analysis of Project

The City of Fountain Valley, including the Project site, is not located within an area identified as a fire hazard severity zone. There are no wildlands within or adjacent to the City; therefore, the Project would not involve expansion of urban uses onto lands located within or adjacent to wildland fire hazards areas. The proposed development would occur within an urbanized and developed area. The Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR

Conclusion

Following compliance with the established regulatory framework, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with hazards and hazardous materials beyond those identified in the General Plan FEIR.

3.10 HYDROLOGY AND WATER QUALITY

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?					X	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?					X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> • result in substantial erosion or siltation on- or off-site; • substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; • 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 • impede or redirect flood flows? 					X	
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					X	
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?					X	

The following analysis is based in part on the *Priority Project Water Quality Management Plan* (Preliminary WQMP), prepared by Labib Funk + Associates dated November 18, 2024, and included in its entirety as [Appendix F](#).

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***

General Plan FEIR Conclusions

Construction Phase. As discussed in the General Plan FEIR, clearing, grading, excavation, and construction activities associated with development under the General Plan Update could impact water quality due to erosion of exposed soils and subsequent deposition of particulates in local drainages. Grading activities can lead to exposed areas of loose soil and sediment stockpiles that are susceptible to uncontrolled sheet flow. Although erosion occurs naturally in the environment, primarily from weathering by water and wind action, improperly managed construction activities can lead to accelerated rates of erosion considered detrimental to the environment.

The General Plan FEIR found that existing State and local regulations effectively mitigate construction stormwater runoff impacts from the proposed land use changes under the General Plan Update. Standard erosion control practices shall be implemented for all construction within the City. The City is a co-permittee pursuant to the National Pollution Discharge Elimination System (NPDES) Permit and adheres to the regulations of the Federal Clean Water Act. Projects with one acre or greater of soil disturbance are required to comply with the Statewide Construction General Permit, associated local NPDES regulations to ensure that the potential for soil erosion is minimized on a project-by-project basis, and is subject to oversight by the Santa Ana Regional Water Quality Control Board (RWQCB). Construction sites are required to prepare and implement SWPPPs in accordance with the site-specific sediment risk analyses based on the grading plans. The SWPPP must describe construction Best Management Practices (BMPs) that address pollutant source reduction and provide measures/controls to mitigate potential pollutant sources.

Operational Phase. As discussed in the General Plan FEIR, the General Plan Update may result in long-term impacts to the quality of stormwater and urban runoff within and downstream of the General Plan Planning Area. Development pursuant to the General Plan Update could create new sources for runoff contamination and increase the post-construction pollutant loadings of certain constituent pollutants based on proposed land use and associated features. New development and significant redevelopment projects must incorporate low impact development (LID)/site design and source control BMPs to address post-construction stormwater management in accordance with requirements of the City of Fountain Valley, Orange County Drainage Area Management Plan (OC DAMP), and Santa Ana RWQCB MS4 Permit. Projects identified as Priority Projects are required to implement site design/LID and source control BMPs applicable to their specific priority project categories and implement treatment control BMPs where necessary. Priority and Non-Priority projects must develop a project-specific Water Quality Management Plan (WQMP) which describes BMPs chosen for the project, as well as include operation and maintenance requirements for all structural and any treatment control BMPs.

As part of the Statewide mandate to reduce trash in receiving waters, future projects in the City are required to adhere to the amended trash total maximum daily load (TMDL). The requirements

include the installation and maintenance of trash screening devices at all public curb inlets, grate inlets, and catch basin inlets. Additionally new industrial uses (manufacturing and processing) are also required to file a General Industrial Permit with the State and prepare a SWPPP that addresses operational features to control stormwater pollutants and monitoring and reporting requirements.

Conclusion. With the implementation of federal, State, and local regulations, runoff from the construction and operational phases of development pursuant to the General Plan Update would not violate any water quality standards or waste discharge requirements. As the properties within the City undergoes redevelopment, existing properties will be replaced with properties incorporating LID BMPs; therefore, surface water quality from the General Plan Planning Area would be expected to improve over existing conditions with more LID BMPs implemented. Additionally, implementation of the General Plan policies, such Policy OSC-3.5 and Policy OSC-3.6, would maintain water quality. Therefore, the General Update FEIR concluded that impacts to surface water and ground water quality would be less than significant.

Analysis of the Project

The Project would be required to comply with a number of water quality regulations, including Chapter 14.40 of the FVMC, which establishes standards to ensure that development projects reduce or eliminate urban and storm water run-off in accordance with the Federal Clean Water Act, NPDES, OC DAMP, and the City's local implementation plan (LIP). As discussed in the General Plan FEIR, development projects with one acre or greater of soil disturbance are required to comply with the Statewide Construction General Permit, associated local NPDES regulations, and are subject to oversight by the Santa Ana RWQCB. The Project would disturb more than one acre and therefore would be subject to the Construction General Permit. Construction sites are required to prepare and implement SWPPPs in accordance with the site-specific sediment risk analyses based on the grading plans. The SWPPP must describe construction BMPs that address pollutant source reduction and provide measures/controls to mitigate potential pollutant sources. Compliance with the NPDES and FVMC requirements would ensure the Project's construction-related activities would not violate any water quality standards or otherwise substantially degrade surface or groundwater quality.

The Preliminary WQMP identifies the Project as a Priority Project and includes a number of site design/LID and source control BMPs. The Project would install an on-site underground storm drainage system that would convey flows into a series of modular wetland unit BMPs. Overflow from the northern drainage areas would be discharged to the existing OCFCD storm drain that runs in a general east-west direction across the middle of the Project site, while overflow from the southern drainage areas would be discharged to the existing catch basin along Magnolia Avenue. Compliance with federal, State, and local regulations, including the implementation of LID BMPs consistent with NPDES and FVMC requirements, would ensure that Project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

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

General Plan FEIR Conclusions

Fountain Valley's water supply is from local groundwater aquifers managed by Orange County Water District (OCWD) that is pumped from the City-owned wells and imported water from Metropolitan Water District of Southern California that is provided by the Municipal Water District of Orange County (MWDOC). According to the 2020 Urban Water Management Plan (UWMP), Fountain Valley relied on 88 percent groundwater, 12 percent recycled water, and no imported water in the fiscal year 2019-2020, and it is projected that by 2045, the water supply portfolio will shift to 73 percent groundwater, 14 percent recycled water, and 13 percent imported water. The UWMP indicates that the water supply would be the same as the water demand for normal, single dry, and multiple dry years from 2025 through 2045. The 2020 UWMP projects a population of 58,873 in 2045, which is less than the 2045 population proposed in General Plan Update (73,668). Additionally in 2023, OCWD anticipates the final expansion to the Groundwater Replenishment System (GWRS) will be operational and increase water supply production into the groundwater basin by 31,000-acre feet per year (AFY), significantly boosting the groundwater resources that serve Fountain Valley and far more than the 1,096 AFY of demand anticipated from the General Plan Update, though it is recognized that the increased water resources will also serve other jurisdictions.

Additionally, OCWD oversees groundwater recharge, and groundwater levels and has multiple mechanisms to prevent groundwater overdraft. OCWD actively participates in reviewing land development projects, which are required to show they will not impact recharge facilities. The basin is covered by Alternative Plan 8-1, and the groundwater management strategies laid out in the Alternative Plan have been approved by the Department of Water Resources (DWR). The Alternative Plan will be updated and resubmitted every five years as part of SGMA requirements. Additionally, because Fountain Valley is a built-out City, any proposed land use changes and development will occur within areas that are already built out and will not interfere with groundwater recharge. The General Plan Update includes policies such as Policy OSC-3.3 and Policy OSC-3.5, which call for the conservation of water resources. Therefore, the General Plan Update EIR concluded that impacts related to the depletion of groundwater would be less than significant.

Analysis of Project

A Water Supply Assessment (WSA) has been prepared for the Project; refer to [Appendix G](#). The WSA analyzes whether the City's total projected water supplies established in the 2020 UWMP during normal, dry, and multiple consecutive dry water years are adequate to meet the projected water demands from the 2020 UWMP in addition to the water demand associated with the Project. The WSA concludes that with a combination of groundwater production and imported water purchased, the City can meet the projected and additional demands associated with the Project through 2045.

The City's water supply includes groundwater pumped from the Orange County Groundwater Basin (OC Basin). The OC Basin is recharged through various means including natural water ways, such as the Santa Ana River and various creeks, as well as recycled water from Los Angeles County Department of Public Works and OCWD. The California Department of Water Resources designates the non-adjudicated Coastal Plain of the OC Basin, which underlies the Project site, as a medium-priority basin. The Sustainable Groundwater Management Act (SGMA) requires all high- and medium-priority basins to be sustainably managed. To comply with SGMA, the agencies within Basin 8-1, led by OCWD, submitted an Alternative to a Ground Water Sustainability Plan (GSP) in 2017, titled the "Basin 8-1 Alternative". The Basin 8-1 Alternative ensures that the entire Basin 8-1 continues to be sustainably managed and reports groundwater data to the DWR as required by SGMA.

As indicated in the Preliminary WQMP, the Project site is currently developed with approximately 82.7 percent impervious surfaces. Under the proposed conditions, the amount of impervious surface on the Project site would be approximately 85.9 percent (an increase of about three percent); however, results of infiltration testing indicate that infiltration is not feasible for the Project site. As such, the proposed conditions under the Project would not interfere substantially with groundwater recharge. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

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

- ***result in substantial erosion or siltation on- or off-site;***
- ***substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;***
- ***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***
- ***impede or redirect flood flows?***

General Plan FEIR Conclusions

The General Plan FEIR found that areas of higher intensity use proposed under the General Plan Update would introduce new impervious surfaces that could result in increases of stormwater discharge and runoff peak flow rates. The City's existing storm drain infrastructure discharges to County-maintained drainage channels and the Pacific Ocean. Proposed future development would not result in substantial increases in surface water peak flows or volumes over the existing conditions and may result in reduced discharges due to onsite water quality regulations, landscaping requirements, LID features, and BMPs.

Future development in the General Plan Area would involve construction activities that could increase the potential for erosion and/or siltation. Standard erosion control measures would be

implemented as part of the SWPPP for any proposed project to minimize the risk of erosion or sedimentation during construction. The SWPPP must include an erosion control plan that prescribes measures such as phased grading, limiting areas of disturbance, designating restricted-entry zones, diverting runoff from disturbed areas, protective measures for sensitive areas, outlet protection, and provisions for revegetation or mulching. The erosion control plan would also include treatment measures to trap sediment. In addition, the majority of streams and channels that collect runoff within the City are concrete lined and not susceptible to scour or erosion. For those areas that are tributary to streams that may be susceptible to scour, hydromodification requirements as part of the regional MS4 permit will ensure that impacts are minimized. There is only one area, located within the Green Valley neighborhood in the southeast corner of the City, that is susceptible to hydromodification requirements. The Green Valley neighborhood drains entirely to the Fountain Valley Channel which is concrete-lined and does not overlap with any of the Opportunity Sites identified in the Housing Element.

The majority of the City is within Flood Zone X, and the northwestern portion of the City is within Flood Zone A. Zone X is determined to be within the 500-year flood area with minimal or 0.2 percent chance of flooding but protected by levee from 100-year flood risks. The northwestern portion of the City designated Zone A represents areas within the 100-year flood areas that have a one percent annual chance of flooding. To prevent flooding, the City established the Floodplain (-FP) Overlay Zoning District to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions. Development within flood hazard areas would comply with flood protection standards that reduce vulnerability to flood impacts and ensure safe use and occupation of structures.

The General Plan FEIR concluded that with the implementation of applicable measures during the construction and operational phases of future development; the implementation of federal, State, and local regulations, as well as the General Plan Update policies, such as Policy OSC-3.7, any erosion, siltation, polluted runoff, or flood hazard impacts would be less than significant.

Analysis of Project

As previously stated, compliance with federal, State, and local regulations, including the implementation of LID BMPs consistent with NPDES and FVMC requirements, would ensure that Project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, or result in substantial erosion or siltation on- or off-site. In addition, the modular wetland unit BMPs proposed within the Project site would be sized to treat the 85th percentile, 24-hour storm event (Design Capture Volume or DCV) generated by their respective tributary area. The Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding, create or contribute runoff that would exceed the capacity of the existing drainage system, or impede or redirect flood flows. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

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

General Plan FEIR Conclusions

Flooding Hazards. As discussed in the General Plan FEIR, Fountain Valley is within Flood Zones X and A and has a low percentage of flooding; with the implementation of federal, State, and local regulations, future development pursuant to the General Plan Update would not increase flood hazards associated with flood zones. The City has a policy to avoid placing new housing within 100-year flood hazard area based on Federal Emergency Management Agency (FEMA) floodplain maps, and all existing homes within Flood Zones A and AE require flood insurance. The City and County regularly maintain and improve storm drain and flood control infrastructure based on priority. Additionally, implementation of the General Plan Update policies, such as Policy OSC-3.5 and Policy PFS-2.4, help reduce flooding hazards. Therefore, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Tsunami. The General Plan Planning Area is approximately 2.6 miles northwest of the Pacific Ocean and therefore, the chances of a tsunami impacting the City are negligible.

Seiches. A seiche is a surface wave created when an inland water body is shaken, usually by an earthquake or due to a change in atmospheric pressure. Inland water bodies near the City include Irvine Lake, Prado Dam, and the Santiago Creek Recharge Basins. Due to the distance and varying topography, the General Plan FEIR concluded that seiche impacts would be less than significant.

Dam Inundation. The City is adjacent to the Santa Ana River and is likely subject to inundation in the event of failure or collapse of the Prado Dam. However, due to the distance from Prado Dam and current emergency procedures that address dam failure or flooding, the likelihood of dam failure is low. Therefore, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Analysis of Project

The majority of the Project site is located within Flood Zone X, which indicates an area of minimal flood hazard. A portion of the Project site overlying the OCFCD storm drain is designated Flood Zone A, which is identified by FEMA as a Special Flood Hazard Area; however, the flood discharge is contained within the existing OCFCD storm drain. Compliance with existing regulations, including FVMC Section 21.14.040, *Floodplain (-FP) overlay zoning district—Flood damage prevention*, would reduce potential flood impacts to the Project by requiring adherence to minimum standards of construction and Project review by the Floodplain Administrator to ensure the proposed development is reasonably safe from flooding and would not adversely affect the flood-carrying capacity of the area of special flood hazard. Regular maintenance and improvements to storm drain and flood control infrastructure by the City and County would further reduce potential flood impacts from the OCFCD storm drain. Due to the Project site's location approximately 4.5 miles from the Pacific Ocean, tsunami is not considered a significant hazard. As discussed in the General Plan FEIR, the Project site is likely subject to inundation in the event of

failure or collapse of the Prado Dam. However, the General Plan FEIR concludes that due to the distance from Prado Dam and current emergency procedures that address dam failure or flooding, the likelihood of dam failure is low. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

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

General Plan FEIR Conclusions

As discussed in the General Update FEIR, new development and redevelopment would adhere to regulatory surface water and groundwater quality during construction and operational activities pursuant to the General Plan Update. As a result, new site development or redevelopment would not obstruct or conflict with the implementation of local or regional water quality control plans or sustainable groundwater management plans. All development within the City will follow the North Orange County MS4 Permit and the Santa Ana River Basin Water Quality Control Plan. Proposed development will be connected to the City's public water supply, and there are no onsite wells for the use of groundwater. Increased demand due to development pursuant to the General Plan Update would not conflict or impact the management of the Basin 8-1 Alternative Plan. Additionally, the General Plan Update includes policies related to the conservation of water resources, such as Policy OSC-3.5. Therefore, the General Plan FEIR concluded that the General Plan Update would not have a significant impact on the implementation of local or regional water quality control plans or sustainable groundwater management plans.

Analysis of Project

The local water quality control plan (Basin Plan) is maintained by the Santa Ana RWQCB. The Basin Plan specifies the State's water quality standards (i.e., beneficial uses, water quality objectives, and antidegradation policy) and serves as the basis for the RWQCB's regulatory programs. When permittees and projects comply with the provisions of applicable NPDES permits and water quality permitting, they are consistent with the Basin Plan. As described above, the Project would comply with the NPDES and FVMC requirements and would therefore be consistent with the Basin Plan.

As described above, the Project site is underlain by the OC Basin, which is considered a medium-priority basin. To comply with SGMA, an Alternative to a GSP for the OC Basin (Basin 8-1 Alternative) was submitted to the DWR in 2017 and approved in 2019. The Basin 8-1 Alternative ensures that the entire Basin 8-1 continues to be sustainably managed and reports groundwater data to the DWR as required by SGMA. In addition, a WSA prepared for the Project concluded that the City's total projected water supplies established in the 2020 UWMP during normal, dry, and multiple consecutive dry water years are adequate to meet the projected water demands from the 2020 UWMP in addition to the water demand associated with the Project. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

Conclusion

Following compliance with existing regulations, including the Fountain Valley General Plan and Municipal Code, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with hydrology and water quality beyond those identified in the General Plan FEIR.

3.11 LAND USE AND PLANNING

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Physically divide an established community?						X
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					X	

a. Would the project physically divide an established community?

General Plan FEIR Conclusions

As discussed in the General Plan FEIR, no aspect of the proposed General Plan Update would divide the existing City. The design direction for the General Plan Update is to improve access and mobility for existing and future residents by providing vehicular connections and non-motorized transportation options. The land use pattern proposed in the General Plan Update increases building intensity throughout the City. The City provides access through major roadways, and transit and pedestrian pathways. The General Plan FEIR found that General Plan includes provisions that address land use connectivity, compatibility, and encroachment of new development on existing neighborhoods and land uses. Further, the General Plan Update includes policies aimed at improving connectivity, such as Policy LU-1.1, Policy LU-1.2, and Policy LU-3.2. Therefore, the General Plan FEIR concluded that the General Plan Update would not result in any impact regarding division of an established community or land use compatibility issues.

Analysis of Project

The Project site was previously developed with an amusement park and miniature golf course and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The site is surrounded by residential and commercial uses, as well as roadway infrastructure, including the I-405 freeway. The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop parking, and associated improvements. Development of the site, as proposed, would be consistent with the site's General Plan land use designation and zoning, and would be consistent with other land uses that occur

within the surrounding area. As such, the Project would not physically divide an established community. Consistent with the conclusion of the General Plan FEIR, no impact would occur in this regard.

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

General Plan FEIR Conclusions

Southern California Association of Governments. SCAG's 2020 RTP/SCS 2045 population projection for Fountain Valley is 59,000, which is less than the projected population of 73,668 for the General Plan Update planning period. Because the General Plan Update may result in the City's population exceeding the 2045 population forecast for the City, this could be considered a conflict. However, the General Plan Update is both consistent with the goals of the RTP/SCS and would further State goals through emphasis on design and reduction in VMT, as discussed in Table 5.8-1, *SCAG 2020 RTP/SCS Goal Consistency Analysis*, of the General Plan FEIR.

Consistency with City Land Use Plans and Regulations. The General Plan Update will require an update to the City's Development Code and Zoning Map to ensure consistency. The Crossings, Southpark, and Warner/Newhope specific plans will be updated at a later date to conform to the City's currently adopted Housing Element and the proposed General Plan Update.¹⁸ The specific plan amendments will be needed to ensure that they implement the General Plan as updated. The changes to the land use intensity that will be reflected in the specific plans later, are evaluated in this FEIR as part of the General Plan Update. The update to the zoning code would follow the General Plan Update and bring the code into consistency with the General Plan. Once the Development Code and specific plans are amended, there will be no inconsistency between the General Plan and the Development Code.

The General Plan FEIR concluded that implementation of the General Plan Update would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect; impacts would be less than significant in this regard.

¹⁸ Subsequent to certification of the General Plan FEIR and adoption of the General Plan, the Crossings Specific Plan (Ordinance No. 1618), Southpark Specific Plan (Ordinance No. 1619), and Warner/Newhope Specific Plan (Ordinance No. 1620) were updated and approved by the City of Fountain Valley City Council on February 4, 2025.

Analysis of Project

The Project site is designated Mixed-Use 2 (MU2) and zoned Mixed Use 2 (MU-2). The MU2 land use designation is described as a master planned project area on parcels larger than five acres containing a range of residential product types and densities mixed with non-residential uses, such as retail, dining, entertainment, offices, and public spaces. Building and site design fosters lively and pedestrian-friendly streetscapes and connectivity to surrounding uses and neighborhoods, with public spaces to promote community gathering. The MU2 land use designation allows for a maximum residential density of 30 to 55 du/ac, which may be increased to 75 du/ac when the nearest property line of the perimeter is either separated by I-405 from or located at least 400 feet from the property line of an R1 designation; and a maximum FAR of 2.20. The Project proposes a mix of residential and commercial uses on an approximately 6.87-acre site at a density of 96 du/ac and FAR of 2.77. As discussed below, the Project Applicant is requesting a Density Bonus pursuant to State Density Bonus Law (Government Code Section 65915 et seq.) and the City's Density Bonus Ordinance (FVMC Section 21.08.050(a), *Affordable Housing Density Bonus Incentives*). The proposed Project includes 78 deed restricted affordable units for low-income households, equal to approximately 15 percent of the Project site's 515-unit base density. In accordance with State Density Bonus Law, the provision of these low-income units entitle the Project to a 27.5 percent density bonus, one incentive, unlimited waivers, and use of State Density Bonus Law parking standards.

As an incentive or concession, the Project Applicant requests a reduction in ground floor non-residential use from 21,679 SF (per FVMC Section 21.15.040(a) Table 2-11) to 4,460 SF to support actual cost reductions for the development of the 78 Low Income units. In addition, the Project Applicant requests the following waivers from the applicable development standards to accommodate the Project at the density permitted and with the amenities proposed:

- A waiver of the baseline building height of FVMC Section 21.15.040(a), Table 2-11, to permit seven-story buildings 76 feet in height to the top of roof peaks and exceptions per FVMC Section 21.18.50(c) which allow for roof-mounted structures up to 15 feet above the allowed seven-story building baseline heights and parapet walls up to 5.5 feet above the allowed seven-story building baseline heights.
- A waiver of the height modulation requirements of FVMC Section 21.15.040(a), Table 2-11.
- A reduction in publicly accessible open space from 55,284 SF to 20,110 SF.
- A reduction in MU-2 upper-level step back standards requiring all street facing upper floors above 45 feet to have an average step-back of 15 feet.
- A relaxation of the development standard for balconies in FVMC Section 21.15.040(m)(7) on courtyard units and those facing Recreation Circle requiring that "no more than forty percent of balconies shall extend beyond the main habitable wall of each elevation and the maximum projections shall be twenty-five percent of the balconies' full depth. All other balconies shall be recessed behind the main habitable building wall of each elevation." As proposed, 75 percent of balconies would extend beyond the main habitable wall of each elevation and the maximum projections shall be 100 percent of the balconies' full depth.

- Waivers of the maximum permitted FAR to allow for the proposed FAR of 2.77 for the site as follows:
 - 397,785 square feet of floor area on the southern lot (which is 110,872 square feet) resulting in a FAR of 3.59 for this lot; and
 - 430,418 square feet of floor area on the northern lot (which is 144,170 square feet) resulting in a FAR of 2.99 for this lot.
- Waivers of the minimum lot size for the southern and northern lots to permit:
 - the existing lot size of 110,872 square feet (2.55 acres) for the southern lot; and
 - the existing lot size of 144,170 square feet (3.31 acres) for the northern lot.
- A relaxation of the minimum street frontage setback of 15 feet average with minimum 10 feet (maximum 40 percent of an elevation can be at 15 feet) as outlined in FVMC Section 21.15.040(a) Table 2-11 to a 10-foot minimum setback.

In accordance with State Density Bonus law, the City must grant a waiver or reduction of development standards that would preclude the construction of the Project entitled to the benefits under State Density Bonus Law unless the City finds that the requested waiver would have a specific, adverse impact upon health, safety, or the physical environment which cannot be mitigated; would have an adverse impact on any property listed in the California Register of Historical Resources; or that the waiver would be contrary to State or federal law. The proposed waivers would not result in a direct physical impact on the environment due to a conflict with a regulation adopted for the purpose of avoiding or mitigating an environmental effect or be contrary to State or federal law. Additionally, as discussed under Section 3.5, Cultural Resources, the Project would not have an adverse impact on a property listed in the California Register of Historical Resources.

As discussed in Section 2.3 of this report, the Project is requesting approval of a Precise Plan. In accordance with FVMC Chapter 21.44, *Precise Plan of Design*, in order to approve a Precise Plan, the review authority must find that the project is consistent with the General Plan, applicable Specific Plan, and the Development Code. Impacts would be less than significant in this regard, consistent with the conclusions of the General Plan FEIR.

Conclusion

Following compliance with the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to land use and planning beyond those identified in the General Plan FEIR.

3.12 MINERAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?						X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?						X

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

General Plan FEIR Conclusions

The City of Fountain Valley is mapped as Mineral Resource Zone (MRZ)-3, which is an area where the significance of mineral deposits cannot be determined from available data. Therefore, the General Plan FEIR concluded that development would not result in a loss of availability of known valuable mineral resources; no impact would occur.

Analysis of Project

The Project site is currently developed and is not used for mineral resource recovery activities. Given the Project site is situated in an urban area, is not identified as containing significant mineral resources, and is not used for mineral resource recovery activities, Project implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State. Consistent with the conclusions of the General Plan FEIR, no impact would occur.

- 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?**

General Plan FEIR Conclusions

No mineral resources sectors and active or inactive mines are present in the City, and no areas in the City designated for mineral resource use. Therefore, the General Plan FEIR concluded that the General Plan Update would not result in a loss of availability of locally important mineral resources; no impact would occur.

Analysis of Project

The Project site is currently developed and is not used for mineral resource recovery activities. Given the Project site is situated in an urban area, is not identified as containing significant mineral resources, and is not used for mineral resource recovery activities, Project implementation would not result in a loss of availability of locally important mineral resources. Consistent with the conclusions of the General Plan FEIR, no impact would occur.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts to mineral resources beyond those identified in the General Plan Final FEIR.

3.13 NOISE

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
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?				X		
b. Generation of excessive groundborne vibration or groundborne noise levels?					X	
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					X	

The following analysis is based in part on the *16800 Magnolia Mixed-Use Development Noise Impact Study* (Noise Study) prepared by MD Acoustics, dated March 18, 2025, and included in its entirety as [Appendix H](#).

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

General Plan FEIR Conclusions

Construction. As part of implementation of the General Plan Update, various individual land use development projects would be constructed over the duration of the General Plan buildout. Construction of individual developments associated with implementation of the General Plan Update would temporarily increase the ambient noise environment and would have the potential to affect noise sensitive land uses in the vicinity of an individual project. Implementation of the General Plan Update would result in an increase in development intensity or redevelopment to accommodate populations and employment growth. Construction noise levels are highly variable and dependent upon the specific locations, site plans, and construction details of individual projects. Significant noise impacts may occur from operation of heavy earth-moving

equipment and truck-haul operations that would occur with construction of individual development projects, which have not yet been developed, particularly if construction techniques, such as impact or vibratory pile driving, are proposed. The time of day that construction activity is conducted would also determine the significance of each project, particularly during the more sensitive nighttime hours. However, construction would be localized and would occur intermittently for varying periods of time.

As discussed in the General Plan FEIR, because specific project-level information is inherently not available at this time, it is not possible nor appropriate to quantify the construction noise impacts at specific sensitive receptors. In most cases, construction of individual developments associated with implementation of the General Plan Update would temporarily increase the ambient noise environment in the vicinity of each individual project, potentially affecting existing and future nearby sensitive uses. However, because construction activities associated with any individual development may occur near noise-sensitive receptors and because, depending on the project type, equipment list, time of day, phasing, and overall construction durations, noise disturbances may occur for prolonged periods of time or during the more sensitive nighttime hours, construction noise impacts associated with implementation of the General Plan Update are considered potentially significant. Implementation of Mitigation Measure N-1 would reduce potential noise impacts during construction to the extent feasible. However, due to the potential for proximity of construction activities to sensitive uses, the number of construction projects occurring simultaneously, and the potential duration of construction activities, construction noise associated with the General Plan Update could result in a temporary substantial increase in noise levels above ambient conditions. Therefore, the General Plan FEIR concluded that impacts would remain significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects analyzed at the project level.

Operation. Buildout of the General Plan Update would result in an increase in traffic along local roadways proximate to existing sensitive receptors. As discussed in the General Plan FEIR, none of the traffic noise related to implementation of the General Plan Update would cause the ambient noise levels increase by 3 dBA CNEL to or within the “normally unacceptable” or “clearly unacceptable” categories; or cause the ambient noise levels measured at the property line of affected uses to increase by 5 dBA CNEL or more within the “normally acceptable” or “conditionally acceptable” categories. Policies CM-1.8 and PFS-5.4 would help minimize and mitigate traffic noise impacts. Therefore, the General Plan FEIR concluded that traffic noise would result in a less than significant impact.

As discussed in the General Plan FEIR, other operational noise can include railroad and airport noise; however, the City does not have any rail lines or airport within its city limits, nor are there any future plans to build or develop them. Fountain Valley residents are occasionally exposed to aircraft overflight noise from surrounding airports and railroad noise from neighboring city rail lines. However, these are adjacent uses and do not expose residences to excessive noise levels. Therefore, railroad noise and airport noise would not affect future noise-sensitive land uses. The General Plan FEIR concluded that operational-related impacts would be less than significant.

Analysis of Project

A Noise Study has been prepared for the Project; refer to [Appendix H](#).

Existing Noise Environment: As indicated in the Noise Study, two long-term 24-hour noise measurements were obtained at the Project site to document the existing noise environment; refer to Exhibit E of the Noise Study for measurement locations. The existing ambient noise level ranges from 62.7 to 71.5 dBA Ldn.

Off-Site Traffic Noise: The potential off-site noise impacts caused by the increase in vehicular traffic as a result of the Project were calculated at a distance of 100 feet, which is representative of the approximate distance to the existing residential uses adjacent to roadways that would be impacted by the Project. The Project is anticipated to result in an increase of 0.3 dBA and 0.5 dBA CNEL at a distance of 100 feet along the segment of Magnolia Street, north of Warner Avenue, and Warner Avenue, west of Magnolia Street, respectively. The Noise Study concludes that this change would be inaudible.

Project Operational Stationary Noise Levels: On-site operational stationary noise includes transformers and HVAC equipment. All HVAC equipment is located on the rooftops of the buildings and is assumed to operate 24 hours a day. All HVAC equipment would be at least 175 feet away from the Sendero Apartment Homes property line, which is the nearest sensitive receptor to the Project site, located directly west of the Project site across Magnolia Street within the City of Huntington Beach. The maximum sound power level from an HVAC unit is 78 dBA. Assuming all HVAC units are running simultaneously, the proposed HVAC units within the north and south building are estimated to produce sound levels of 55 and 54 dBA at the property line of the sensitive receptor before accounting for Project screening. The parapet on the roof of the Project buildings was calculated to provide a 10 dB reduction in HVAC noise. Thus, the total noise level due to HVAC at the Sendero Apartment Homes property line (nearest sensitive receptor) is estimated to be 47 dBA Leq.

Per ANSI and NEMA requirements for transformer noise, transformers must be no louder than 67 dBA at 1 foot. All transformers would be at least 180 feet away from the Sendero Apartment Homes property line. Assuming all transformers are running simultaneously and continuously throughout the hour, three transformers would produce a sound level of 27 dBA Leq at 180 feet away. Thus, the total nighttime Project-only operational noise level is estimated to be 48 dBA Leq.

During the daytime, proposed Project outdoor amenities would be operational. The pool decks on both the north and south buildings of the Project are anticipated to be the loudest source of noise due to amenity operations. The sound power level of an open-air swimming pool is 108 dBA. The swimming pools would be as close as 370 feet to the nearest sensitive receptor (Sendero Apartment Homes to the west), and the proposed parapet walls would provide a conservative 10 dB reduction. At a distance of 370 feet, the noise level from both pool decks operating continuously throughout the hour would be approximately 49 dBA Leq. Thus, the total daytime operational noise level due to HVAC units, transformers, and amenities is estimated to be 51 dBA Leq.

The Fountain Valley and Huntington Beach Municipal Codes prohibit noise from stationary sources from exceeding the ambient level. As a conservative estimate, the Noise Study selected the quietest nighttime hourly noise level (59 dBA Leq, measured at the western noise measurement location NM2) to represent the existing ambient nighttime noise level at the neighboring residential properties. Similarly, the Noise Study selected the quietest daytime hourly noise level (65 dBA Leq, measured at the western noise easement location NM2) to represent the existing ambient daytime noise level at the neighboring residential properties. The Noise Study concludes that the combined noise level due to all stationary sources operating simultaneously would not increase the existing nighttime ambient noise level during the quietest hour of nighttime Project operations, nor would it increase the existing daytime ambient noise level during the quietest hour of daytime Project operations. As such, Project noise levels from stationary sources would not exceed the ambient level, resulting in a less than significant impact.

Construction Noise

The degree of construction noise may vary for different areas of the Project site and may also vary depending on the construction activities. Noise levels associated with the construction would vary with the different phases of construction. Construction operations would be required to comply with the City's Noise Ordinance (FVMC Chapter 6.28, *Noise Control*), which outlines the permissible hours of construction. In addition, the Project would be required to comply with applicable mitigation measures from the General Plan FEIR, including Mitigation Measure N-1, which requires that prior to issuance of demolition, grading and/or building permits on sites adjacent to sensitive receptors, a note be provided on construction plans indicating that during grading, demolition, and construction, the project applicant shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:

- During the entire permitted activity, equipment and trucks used for the project shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, and acoustical attenuation), wherever feasible.
- Require impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered whenever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.
- Prior to the start of construction activities, a sign shall be posted at the job site, clearly visible to the public, which includes permitted construction days and hours, as well as contact information for the City's Building Inspection Supervisor and contractor's authorized representative. If the authorized contractor's representative receives a noise or vibration complaint, they shall investigate, take appropriate corrective action, and report the action to the City.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.

- During the entire active construction period, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or utilizing human spotters when feasible and in compliance with all safety requirements and laws.
- Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the established noise standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater).

Conclusion

As illustrated above, the proposed Project would not result in a temporary or permanent increase in ambient noise levels in excess of established noise standards. The Project would also be required to comply with General Plan FEIR Mitigation Measure N-1. The proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to a temporary or permanent increase in ambient noise levels. No additional mitigation would be required.

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

General Plan FEIR Conclusions

Construction Vibration Impacts. Construction activity at projects within the General Plan Planning Area would generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures but can achieve the audible and perceptible ranges in buildings close to the construction site. Vibration generated by construction equipment has the potential to be substantial, since it has the potential to exceed the Federal Transit Administration (FTA) criteria for architectural damage. Construction details and equipment for future project-level developments under the General Plan Update are not known at this time but may cause vibration impacts. Therefore, the General Plan Update's impact on groundborne vibration and noise levels is potentially significant. Mitigation Measure N-2 would reduce potential vibration impacts during construction below the pertinent thresholds. The General Plan FEIR concluded that with implementation of Mitigation Measure N-2, construction vibration impacts would be reduced to a level that is less than significant.

Operational Vibration Impacts. Commercial and industrial operations within the General Plan Planning Area would generate varying degrees of ground vibration, depending on the operational procedures and equipment. Such equipment-generated vibrations would spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the vibration source varies depending on soil type, ground strata, and receptor-building

construction. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Because specific project-level information is not available at this time, it is not possible to quantify future vibration levels at vibration-sensitive receptors that may be near existing and future vibration sources. However, the City will have the opportunity to review and require new development that is vibration sensitive or a source that generates substantial vibration to mitigate or modify its vibration sources. Mitigation Measure N-3 (operations-related vibration) would reduce potential vibration impacts from commercial/industrial uses and facilities. Therefore, the General Plan FEIR concluded that with implementation of Mitigation Measure N-3, the potential for sensitive uses within the General Plan Planning Area to be exposed to annoying and/or interfering levels of vibration from commercial or industrial operations would be reduced to a level that is considered less than significant.

Analysis of Project

As indicated in the Noise Study, construction of the proposed Project is not anticipated to require the use of equipment such as pile drivers or vibratory rollers, which are known to generate substantial construction vibration levels. The primary vibration source during construction is anticipated to be from a bulldozer. The nearest building to the Project site is a commercial building located approximately 10 feet southwest of the site. At a distance of 10 feet, a large bulldozer would yield a worst-case 0.244 PPV (in/sec) which may be perceptible but sustainably below any risk of damage (0.5 in/sec PPV is the threshold of historic and some old buildings and older residential structures). As such, compliance with the existing regulatory environment would ensure the Project would not generate excessive groundborne vibration or groundborne noise levels. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to groundborne vibration or groundborne noise levels. No additional mitigation would be required.

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

General Plan FEIR Conclusions

There are no airports within the City of Fountain Valley. The nearest airport is John Wayne Airport, in the City of Santa Ana. Though the Fountain Valley residents may be exposed to periodic aircraft overflights from airports at other neighboring cities, the City of Fountain Valley is entirely outside the 60 dBA CNEL noise contour from any surrounding airport including the nearest airport of John Wayne in Santa Ana. Therefore, the General Plan FEIR concluded that airport noise impacts would be less than significant.

Analysis of Project

The Project site is not located within an airport land use plan; is not located within the vicinity of a private airstrip; and is not located within two miles of a public airport or public use airport. The City of Fountain Valley is entirely outside the 60 dBA CNEL noise contour from any surrounding airport

including the nearest airport. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to excessive noise associated with an airport, and no mitigation would be required.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to noise beyond those identified in the General Plan Final FEIR.

Applicable General Plan FEIR Mitigation Measures:

N-1 Prior to issuance of demolition, grading and/or building permits on sites adjacent to sensitive receptors, a note shall be provided on construction plans indicating that during grading, demolition, and construction, the project applicant shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:

- During the entire permitted activity, equipment and trucks used for the project shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, and acoustical attenuation), wherever feasible.
- Require impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered whenever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.
- Prior to the start of construction activities, a sign shall be posted at the job site, clearly visible to the public, which includes permitted construction days and hours, as well as contact information for the City's Building Inspection Supervisor and contractor's authorized representative. If the authorized contractor's representative receives a noise or vibration complaint, they shall investigate, take appropriate corrective action, and report the action to the City.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or utilizing human spotters when feasible and in compliance with all safety requirements and laws.

- Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the established noise standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater).

3.14 POPULATION AND HOUSING

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
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)?				X		
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?						X

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

General Plan FEIR Conclusions

Population and Employment. The General Plan Update EIR concluded that under proposed buildout conditions, between 2020 to 2045 the Fountain Valley population would increase by 28 percent and jobs would increase by 12 percent. Under existing conditions, the City has approximately 57,595 residents and 32,485 jobs. Upon buildout of the General Plan Update in 2045, there would be approximately 73,668 residents and 36,542 jobs.

SCAG 2045 population and employment projections for Fountain Valley are 59,900 residents and 34,200 jobs, respectively. The population and employment projections under the General Plan Update would be 23 percent and seven percent greater than SCAG's 2045 projections, respectively. Therefore, the impact of population and employment changes anticipated by the General Plan Planning Area at full buildout would be substantial and potentially significant.

Housing. The General Plan FEIR concluded that the buildout projections of the General Plan Update exceed 2045 SCAG RTP/SCS population projections by 32 percent. While the RTP/SCS may not forecast substantial growth in the region, it was prepared prior to California Department of Housing and Community Development (HCD)'s Regional Housing Needs Assessment (RHNA). The City adopted its Housing Element and obtained State certification in 2022. The Housing Element includes several policies that support a variety of housing types and densities to accommodate the requirements of the RHNA as well as to ensure the provision of housing units, such as Policy H-

1.1, Policy H-1.2, and Policy H-6.2. However, even with a statewide shortage in housing and the requirements of the RHNA, the General Plan FEIR concluded that exceeding SCAG's housing projection by approximately 32 percent would be a potentially significant impact.

Jobs-Housing Ratio. Under the General Plan Update, development based on the land use designations would result in a jobs-housing ratio of 1.43, which is less than the City's existing ratio of 1.67. A ratio of 1.43 would bring the City closer to a more equal distribution of employment and housing. Therefore, the General Plan FEIR concluded that the population resulting directly from the proposed General Plan Update would be offset by the level of employment opportunities provided to the City's residents and workers commuting to Fountain Valley.

Conclusion. Full buildout of the General Plan Update would result in a population of 73,668 residents and create 34,200 jobs, which is 23 percent and 7 percent greater than the SCAG 2045 projections, respectively. Furthermore, the City's housing units at buildout would be 25,633 units which would exceed the SCAG 2045 projections by 39 percent. The General Plan FEIR concluded that there are no feasible mitigation measures to mitigate the population and housing growth for the buildout of the General Plan Update; impacts would be significant and unavoidable.

Analysis of Project

The General Plan FEIR analyzed the potential environmental impacts from projected future development intensity and density based upon anticipated development associated with the future land use opportunities described in the Land Use Element. Overall, the General Plan FEIR analyzed the environmental impacts based on a buildout of 25,633 residential units, a population of 73,668 people, and 13,231,538 square feet of non-residential building floor area. This represents an increase of 6,238 residential units, 16,073 people, and 1,305,886 square feet of non-residential building floor area over baseline (2021) conditions.

Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-residential building floor area. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR. Thus, the Project would be within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR and would not induce substantial unplanned population growth in the area.

The Project would not induce substantial unplanned population growth directly through new businesses or indirectly through the extension of roads or other infrastructure. While the Project includes commercial use, due to the relatively small size and nature of the proposed commercial use (retail), it is not anticipated that the Project would generate significant new employment opportunities, beyond what has historically occurred within the site, that would result in unplanned population growth to the area. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to unplanned population growth in the area, and no mitigation would be required.

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

General Plan FEIR Conclusions

The purpose of the General Plan Update is to provide orderly growth in the City of Fountain Valley through the distribution, location, balance, and extent of land uses. The General Plan Update proposes new land use designations (Very High Density Residential (VHDR), Mixed-Use 1 (MU1), and Mixed Use 2 (MU2)), which would allow for intensification within the City. The General Plan Update would provide for a variety of housing types and additional residential opportunities within the City.

Government Code Section 66300(d)(2) requires that any project that would demolish residential units must create at least as many units as will be demolished. Additionally, the General Plan Update provides policies that ensure the rehabilitation of existing housing, provision of new housing, and minimization of displacement, such as Policy H-1.1, Policy H-1.2, Policy H-3.3, and Policy H-6.3. Finally, all the sites proposed for new development either contain property owners who are actively redeveloping the site, are vacant, or are nonresidential in nature and therefore do not contain any residents. Therefore, the General Plan FEIR concluded that the General Plan Update would not displace any people and would provide more housing opportunities than currently exists, and there would be no impact.

Analysis of Project

The Project site is currently developed and consists primarily of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. There is no housing within the Project site. Thus, the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to displacement of people or housing, and no mitigation would be required.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with population and housing beyond those identified in the General Plan Final FEIR.

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3.15 PUBLIC SERVICES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<p>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:</p> <ul style="list-style-type: none"> • Fire protection? • Police protection? • Schools? • Parks? • Other public facilities? 					X	

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?*
- *Police protection?*
- *Schools?*
- *Parks?*
- *Other Public Facilities?*

General Plan FEIR Conclusions

Fire Protection. The Fountain Valley Fire Department (FVFD) provides fire protection and safety services for the City of Fountain Valley. FVFD has two fire stations in the City, Fire Station 1 located at 17737 Bushard Street and Fire Station 2 located at 16767 Newhope Street. A total of 39 sworn

personnel is assigned to field operations, with 13 firefighting and emergency medical personnel on duty, 24 hours per day. Each engine and the ladder truck are staffed with a captain, an engineer, and two firefighter-paramedics. A battalion chief serves as the on-duty command officer for the department. FVFD participates with three fire departments which border Fountain Valley (Costa Mesa Fire Department, Huntington Beach Fire Department, and Orange County Fire Authority) in automatic aid pacts, which provide for the response of the closest fire and paramedic units regardless of jurisdictional boundaries.

The General Plan Update would increase intensity development within the City and SOI boundaries and would not expand development into undeveloped areas of the County. While the General Plan Update would increase the need for fire protection services, the proposed General Plan would include policies aimed at maintaining staffing, facilities, and training activities to respond to emergencies and service calls (Policy PFS- 3.1) and continuing to participate in mutual aid and automatic aid (Policy PFS-3.2). Therefore, the General Plan FEIR concluded the General Plan Update would not have a significant impact on fire services to the City.

Police Protection. The Fountain Valley Police Department (FVPD) is made up of two divisions, the Patrol Division and the Support Services Division. The Patrol Division includes duty gear, patrol car, and six to 15 officers; and the Services Division includes office equipment, dispatch equipment, CSI-evidence equipment, and 25 to 30 sworn and non-sworn officers. The FVPD is located at 10200 Slater Avenue. The FVPD's service boundary is bounded by Edinger Avenue to the north, Garfield Avenue to the south, Newland Street and Magnolia Street (changes at Warner Avenue) to the west, and Riverbed and Flood Control Channel to the east. The Mile Square Regional Park is serviced by the Orange County Sheriff's Department. The total service area is approximately 9.08 square miles.

According to the FVPD, at full or nearly full staffing, existing resources appear adequate to serve the City under current conditions; however, due to retirement, injuries, and other matters the police department is not usually at full staffing levels. There are currently 64 authorized sworn officer positions in the FVPD; the ratio of officers to citizens is approximately 1:900 based on a population of 57,595 people. If the projected population in 2045 is 73,668, as anticipated by the General Plan Update, then the police department would need 18 more officers to maintain the same ratio of officers to citizens. Therefore, with more officers and caseloads from a larger population, the police department would also need additional support services personnel and may result in the need to expand or construct new facilities.

Implementation of the General Plan Update would result in an increase in population, thereby increasing the demand for police protection services. As new development occurs, new or expanded police facilities may be needed to support the associated population growth. It is not known at this time when such facilities would be required or what the exact nature of these facilities would be. If construction or expansion of facilities to accommodate additional personnel or equipment become necessary, CEQA review and compliance with local, State, and federal laws would be required. Nonetheless, the General Plan Update include policies to reduce significant impacts on police services, such as PFS-3.1, which calls for maintaining staffing, facilities, and training activities to effectively respond to emergency and respond to emergency and

general public service calls. Therefore, the General Plan FEIR concluded that the General Plan Update's impact on police service and facilities would be less than significant.

Schools. The City is served by four school districts, the Fountain Valley School District (FVSD), Huntington Beach Union High School District, Garden Grove Unified School District, and Ocean View School District. There are nine public elementary schools, five public middle schools, and two public high school that serve the residents of the City. The Fountain Valley School District serves over 6,000 students from Fountain Valley and Huntington Beach. The buildout potential associated with the General Plan Update is expected to increase population by approximately 16,073. This expected population growth would include school-aged children, which would increase enrollment in local schools serving Fountain Valley.

The General Plan Update includes policies aimed at addressing future school demands within a growing city, such as Policy LU-1.6 and Policy LU-1.7. In addition, new development under the General Plan Update would also be required to pay development fees. Pursuant to Section 65996 of the Government Code, payment of school fees is deemed to provide full and complete school facilities mitigation. Therefore, the General Plan FEIR concluded that the General Plan Update's impact on school facilities would be less than significant.

Parks. The General Plan FEIR discusses parks as part of the Recreation section; refer to Section 3.16.

Other Public Facilities. The Fountain Valley Library is approximately 15,000 square feet and is located at 17635 Los Alamos Street. The Fountain Valley Library provides community programming for all ages, approximately 56,261 items in its collection system, access to free Wi-Fi, computers, and other electronic media. The Fountain Valley Library is one of 33 branches that belong to the community network of the Orange County Public Libraries. The General Plan Update is expected to increase the City's existing population by 16,073 by the 2045 buildout. There are no plans for future library expansion or new libraries. Based on correspondence with Fountain Valley Library the current square footage, staff, and collection size are adequate to serve future growth. In addition, patrons have access to the collection with interlibrary loans whereby they can order books from other branches and have them delivered to their home branch. The Fountain Valley Library has enough adequate usable space, but staff indicate that the library could be redesigned to meet current community needs, as well as Title 24 standards, and new shelving to meet earthquake standards. Additionally, the General Plan Update includes Policy PFS-6.1 which calls for coordination with the County to maintain, expand, and improve library services to meet the needs of the community. As such, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Analysis of Project

Fire Protection. The Project site was previously developed with an amusement park and miniature golf course and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The site is currently used intermittently for vehicle storage/parking. Fire services to the site by the FVFD occur under existing conditions. The introduction of residential uses to the Project site would incrementally increase the demand for fire protection and emergency medical services. However, the forecast population growth associated with the

Project is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. Additionally, the Project would be required to comply with all applicable requirements of the FVMC, including the CBC and California Fire Code, as amended by the FVMC, and would be subject to approval by the FVFD, which would further reduce potential impacts concerning fire protection services. Therefore, the population increase associated with the Project would not significantly impact fire protection services resulting in the need for new or physically altered facilities. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to fire protection.

Police Protection. Police protection services to the site by the FVPD occur under existing conditions. The introduction of residential uses to the Project site would incrementally increase the demand for police protection services. However, the forecast population growth associated with the Project is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. Therefore, the population increase associated with the Project would not significantly impact police protection services resulting in the need for new or physically altered facilities. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to police protection.

Schools. The introduction of residential uses to the Project site would incrementally increase the demand for schools serving the site. However, the forecast population growth associated with the Project is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. A letter from the Huntington Beach Union High School District confirms that schools serving the Project site (Westmont, Vista View, and Ocean View High School) would be able to accommodate the projected number of students associated with the Project.¹⁹ Additionally, the Project would be subject to payment of school impact fees in accordance with SB 50. Pursuant to Government Code Section 65995 et seq., payment of statutory fees is considered full mitigation for project impacts. Therefore, the population increase associated with the Project would not significantly impact schools resulting in the need for new or physically altered facilities. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to schools.

Other Public Facilities. The introduction of residential uses to the Project site would incrementally increase demand for public facilities, such as libraries. However, the forecast population growth associated with the Project is within the population projections anticipated and planned for by

¹⁹ Huntington Beach Union High School District, Jill Russo, September 3, 2024.

the City's General Plan and analyzed in the General Plan FEIR. Public facilities are not proposed as part of the Project and Project implementation would not result in alteration of facilities within the potential to result in a significant environmental impact. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to other public facilities.

Conclusion

Following compliance with the existing regulatory environment, including the General Plan policies, FVMC, and SB 50, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with public services beyond those identified in the General Plan Final FEIR.

3.16 RECREATION

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					X	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					X	

- 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?***

General Plan FEIR Conclusions

Buildout proposed under the General Plan Update would result in an estimated population of 73,668 residents by 2045, increasing from the existing population from 57,595 residents. This increase in population would impact the use of existing park and recreational facilities.

As discussed in the General Plan FEIR, the City of Fountain Valley uses the same standards as the Quimby Act which requires a standard of three acres of open space per 1,000 residents. Using the three acres of parkland per thousand residents metric, the buildout population of 73,668 residents under the General Plan Update would result in a need for 221 acres of parkland. The City's 460.5 acres of existing regional, community, and neighborhood parklands within the City (excluding golf course facilities) far exceed parkland requirements for both existing and buildout populations.

Future development in accordance with the General Plan Update would be required to dedicate land or pay in-lieu impact fees per FVMC Chapter 21.79, *Parkland Dedications, Reservations, and Fees*, as well as the Quimby Act, to fund the construction and maintenance of recreational spaces in the City. Additionally, the General Plan Update provides policies that pertain to the protection and creation of parks and recreational facilities, such as Policy LU-1.5, Policy LU-3.3, Policy OSC-1.1, and Policy OSC-1.2. Therefore, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Analysis of Project

The Project site was previously developed with a privately-owned amusement park and miniature golf course and currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The site is currently used intermittently for vehicle storage/parking. The introduction of residential uses to the Project site would incrementally increase demand for parks and recreation facilities within the vicinity of the site. However, the forecast population growth associated with the Project is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. FVMC Chapter 21.79 establishes a park, recreation, and open space dedication requirement or in-lieu fee to be imposed on all new development in the City for the acquisition, development and rehabilitation of local park and recreational facilities. The Project includes 55,388 square feet of private open space and other amenities for residents and 20,110 square feet of publicly accessible open space. With the provision of on-site amenities and compliance with Chapter 3.20 of the City's Municipal Code, the Project would not significantly impact parks resulting in the need for new or physically altered facilities. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to the use of parks and recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

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

General Plan Final EIR Conclusions

The purpose of the General Plan Update is to guide growth and development within the City and is not a development project. As the population of the City grows, recreational facilities may be developed and/or improved to provide residents with additional recreational opportunities and to adhere to the City's parkland standard of three acres per 1,000 residents. Parks are also a permitted use under other land use designations (e.g., residential land uses), which could result in the development of recreational facilities outside of park-designated parcels.

Development and operation of new or expanded recreational facilities may have an adverse physical effect on the environment, including impacts related to air quality, biological resources, lighting, noise, and traffic. As the General Plan FEIR assumes construction would occur on all areas designated for development, the physical environmental impacts associated with the construction of new and/or expansions of existing recreational facilities in accordance with the proposed land use plan are addressed throughout the General Plan FEIR. Similarly, potentially adverse impacts to the environment that may result from the expansion of parks, recreational facilities, and multiuse trails are addressed throughout the General Plan FEIR. Subsequent environmental analysis review for individual recreational developments is required for future development. Therefore, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Analysis of Project

Refer to the analysis under Impact a), above. The proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities that would have a significant adverse physical effect on the environment. The property management company would be required to maintain the proposed publicly accessible open space and landscaped areas proposed throughout the site. The potential environmental effects associated with construction and operation of the Project, including the proposed private and public open space areas, are analyzed within this environmental document and impacts have been determined to not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with the construction of recreation or park facilities beyond those identified in the General Plan Final FEIR.

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3.17 TRANSPORTATION

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?					X	
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?					X	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					X	
d. Result in inadequate emergency access?					X	

The following analysis is based in part on the *Vehicle Miles Traveled (VMT) Screening Analysis for the Magnolia Residential Project, Fountain Valley* (VMT Screening Analysis) prepared by Linscott, Law and Greenspan, Engineers, dated September 26, 2024, and included in its entirety as [Appendix I](#).

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

General Plan FEIR Conclusions

The General Plan Update includes policies CM-1.7, Policy CM-2.1, Policy CM-2.2, Policy CM-2.9, and Policy OSC-1.7, as well as a redesign for Heil Avenue that would provide multimodal facilities in the City; connect bicycle and pedestrian trails to local and regional trails; accommodate vehicles, transit, bicycles, and pedestrians; enhance the safety of pedestrians and bicyclists; incorporate amenities and pathways so that pedestrians and bicyclists; and provide safe routes to schools. With implementation of these policies, the General Plan Update would not conflict with a program, plan, ordinance, or policy addressing the circulation system. Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

Public transportation services within the Project site and surrounding area are provided by Orange County Transportation Authority (OCTA). OCTA Bus Route 33 provides service from Fullerton to

Huntington Beach via Magnolia Street; a bus stop is located approximately 150 feet south of the Project site at the intersection of Magnolia Street and Warner Avenue.²⁰ OCTA Bus Route 72 provides service from Sunset Beach to Tustin via Warner Avenue; a bus stop is located approximately 400 feet south of the Project site at the intersection of Magnolia Street and Warner Avenue. The Project would not conflict with or modify the existing OCTA bus stops or any transit facilities within the area.

Vehicular access to the Project site would occur from two driveways, a driveway along the western boundary of the site would provide site access from Magnolia Street via a proposed interior driveway; and a second driveway along the southern boundary of the site would provide access to the South Building parking garage from Recreation Circle. It is expected that the driveway on Recreation Circle would be unsignalized while the driveway on Magnolia Avenue would be signalized as a part of the Project's development to facilitate ingress and egress.²¹ In addition, a northbound right-turn lane would be constructed along Magnolia Street to provide access to the Magnolia Street driveway. All roadway improvements would be required to conform to the City of Fountain Valley and/or Huntington Beach Standard Design Guidelines and/or California Manual on Uniform Traffic Control Devices.

Existing Class II bike lanes can be found along Bushard Street, Warner Avenue, Slater Avenue and Heil Avenue within the vicinity of the Project site. The Fountain Valley General Plan identifies future proposed Class II bike lanes along Magnolia Street and future Class IV bike lanes along Heil Avenue, east of Magnolia Street. The Project would not conflict with or modify the existing bike lanes or facilities within the area. Additionally, the Project site would provide bicycle storage facilities for use by residents.

Pedestrian facilities are currently provided along Magnolia Street and Recreation Circle, adjacent to the Project site. The Project would provide pedestrian access to the Project site from Recreation Circle and an interior pedestrian walkway providing access from Magnolia Street.

Overall, the Project would not result in new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

²⁰ Orange County Transportation Authority, *Bus Book*, February 9, 2025.

²¹ Linscott, Law & Greenspan, Engineers (LLG), *Traffic Impact Analysis, Magnolia Residential, Fountain Valley, California*, December 4, 2024.

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

General Plan FEIR Conclusions

CEQA Guidelines Section 15064.3 describes how transportation impacts are to be analyzed after SB 743. As discussed in the General Plan FEIR, VMT and home-based production (HBP) VMT are forecast to be higher under the proposed General Plan Update than the currently adopted General Plan in year 2045, which is due to the higher number of residences in the proposed General Plan Update. It also found that while the total boundary VMT is higher under the proposed General Plan Update as compared to the currently adopted General, the Fountain Valley boundary VMT per service population is lower under the proposed General Plan Update, indicating a more efficient land use mix on a per person basis. Though the proposed General Plan Update results in many benefits from a VMT efficiency perspective, since there would be a net increase in total VMT and home-based-work attraction VMT (HBWA) VMT/Employee from the existing baseline to the proposed General Plan Update, the General Plan Update is anticipated to result in a significant and unavoidable transportation impact related to VMT.

While Policy CM-2.7 aims to reduce VMT through the implementation of transportation demand management (TDM) strategies, they are not guaranteed to completely reduce the HBWA VMT/Employee metric that makes this impact significant. The General Plan FEIR concluded that there are no applicable mitigation measures to further reduce VMT; as such, impacts would be significant and unavoidable.

Project Analysis

The City's *Transportation Impact Assessment Guidelines for Land Use Projects in CEQA and General Plan Consistency* (TIA Guidelines), dated June 2020, establishes VMT analysis methodology and thresholds for determining a project's significant transportation impact under CEQA. The City's TIA Guidelines includes criteria for individual project screening that can be used to determine whether a project would be presumed to screen out (i.e., have a less than significant impact with respect to VMT) without having to conduct a detailed analysis. There are three types of screening that the City will apply to screen projects from project-level assessment. Land development projects that have one or more of the following attributes is sufficient to screen the project out of further evaluation and therefore may be presumed to create a less than significant impact with respect to VMT:

Criterion 1: Transit Priority Area (TPA) Screening. The proposed Project, in its entirety, is not within a TPA and would therefore not screen out under this criterion.

Criterion 2: Low VMT Area Screening. The City's TIA Guidelines state:

When a residential or office project is located within a low VMT-generating area it may be presumed to have a less than significant impact absent substantial evidence to the contrary... To identify if the project is in a low VMT-generating area, the analyst may review Appendix B, which provides a map of low VMT-generating zones in Fountain Valley as compared to the County. Additionally, as noted above, the analyst must

identify if the project is consistent with the existing land use within that TAZ and use professional judgment that there is nothing unique about the project that would otherwise be misrepresented by using the data from the travel demand model.

This criterion is only applicable to the residential component of the Project, and not to the retail component. As discussed in the VMT Screening Analysis, the City's TIA Guidelines confirm the proposed Project is within a low VMT area. Further, the VMT Screening Analysis concluded that the proposed Project is consistent with the General Plan as it falls within the development envelope of the Transportation Analysis Zone (TAZ). Therefore, the residential component of the proposed Project would screen out.

Criterion 3: Project Type Screening. The City's TIA Guidelines state:

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 salons, barbers, gyms, equipment sales and rentals, 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 RTP/SCS*
- *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*
 - *This generally corresponds to the following "typical" development potentials:*
 - *11 single family housing units*
 - *16 multi-family, condominiums, or townhouse housing units*
 - *10,000 sq. ft. of office*
 - *15,000 sq. ft. of light industrial*
 - *63,000 sq. ft. of warehousing*
 - *79,000 sq. ft. 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*
- *Affordable or supportive housing*

The Project proposes 4,460 SF of retail space, which is less than 50,000 SF and is local serving. Therefore, the retail component of the proposed Project would screen out. The residential component of the proposed Project would not screen out under this criterion since it is not a local serving use.

Per the analysis conducted in accordance with the City's TIA Guidelines, the Project would have a less than significant impact with respect to VMT. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to VMT.

- c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***
- d. *Would the project result in inadequate emergency access?***

General Plan FEIR Conclusions

All future development under the General Plan Update would undergo an extensive review process at the City to ensure consistency with the City's development standards and roadway design standards. Additionally, the fire department reviews all development applications to ensure that adequate emergency accessibility is provided based on local and state guidance. All future projects would undergo such reviews and requirements, therefore the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The Project proposes to remove existing onsite improvements and construct a mixed-use development consisting of 657 residential units and 4,460 square feet of ground-floor commercial use within two seven-story buildings partially surrounding two seven-story parking structures with rooftop parking, and associated improvements. Development of the site, as proposed, would be consistent with the site's General Plan land use designation and zoning, and would be consistent with other land uses that occur within the surrounding area. Thus, the Project would not introduce an incompatible use to the site.

Vehicular access to the Project site would occur from two driveways: a driveway along the western boundary of the site would provide site access from Magnolia Street via a proposed interior driveway; and a second driveway along the southern boundary of the site would provide access to the South Building parking garage from Recreation Circle. It is expected that the driveway on Recreation Circle would be unsignalized while the driveway on Magnolia Avenue would be signalized as a part of the Project's development to facilitate ingress and egress.²² In addition, a northbound right-turn lane would be constructed along Magnolia Street to provide access to the Magnolia Street driveway. All roadway improvements would be required to conform to the City of Fountain Valley and/or Huntington Beach Standard Design Guidelines and/or California Manual on Uniform Traffic Control Devices. The Project would be reviewed for consistency with City and FVFD design standards relating to street design and emergency access. There is the potential that one or more traffic lanes located immediately adjacent to the Project site may be temporarily closed or controlled by construction personnel during construction activities. However, this would be temporary and emergency access to the Project site and surrounding area would be required to be maintained. Therefore, the Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to hazards due to a geometric design feature or incompatible uses or inadequate emergency access.

Conclusion

Following compliance with the existing regulatory environment, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts with respect to transportation beyond those identified in the General Plan FEIR.

²² Linscott, Law & Greenspan, Engineers (LLG), *Traffic Impact Analysis, Magnolia Residential, Fountain Valley, California*, December 4, 2024.

3.18 TRIBAL CULTURAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<p>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:</p>						
<ul style="list-style-type: none"> Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or 				X		
<ul style="list-style-type: none"> A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. 				X		

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

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public*

Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

General Plan FEIR Conclusions

In accordance with AB 52 and SB 18 requirements, the City sent invitation letters to representatives of the Native American contacts provided by the Native American Heritage Commission (NAHC) on November 18, 2022, formally inviting tribes to consult with the City on the General Plan Update. No tribes requested consultation. Future development could include ground disturbing activities that may have sensitive tribal cultural resources. Grading and construction activities of undeveloped areas or redevelopment that requires more intensive soil excavation than needed for the existing development could potentially cause disturbance to tribal cultural resources by potentially unearthing previously unknown/unrecorded tribal cultural resources. The General Plan Update includes Policy OSC-2.7 which ensures compliance with statutory tribal notification and consultation requirements and CEQA mitigation measures as part of planning, permitting, and construction activities. With compliance with local, State, and federal regulations, as well as implementation of Mitigation Measure TCR-1, impacts would be less than significant.

Analysis of Project

The Project site has been altered by previous ground disturbance and currently consists primarily of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles remaining from the former use. As such, tribal cultural resources are not anticipated to occur; however, there is the potential for unknown or undiscovered resources to be uncovered through ground-disturbing construction activities. In accordance with General Plan FEIR Mitigation Measure TCR-1, the Project Applicant would be required to retain a qualified Native American monitor prior to construction activities to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Upon discovery of any tribal cultural resources, construction activities shall cease in the immediate vicinity of the find until the tribal monitor can assess the find and implement proper treatment, as appropriate. Compliance with General Plan FEIR Mitigation Measure TCR-1 would reduce potential impacts to tribal cultural resources to a less than significant level, consistent with the conclusions of the General Plan FEIR. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to tribal cultural resources.

Conclusion

Following compliance with the existing regulatory environment, including the General Plan policies, FVMC, and General Plan FEIR Mitigation Measure TCR-1, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to tribal cultural resources beyond those identified in the General Plan FEIR.

Applicable General Plan FEIR Mitigation Measures:

TCR-1 Prior to any ground disturbing construction activities, the project applicant shall retain a Native American monitor. The tribal monitor shall only be present onsite during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined 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 a project site. The tribal monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when the grading and excavation activities are completed or when the tribal representatives and monitor have indicated that the project site has a low potential for affecting tribal cultural resources.

Upon discovery of any tribal cultural resources, construction activities shall cease in the immediate vicinity of the find until the tribal monitor can assess the find. The evaluation of all tribal cultural resources unearthed by project construction activities shall be evaluated by a qualified archaeologist and/or tribal monitor. If the resources are Native American in origin, the tribal monitor shall coordinate with the project applicant and Director of the Community Development Department regarding treatment and curation of these resources as well as notifying local tribes of the find. Typically, the tribe(s) will request reburial or preservation for educational purposes. The project applicant may continue working on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If the tribal monitor determines a resource to constitute a "historical resource" or "unique archaeological resource," time 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 Public Resources Code Section 21083.2(b) for unique archaeological resources.

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. The project applicant and Director of the Community Development Department shall be responsible for ensuring that a public, nonprofit institution with a research interest in the materials, such as the Orange County Museum of Natural History, curate any historic archaeological material that is not Native American in origin if such an institution agrees to accept the material. If no institution accepts the archaeological material, the project applicant and Director of the Community Development Department shall offer it to a local historical society for educational purposes or retain the material and use it for educational purposes.

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3.19 UTILITIES AND SERVICE SYSTEMS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project:						
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?					X	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?					X	
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X	
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?					X	
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?					X	

The following analysis is based in part on the *Sewer Study for Magnolia and Warner* (Sewer Study) prepared by Labib Funk + Associates, dated June 17, 2024 and included in its entirety as [Appendix J](#) and the Water Supply Assessment (WSA), prepared by Stantec, dated April 24, 2025 and included in its entirety as [Appendix G](#).

- a. Would the project require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects?**

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

General Plan FEIR Conclusions

Buildout under the General Plan Update has the potential to increase sewer flows by 1.58 million gallons per day (MGD), or 30 percent. The General Plan FEIR found that most of the increased sewer flow (1.33 MGD) represents future development of opportunity sites identified in the Housing Element and remaining nonresidential development potential in specific plans. The estimated increase of 1.58 MGD in sewer flows under the General Plan Update is not anticipated to exceed the projected future capacity of the City's wastewater infrastructure or Orange County Sanitation District (OCSD)'s regional infrastructure. However, potential development within portions of the City is upstream of six structural and hydraulic deficiencies recommended to be added to the City's Capital Improvement Plan (CIP) Program and/or studied further.

The City maintains a regularly updated Sewer Master Plan and CIP and has a process in place to assess local sewer impacts on a project-by-project basis. The Sewer Master Plan would continue to serve as a sewer infrastructure planning tool to make informed decisions about when CIP projects are warranted. The City's Engineering Department works closely with the Maintenance Division to ensure that the sewer system is functioning effectively and has implemented several projects over the past 10 years to improve the sewer system. Therefore, at a Citywide scale, the City's Sewer Master Plan and CIP Process adequately prioritizes necessary projects as developments under the General Plan Update are constructed.

Through planning and management processes currently in place, OCSD is able to ensure the regional sewer infrastructure would support future developments under the General Plan Update. Additionally, OCSD regularly updates long-term planning documents which include provisions for improving regional treatment plant and conveyance infrastructure capacity. OCSD identified an operational improvement needed for the Euclid Interceptor A and B line within the General Plan Planning Area.

Construction impacts associated with private wastewater infrastructure to support development throughout Fountain Valley would be confined to trenching for miscellaneous utility lines and connections to public infrastructure. Installation of wastewater infrastructure would be limited to onsite wastewater distribution and minor off-site work associated with connections to the public main. No upgrades to the public main are anticipated, and any work that may affect services to the existing sewer lines would be coordinated with the City. Moreover, construction impacts are of a relatively short-term duration and would cease to occur once installation is complete.

OCSD's wastewater treatment plants have a total combined capacity of 390 MGD with the ability to route flows to either of the two WWTPs as needed. The 2018-2019 flows were estimated to be 185 MGD, indicating adequate capacity (205 MGD) for the proposed increase in flows of 1.58 MGD under the General Plan Update. OCSD utilizes a robust CIP process and relies on internal capacity modeling, population projects and land use projections, independent of General Plan Update buildout estimates. Provided that OCSD retains operational proficiency over Diversion No.

40 and Euclid Interceptor A and B, these lines would be able to handle the increase of 0.01 MGD under the General Plan Update. Through updating appropriate master plans, long-term capital improvement budgets, and plant capacity assessments, it is anticipated OCSD would be able to receive increases in flows consistent with the buildout of the General Plan Update. To pay for sewer improvements, the City imposes a development impact fee through FVMC Section 14.36.130, *Cost, Replacement and Extension Fee*. Additionally, the General Plan Update includes policies, such as Policy PFS-1.4, to ensure that sewer and waste water treatment systems are adequate to serve the current and future population of the city. Therefore, the General Plan FEIR concluded that with the implementation of the proposed OCSD CIP improvements and the General Plan Update policies, impacts would be less than significant.

Analysis of Project

As part of the Project, sanitary sewer laterals would be installed within the Project site and connect to the existing 12-inch sewer main that runs in a general east-west direction through the center of the Project site and eight-inch sewer main within Recreation Circle. According to the Sewer Study, the Project would generate additional sewer flows in the amount of 0.108 cubic feet per second (cfs), which, in addition to the current sewer flows from upstream tributary developments, would be within the capacity of the existing 12-inch and eight-inch sewer mains. As such, the Sewer Study concludes that the City's existing sewer system is capable of accommodating the increase in sewage flows that will result with the construction of the proposed Project.

Specific to the Project site, the General Plan FEIR analyzed the environmental impacts based on a buildout of 674 residential units, a population of 1,982 people, and 50,948 square feet of non-residential building floor area. Development of the Project site, as proposed, would result in 17 fewer dwelling units, 102 fewer persons, and 46,488 fewer square feet of non-residential development than anticipated by the General Plan and analyzed in the General Plan FEIR. Thus, the forecast population growth associated with the Project is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. As such, consistent with the conclusions of the General Plan FEIR, the OCSD has sufficient capacity to serve the Project's projected wastewater demand. Further, the Project Applicant would be required to pay sewer connection and development impact fees, consistent with FVMC Section 14.36.130. The Project site has historically received wastewater service and existing infrastructure is available to serve the proposed redevelopment of the site. As such, the proposed Project would not require or result in relocation or construction of wastewater facilities. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to wastewater facilities and wastewater treatment.

- a. ***Would the project require or result in the relocation or construction of new or expanded water treatment facilities, the construction or relocation of which could cause significant environmental effects?***
- b. ***Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

General Plan Update FEIR Conclusions

The City maintains a regularly updated Water System Master Plan (WSMP) that identifies deficiencies and necessary improvement projects throughout its service area. The WSMP did not identify any hydraulic capacity deficiencies within the water system. Improvement projects based on pipe and condition may be required throughout the buildout of the General Plan Update, as suggested in the WSMP, however, as these deficiencies are not capacity based, and are considered maintenance projects that can occur over time, the status or prioritization of these projects is not anticipated to be impacted by the General Plan Update buildout. Individual projects would be subject to City permits, fees, and applications in order to ensure that they would not place an undue burden on existing infrastructure. In instances where infrastructure is expanded or relocated, construction would follow the Construction General Permit, City, and County specific regulations to minimize impacts. Therefore, the impacts would be less than significant.

Metropolitan, MWDOC, OCWD, and the City have performed extensive water planning over the past 30+ years by tracking population, City planning documentation, development projects, water supply augmentation projects (e.g., GWRS final expansion), climate, conservation, and several other factors utilized in local and regional water resources planning processes. Based on this project, it is anticipated that water supplies will be sufficient to support the proposed project over a 25-year horizon. Additionally, the General Plan Update includes policies pertaining to water supply, such as Policy PFS-1.2 and Policy PFS-4.4. Therefore, the General Plan FEIR concluded that the implementation of these policies would ensure impacts are less than significant.

Analysis of Project

A Water Supply Assessment (WSA) has been prepared pursuant to Senate Bill 610 (SB 610), Water Code Section 10910 et seq., SB 221, Government Code Section 66473, and SB 1262 to document adequate potable water supplies are or will be available to meet the water demand associated with the Project, as the Project proposes more than 500 dwelling units.

The WSA analyzes whether the City's total projected water supplies established in the 2020 UWMP during normal, dry, and multiple consecutive dry water years are adequate to meet the projected water demands from the 2020 UWMP in addition to the water demand associated with the Project. The WSA concludes that with a combination of groundwater production and imported water purchased, the City can meet the projected and additional demands associated with the Project through 2045.

As discussed in the General Plan FEIR, the City's WSMP did not identify any hydraulic capacity deficiencies within the water system. The forecast population growth associated with the Project

is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. As such, consistent with the conclusions of the General Plan FEIR, the City's water system would be able to serve the Project's projected water demand. Further, the Project Applicant would be required to pay water connection and development impact fees, consistent with FVMC Title 14, *Water and Sewers*. The Project site has historically received water service and existing infrastructure is available to serve the proposed redevelopment of the site. As such, the proposed Project would not require or result in relocation or construction of water facilities. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to water supplies and facilities.

- a. *Would the project require or result in the relocation or construction of new or expanded stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects?***

General Plan FEIR Conclusions

The City requires individual drainage analyses to occur for redevelopments to ensure conformity with the entire Citywide drainage system. New developments and significant redevelopments must analyze the 10- and 25-year storm events of their project and determine if there are any impacts to the public storm drain system. Orange County Flood Control District (OCFCD) has a 7-year CIP in place to plan for future drainage projects. Several Projects including the Ocean View Channel Improvements, Lower Santa Ana River Projects, and Garden Grove-Wintersburg Channel Multi-Year Improvements will impact drainage facilities within the General Plan Planning Area. These projects would improve the regional drainage infrastructure serving the General Plan Planning Area. Additionally, the General Plan Update includes policies such as PSF-1.5 and PSF-2.4, which call for the maintenance and minimization of impacts on drainage. Therefore, the General Plan FEIR concluded that with the City's requirement for projects to analyze drainage impacts along with the OCFCD improvements to the drainage system, as well as implementation of the General Plan Update policies, impacts would be less than significant.

Analysis of Project

The Project site currently consists of concrete and asphalt pavement, compacted soil and ruderal vegetation, and debris piles. The Project site is currently developed, and existing stormwater drainage infrastructure conveys on-site flows to existing OCFCD stormwater facilities. The Project would install an on-site underground storm drainage system that would convey flows into a series of modular wetland unit BMPs. Overflow from the northern drainage areas would be discharged to the existing OCFCD storm drain that runs in a general east-west direction across the middle of the Project site, while overflow from the southern drainage areas would be discharged to the existing catch basin along Magnolia Avenue. The proposed Project would not require or result in relocation or construction of stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects. The potential environmental effects associated with construction and operation of the Project, including the proposed storm drain facilities, are analyzed within this environmental document and impacts have been determined to not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR.

Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to stormwater facilities.

- d. *Would the project 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?***

General Plan FEIR Conclusions

Solid waste generated by the City is transferred to the Frank Bowerman Sanitary Landfill which has a remaining capacity of 205,000,000 and an anticipated close date of December 31, 2053. Correspondence with Orange County Waste and Recycling (OCWR) staff concluded that existing facilities would be able to accommodate the buildout of the General Plan Update. Therefore, the General Plan FEIR concluded that existing facilities have adequate capacity to accommodate increased volumes of waste from the City through 2045 and impacts on solid waste generation would be less than significant.

Analysis of Project

Project operation is not expected to generate solid waste in excess of the capacity of local infrastructure. The forecast population growth associated with the Project is within the population projections anticipated and planned for by the City's General Plan and analyzed in the General Plan FEIR. Consistent with the conclusion of the General Plan FEIR, existing solid waste facilities have adequate capacity to accommodate increased volumes of waste from the City through 2045. In addition, in compliance with State law, the Project would be required to divert at least 65 percent of the nonhazardous construction and demolition debris from the Project site by recycling, reuse, and/or salvage. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to solid waste.

- e. *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

General Plan FEIR Conclusions

The General Plan Update would comply with the CALGreen Building Code Standards, which requires that at least 65 percent of nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. Furthermore, the General Plan Update would also comply with the requirements of AB 341 that mandates recycling for commercial land uses. Additionally, any organic waste generated in amounts over a certain threshold would be recycled in accordance with AB 1826. General Plan Update Policy PFS-1.7 would provide additional recycling regulations in the City. Therefore, the General Plan FEIR concluded that the General Plan Update would comply with all applicable federal, state, and local solid waste regulations and impacts would be less than significant.

Analysis of Project

The City would continue to implement its diversion programs and require compliance with all federal, State, and local statutes and regulations for solid waste, including those identified under

the most current CALGreen standards and in compliance with AB 939 and SB 1383. Thus, the proposed Project would not result in any new significant impacts or more severe impacts than those identified in the General Plan FEIR with respect to solid waste.

Conclusion

Following compliance with the existing regulatory environment, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with utilities and service systems beyond those identified in the General Plan Final FEIR.

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3.20 WILDFIRE

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:						
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?					X	
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?					X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?					X	
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?					X	

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

General Plan FEIR Conclusions

The City of Fountain Valley Municipal Code includes Chapter 2.57, *Emergency Preparedness*, and Chapter 17.06, *Emergency Response Systems and Hazardous Materials Ordinance*; the purposes of these chapters are to provide for the preparation and carrying out of plans for the protection of persons and property, and to ensure new buildings have approved radio coverage for emergency responders.

Buildout of the City under the proposed General Plan Update would not result in substantial changes to the circulation patterns or emergency access routes in the City. During an emergency, standard response procedures of the City of Fountain Valley Police Department and the City of Fountain Valley Fire Department are conducted in tandem.

Future development would be required to comply with applicable fire and building codes, as well as the General Plan Update policies, such as Policy PFS-2.6, Policy PFS-4.1, and Policy PFS-4.3. To ensure emergency services in the City are not impaired by future development, all development

projects in the City are reviewed by the Fountain Valley Fire Department, prior to approval. As such, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The City of Fountain Valley, including the Project site, is not located within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone (VHFHSZ). The Project would be required to comply with all City and FVFD requirements for fire prevention and safety measures, including site access. Therefore, consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

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

General Plan FEIR Conclusions

There are three primary factors used in assessing wildfire hazards, topography, weather, and fuel. The City is primarily flat and highly urbanized. The General Plan Update would not impact weather or topography. Future development within the City would be required to adhere to State and local codes, such as the California Fire Code, and Chapter 2.57 and Chapter 17.06 of the FVMC, as well as the General Plan Update policies, such as Policy PFS-2.2 and Policy PFS-3.2. Additionally, the City is not located within a very high fire hazard severity zone (VHFHSZ). Therefore, the General Plan FEIR concluded that impacts of exposing occupants to pollutant concentrations from or exacerbating wildfire would be less than significant.

Analysis of Project

The City of Fountain Valley, including the Project site, is not located within an SRA or VHFHSZ. The Project would be required to comply with all City and FVFD requirements for fire prevention and safety measures. Therefore, consistent with the conclusions of the General Plan FEIR, Project impacts related to exposing occupants to pollutant concentrations from or exacerbating a wildfire would be less than significant.

- c. *Would the project 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?***

General Plan FEIR Conclusions

The City of Fountain Valley is urbanized and is surrounded by urbanized cities. Future development may require connections to existing utility lines and/or new infrastructure for electricity, natural gas, telecommunications, and cable service. However, future development would occur within areas already developed, and therefore, the General Plan Update would not introduce new infrastructure in undeveloped areas. Additionally, the City is not within a VHFHSZ. Future infrastructure would be installed to meet the requirements of service providers, and implementation of General Plan Update Policy PFS-2.7 requires that utilities be hardened to fire risk. Therefore, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The City of Fountain Valley, including the Project site, is not located within an SRA or VHFHSZ. The Project site is urbanized and infrastructure such as electricity, natural gas, telecommunications, and cable exist within the vicinity of the Project site. The Project would connect to existing utilities within the Project area. Consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

- d. *Would the project 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?***

General Plan FEIR Conclusions

The City of Fountain Valley is generally flat. The majority of the City is within Flood Zone X, and the northwestern portion of the City is within Flood Zone A. Section 21.14.040, *Floodplain (-FP) Overlay Zoning District—Flood Damage Prevention*, of the FVMC promotes public health, safety and general welfare, and to minimize public and private losses due to flood conditions. The City is not at risk of landslide or slope instability. Therefore, it is unlikely that the City would be susceptible to downslope or downstream flooding or landslides as a result of post-fire slope instability. Additionally, the City is not within a VHFHSZ. The proposed project would implement the policies of the General Plan Update, such as Policy PFS-2.1 and Policy PFS-2.2, which call for improving the City's ability to prepare for/respond to large-scale disasters and require adherence to the goals, objectives, and actions of the Local Hazard Mitigation Plan, respectively. As such, the General Plan FEIR concluded that impacts would be less than significant.

Analysis of Project

The City of Fountain Valley, including the Project site, is not located within an SRA or VHFHSZ. The Project site is relatively flat and would not expose people or structures to significant risks, including downslope or downstream flooding or landslides. Consistent with the conclusions of the General Plan FEIR, impacts would be less than significant in this regard.

Conclusion

Following compliance with the existing regulatory environment, including the General Plan policies and FVMC, the Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with wildfire beyond those identified in the General Plan FEIR.

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4 ADDENDUM FINDING

As detailed herein, on the basis of substantial evidence in the light of the whole record, a Subsequent or Supplemental EIR is not required for the proposed Project because none of the criteria requiring such a document under Public Resources Code Section 21166 or State CEQA Guidelines section 15162 are met.

The 16800 Magnolia Project would result in no new significant impacts that were not analyzed in the General Plan FEIR, nor would the proposed Project cause a substantial increase in the severity of any previously identified significant impacts. The potential impacts associated with the proposed Project would either be the same or less than those described in the General Plan FEIR. In addition, there are no substantial changes to the circumstances under which the proposed Project would be undertaken that would result in new or more severe environmental impacts than previously addressed in the General Plan FEIR, nor has any new information regarding the potential for new or more severe significant environmental impacts been identified. Therefore, in accordance with Section 15164 of the State CEQA Guidelines, this Addendum to the previously certified General Plan FEIR has been prepared for the proposed Project.

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5 REFERENCES

- California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed March 25, 2025.
- California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State – January 1, 2020-2024*, May 2024.
- California Department of Toxic Substances Control, *EnviroStor*, https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003842, accessed March 28, 2025.
- California State Water Resources Control Board, *GeoTracker*, https://geotracker.waterboards.ca.gov/profile_report?global_id=T0605902225, accessed March 28, 2025.
- Department of Conservation California Geologic Survey, *Earthquake Zones of Required Investigation*, <https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/>, accessed March 12, 2025.
- Holland Acquisition Co, LLC, *Geotechnical Investigation Proposed Mixed-Use Apartment Development 16922 Magnolia Street Fountain Valley, California*, November 3, 2023.
- Huntington Beach Union High School District, Jill Russo, September 3, 2024.
- Labib Funk + Associates, *Priority Project Water Quality Management Plan (WQMP) Magnolia and Warner 16800 Magnolia St. And 9025 Recreation Cir. Fountain Valley, CA 92708 APN: 143-301-31; 143-301-32; 143-294-02; 143-294-01*, November 18, 2024.
- Labib Funk + Associates, *Sewer Study for Magnolia and Warner, 16800 Magnolia St. and 9025 Recreation Cir. Fountain Valley, CA 92708*, June 17, 2024.
- Linscott, Law & Greenspan, Engineers (LLG), *Traffic Impact Analysis, Magnolia Residential, Fountain Valley, California*, December 4, 2024.
- Linscott, Law & Greenspan, Engineers (LLG), *Vehicle Miles Traveled (VMT) Screening Analysis for the Magnolia Residential Project, Fountain Valley*, September 26, 2024.
- MD Acoustics, LLC, *16800 Magnolia Mixed-Use Development, Noise Impact Study, City of Fountain Valley, CA*, March 18, 2025.
- Northgate Environmental Management, Inc., *Consolidated Phase II Environmental Site Assessment Report 16800 Magnolia Street, and 9025-9063 Recreation Circle Fountain Valley, California*, August 14, 2024.

Northgate Environmental Management, Inc., *Phase I Environmental Site Assessment 16800 Magnolia Street, and 9025-9063 Recreation Circle Fountain Valley, California*, April 19, 2021.

Ocean View School District, *School Site Locator*, <https://www.schoolsitelocator.com/apps/oceanview/>, accessed March 27, 2025.

Orange County Transportation Authority, *Bus Book*, February 9, 2025.

PlaceWorks, *City of Fountain Valley General Plan EIR, Draft Environmental Impact Report*, June 2023.

PlaceWorks, *City of Fountain Valley General Plan EIR, Final Environmental Impact Report*, October 2023.

Stantec Consulting Services Inc., *Water Supply Assessment City of Fountain Valley, Orange County, CA*, April 24, 2025.

U.S. Geological Survey, *Areas of Land Subsidence in California*, https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html, accessed March 12, 2025.