8550 Warner Avenue Project

Initial Study – Mitigated Negative Declaration

prepared by

City of Fountain Valley
Community Development Department
10200 Slater Avenue
Fountain Valley, California 92708
Contact: Steven Ayers, Principal Planner

prepared with the assistance of

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Los Angeles, California 90012

January 2026

RINCON CONSULTANTS

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Initial Study

1. Project Title

8550 Warner Avenue Project

2. Lead Agency Name and Address

City of Fountain Valley
Community Development Department
10200 Slater Avenue
Fountain Valley, California 92708

3. Contact Person and Phone Number

Steven Ayers, Principal Planner
714-593-4431

4. Project Sponsor's Name and Address

The Stellrecht Company, FV Center LP
15261 Transistor Lane
Huntington Beach, California 92649

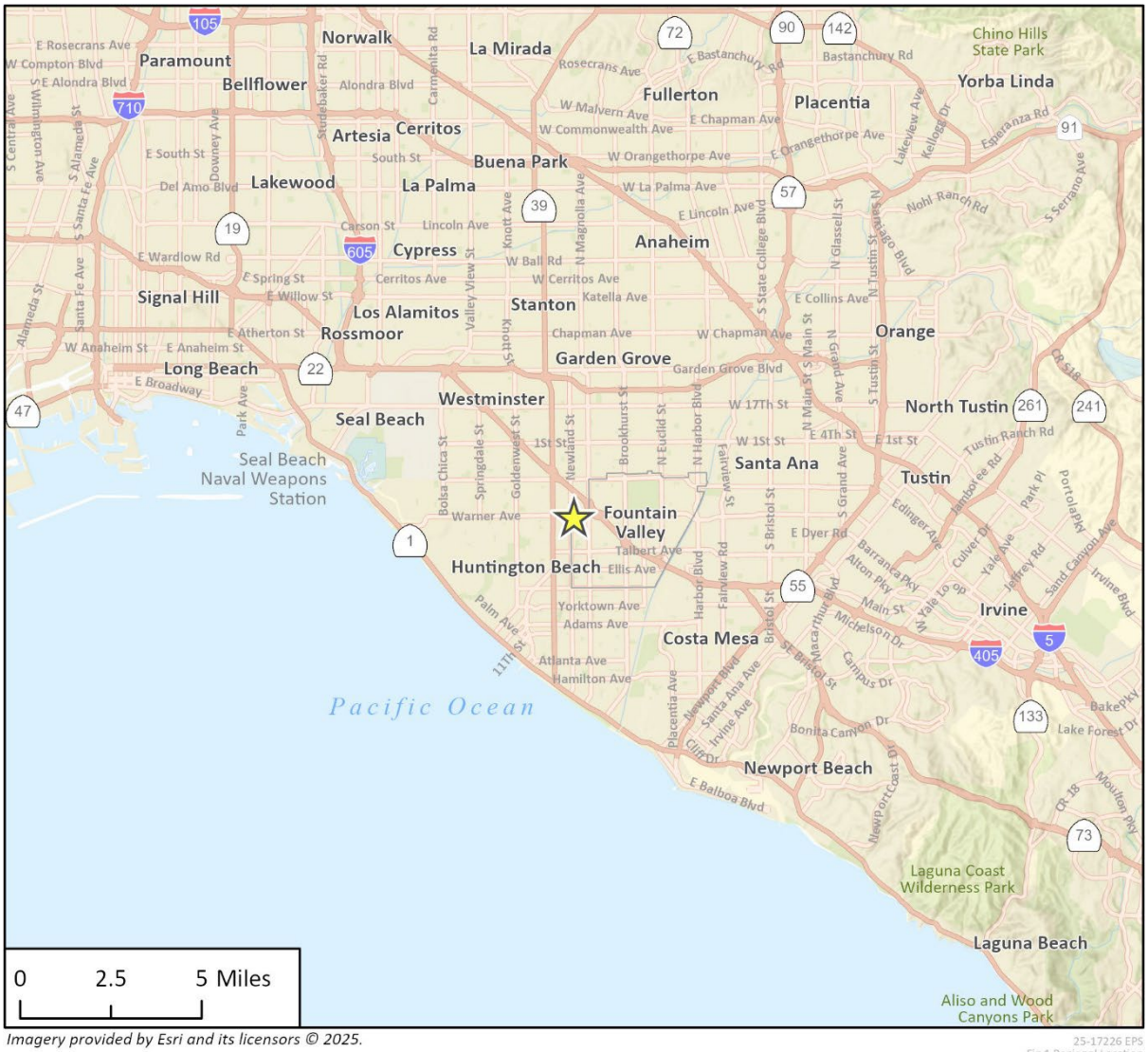
5. Project Location

The approximately 2.119-acre (or 92,325-square-foot) project site is located at 8550 Warner Avenue in Fountain Valley, California, and is situated on the south side of Warner Avenue approximately 500 feet east of Newland Street. The site consists of one (1) legal parcel (Assessor's Parcel Number 167-361-17) and is currently developed with an 18,782-square-foot, one (1)-story commercial center and surface parking, constructed in the mid-1970s. The commercial center consists of 14,782 square feet of general commercial uses and 4,000 square feet designated for restaurant use; however, the restaurant space is currently vacant. The project site is almost entirely developed or paved with some landscaping on the northern and southern borders of the project site, including trees and shrubs. Three (3) ingress/egress driveways on Warner Avenue currently provide vehicle access to the site. Figure 1 shows the project site in a regional context. Figure 2 shows the project site boundary.

6. Surrounding Land Uses

The project site is bordered by Warner Avenue to the north and single-family residential development across Warner Avenue further north in the City of Huntington Beach; Westmont Park and electricity utility lines to the east; single-family residential development to the south; and an animal hospital (Warner Avenue Animal Hospital), gas station (ARCO), and café (Valencia Shop) to the west. Figure 2 shows the land uses surrounding the project site.

Figure 1 Regional Location



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25-17226 EPS
Fig 1 Regional Location

Project Location

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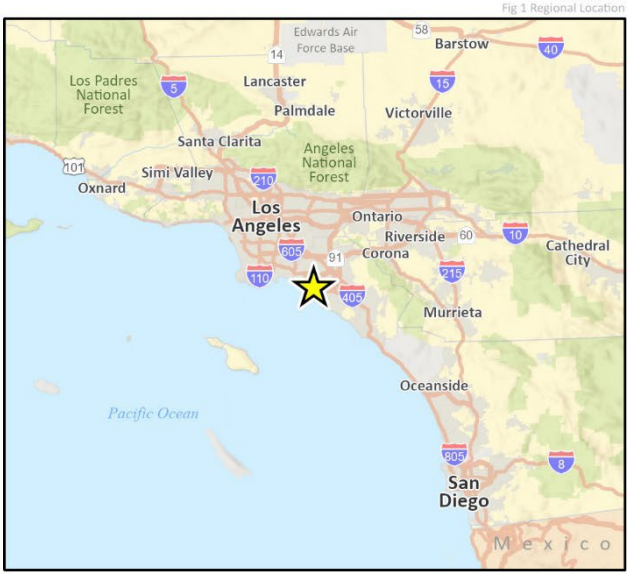


Figure 2 Project Site

Imagery provided by Microsoft Bing and its licensors © 2025.

25-17226 EPS
Fig X Project Location

7. Land Use and Zoning

The project site currently is designated as Local Commercial by the Fountain Valley General Plan and currently zoned as C1 (Local Business). As part of the 8550 Warner Avenue Project (proposed project), the project applicant is requesting a General Plan Amendment from Local Commercial to High Density Residential and a Zoning Map Amendment from C1 (Local Business) to R4 (High Density Multiple Dwelling). The High Density Residential land use allows for 15 to 30 dwelling units per acre, and, correspondingly, the R4 zone permits a residential density of 30 dwelling units per acre.

Pursuant to California Density Bonus Law, 15 percent of the total residential units would be reserved as affordable units. Pursuant to Government Code Section 65915(a), when an applicant seeks a density bonus for housing development within the jurisdiction of a city, the local government shall provide the applicant with incentives or concessions for the production of housing units, waivers or reductions of development standards, and modified parking ratios.

To facilitate the development of the proposed 72 residential units on-site (discussed further under *Description of Project*), and because the project applicant is proposing to designate 15 percent of the base density as affordable housing units for very-low income households, the project applicant is requesting the following three (3) concessions to the R4 zone development standards:

- Concession to the City's Zoning Code (Fountain Valley Municipal Code [FVMC] Section 21.08.040) to allow for a 37-foot nine (9)-inch and 73-foot two (2)-inch third story rear setback in lieu of the required 100-foot setback adjacent to single-family residential development.
- Concession to the City's Zoning Code (FVMC Section 21.08.040) to allow a reduced balcony size requirement. This concession would reduce the minimum requirement of 100 square feet of private open space per unit with a minimum 10-foot dimension (in width and depth) to a new minimum requirement of 65 square feet of private open space per unit with a minimum seven (7)-foot dimension (in width and depth).
- Concession to the City's Zoning Code (FVMC 21.08.040) to allow for the increase in number of units per 1,452 square feet. This concession would increase the maximum number of units per 1,452 square feet from one (1) unit per 1,452 square feet to 1.13 units per 1,452 square feet.

8. Description of Project

The 8550 Warner Avenue Project (proposed project or project) involves the construction of a three (3)-story, 72-unit apartment complex and a one (1)-story amenity building on the 2.11-acre project site. The proposed apartment complex would consist of one (1) residential building and one (1) amenity building totaling 76,876 square feet that form a U-shape on the project site. The residential building would be located on the eastern, northern, and western portions of the project site and would have a height of 30 feet to the roof, 34 feet to the top of parapet, and a maximum height of 39 feet to the roof apex. The residential units would consist of nine (9) studio units, 37 one (1)-bedroom units, and 26 two (2)-bedroom units totaling 68,507 square feet with 6,941 square feet of private open space in the form of balconies and patios. Of the total residential units, 15 percent, or 10 units total, would be set aside for very-low income households and would consist of one (1) studio unit, five (5) one (1)-bedroom unit, and four (4) two (2)-bedroom units. The one (1)-story amenity building would be located in the center of the apartment complex property and include a 122-square-foot leasing office, 663-square-foot clubhouse, and an adjacent trellis structure with a

patio area. The architecture of the project incorporates a contemporary design with neutral color tones.

Figure 3 shows the proposed project's conceptual site plan. Figure 4 shows visual renderings of the proposed project from various points of view, including from Warner Avenue.

Site Access and Parking

Site Access

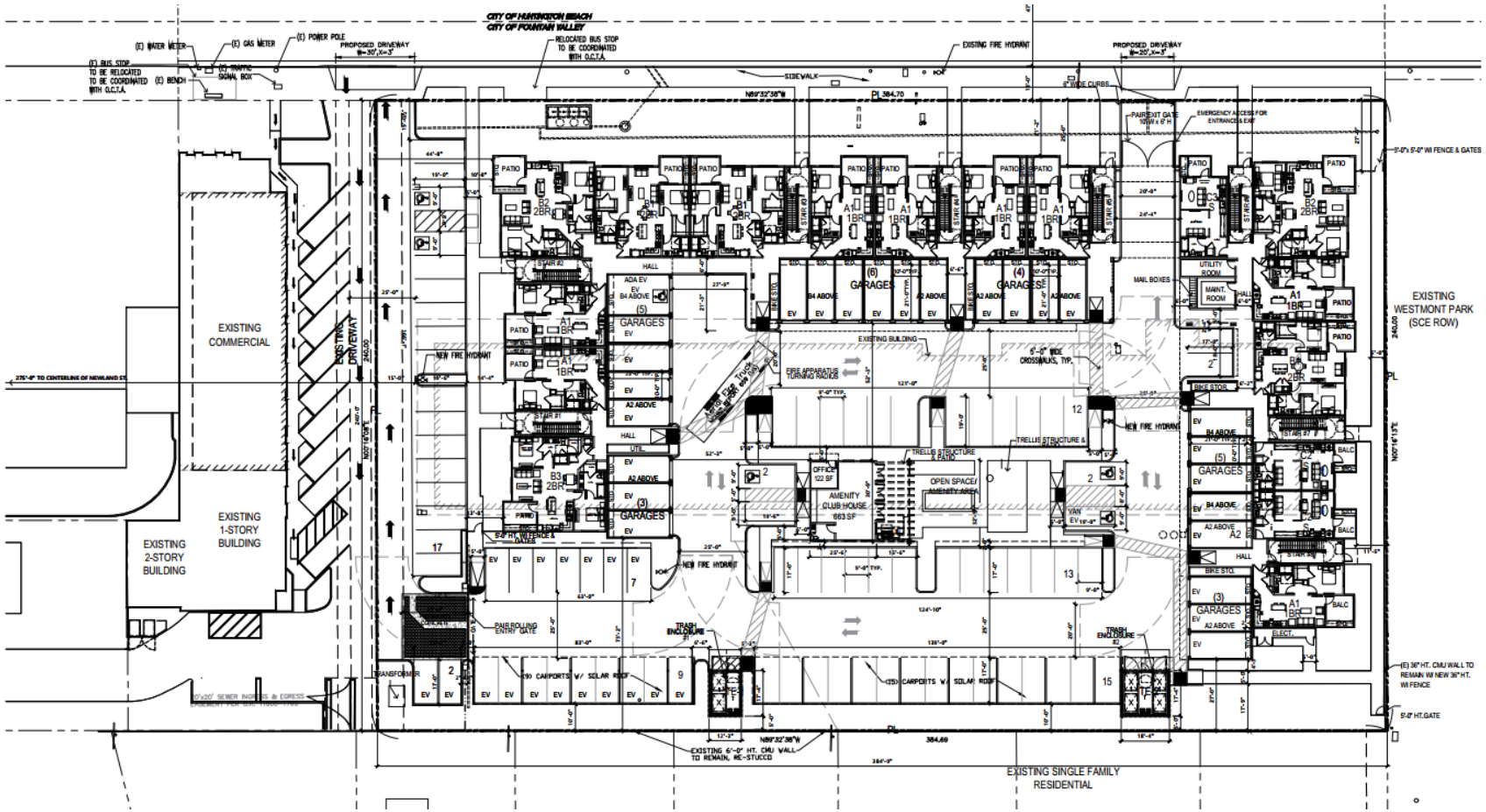
Under existing conditions, the project site is accessible by vehicle via three (3) ingress/egress driveways on Warner Avenue. The project would eliminate one (1) driveway, relocate another driveway, and end up with two (2) driveways from Warner Avenue for the proposed project in lieu of the three (3) existing driveways on-site. One (1) driveway would be located at the northwest corner of the project site and would route vehicles to the southern portion of the project site where an entry gate would provide further access to the apartment complex. The other driveway would be located at the northeast portion of the project site and would connect to a separate entry gate into the apartment complex. Both driveways would also provide ingress and egress access for emergency vehicles. As part of the driveway construction, the proposed project would relocate an existing Orange County Transportation Authority (OCTA) bus stop for Route 72 approximately 115 feet to the east, which would be coordinated with OCTA. On-site vehicle circulation would consist of a looped roadway that surrounds the amenity building and connects to both project site driveways. Pedestrian access would be provided by the existing sidewalk parallel to Warner Avenue connecting to on-site pathways and access points.

Parking

The proposed project would provide a total of 107 parking spaces on-site,[1] consisting of 96 resident parking spaces and 11 guest parking spaces, including five (5) ADA-accessible spaces. A total of 45 parking spaces would be electric vehicle (EV) charging capable, including six (6) spaces equipped with EV chargers. Parking would be offered in a mix of car garages, carports (with solar panel roofs), and outdoor unsheltered parking. The project would also include four (4) bicycle lockers with capacity to store six (6) bikes per locker. Bicycle lockers would include "e-bike" charging infrastructure.

[1] The City requires a parking ratio of 1.5 parking spaces per studio and one (1)-bedroom unit, and two (2) spaces per two (2)-bedroom unit per FVMC Chapter 21.22, which translates to a minimum requirement of 152 parking spaces for the project. However, in accordance with California Density Bonus Law, the project applicant can incorporate a reduced parking count by using State parking requirements, which require one (1) parking space per studio and one (1)-bedroom unit, and 1.5 parking spaces per two (2)-bedroom unit. In accordance with these requirements, the project would be required to provide a minimum of 85 parking spaces.

Figure 3 Conceptual Plan



Source: Architects Orange, 2025

Figure 4 Visual Renderings of the Proposed Project

NORTH / WEST ELEVATION: WARNER AVE.

NORTH /WEST AERIAL VIEW

NORTH / EAST ELEVATION: WARNER AVE.

SOUTH /WEST AERIAL VIEW

Source: Architects Orange, 2025

Utility Connections

Table 1 summarizes the utility service providers for the project.

Table 1 Existing Utility Service Providers

Utility	Service Provider
Water Service	City of Fountain Valley
Sewer	City of Fountain Valley
Natural Gas	Southern California Gas Company
Electricity	Southern California Edison
Cable	Spectrum/Charter Communications
Telecommunications	AT&T, Verizon, Frontier, Spectrum/Charter Communications
Solid Waste	Republic Services

The following discussion summarizes the utility infrastructure that would be maintained or installed as part of the project.

Water

The proposed project would include infrastructure to provide water to the project site. Proposed water infrastructure includes:

- Installation of two (2) eight (8)-inch fire water services with backflow preventers that would connect to three (3) new fire hydrants on the project site. Both water services would connect to the existing water main beneath Warner Avenue.
- Installation of two (2) four (4)-inch domestic water services that would connect to a water meter behind the sidewalk within the private landscaping. Both water services would connect to the existing water main beneath Warner Avenue.

Wastewater

The proposed water improvements would include infrastructure to collect wastewater from the project site. The proposed wastewater infrastructure includes the installation of a six (6)-inch sanitary sewer line that would run underneath the internal roadway of the project site and connect to an existing six (6)-inch sewer lateral for disposal to the City's sewer system.

Energy and Telecommunications

Southern California Edison (SCE) would provide electricity to the project site. Southern California Gas Company (SCG) would provide natural gas to the project site. AT&T, Verizon, Frontier, and Spectrum/Charter Communications would provide telecommunications services. The proposed project includes installation of a new transformer at the southwest corner of the project site.

Solid Waste, Recycling, and Green Waste

The proposed project would include two (2) roofed trash enclosures at the southern border of the project site. All locations would provide adequate maneuvering space for solid waste, recycling, and green waste vehicles.

Stormwater and Drainage

The current project site is primarily developed with impervious surfaces. Under existing conditions, stormwater runoff flows into concrete V-gutters located north, south, and west of the existing building which carry runoff toward the existing right-of-way along Warner Avenue where stormwater drains west to the nearest catch basin. The proposed stormwater infrastructure for the project site includes the installation of concrete gutters around the amenity building which would carry stormwater to an underground drainage system that would then lead to a biofiltration system at the northwestern corner of the project site. The biofiltration system would treat stormwater prior to discharge at a concrete curb and gutter on Warner Avenue. The proposed stormwater infrastructure has been designed in accordance with Orange County's Model Water Quality Management Plan to treat and filter the 85th percentile, 24-hour storm event.[2]

Landscaping

The current project site is almost entirely developed or paved with some landscaping on the northern and southern borders of the project site, including trees and shrubs, which would all be removed as part of project construction (discussed further under *Construction and Grading*). The project would include 18,701 square feet of landscaped area, including a mixture of large trees, medium sized trees, flowering trees, shrubs, and perennials, that would cover 20 percent of the project site. The planting palette would be consistent with the region's climate. On-site landscaping would be used for a mixture of shading, screening, and erosion-control. Drip irrigation would be used to minimize water use for landscaping. The proposed landscape plans, including a closer view of the amenity building, are shown in Figure 5 and Figure 6.

Exterior Lighting

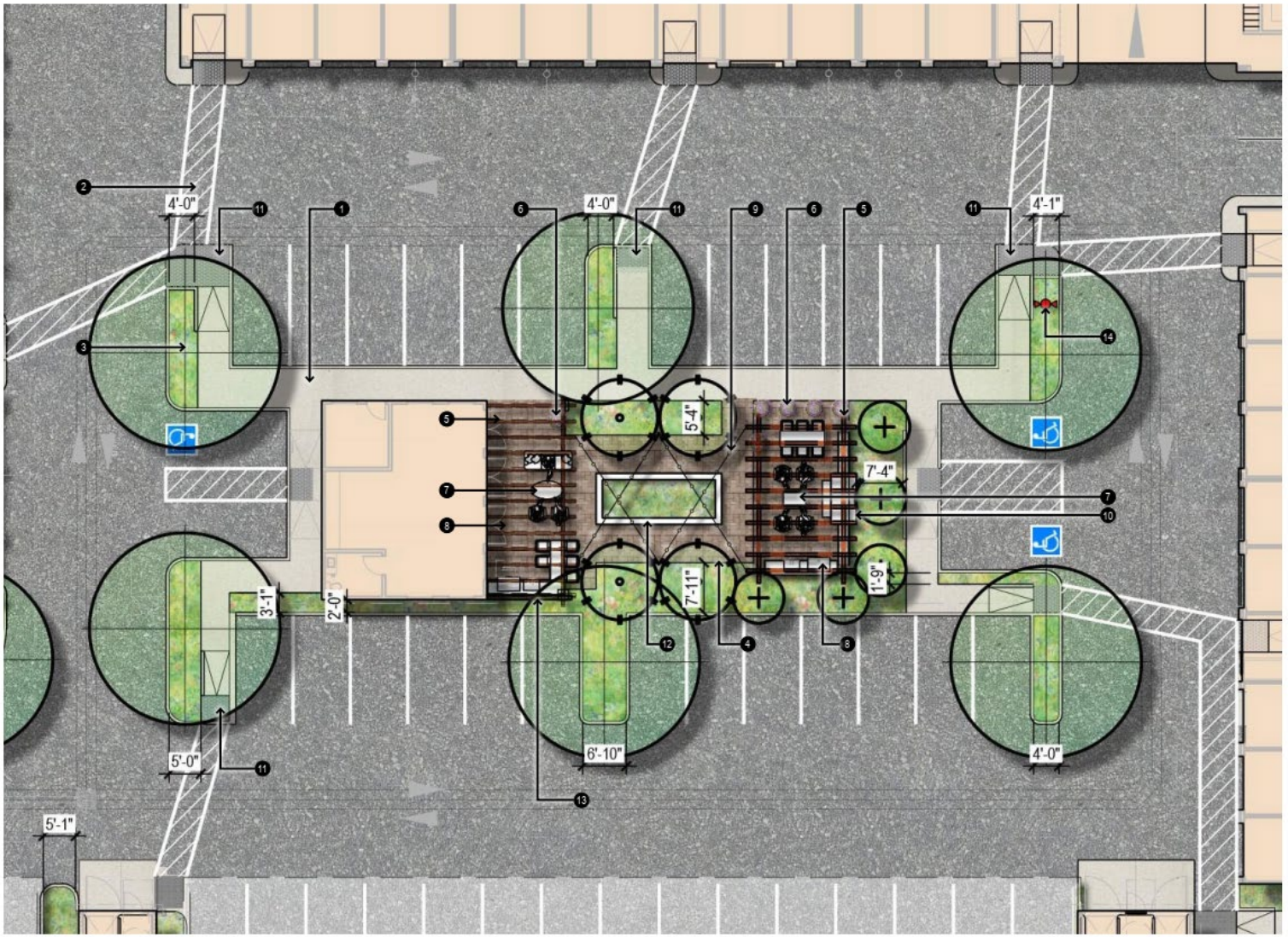
Proposed exterior lighting on the project site would consist of bollard lighting, wall mount lighting, and pole mount lighting. Pole lighting would be shielded and directed downward. Lighting would be designed and constructed in accordance with the requirements of FVMC Section 21.18.060.

[2] The 85th percentile 24-hour storm event refers to the amount of rainfall equal to or greater than produced by 85 percent of storms that have occurred in the area, based on historic rainfall records.

Figure 5 Landscape Plan – Overall Project Site

Source: Architects Orange, 2025

Figure 6 Landscape Plan – Amenity Building



Source: Architects Orange, 2025

9. Construction and Grading

Construction activities would include demolition, site preparation, grading, building construction, paving, architectural coating, and landscaping. Construction is anticipated to take 18 months, starting in March 2026 and concluding in September 2027. Construction would occur Monday through Friday between 7:00 a.m. and 8:00 p.m. and Saturday between 9:00 a.m. and 8:00 p.m., pursuant to FVMC Section 6.28.070(5). No construction would occur on Sundays or legal Holidays.

Construction staging and parking would occur on-site. Although the project site shares access with the adjacent animal hospital (Warner Avenue Animal Hospital at 8546 Warner Avenue); temporary construction fencing during project construction would comply with FVMC Section 21.22.070 requirements for aisle dimensions to allow adequate backup distances for any vehicle accessing adjacent off-site uses, including emergency vehicles in the event of an emergency event. Demolition activities would include removal of the existing 18,782-square-foot commercial center. The project would also include removal of six (6) stone pine trees (*Pinus pinea*) and 15 palms (*Syagrus romanzofiana, Brahea armata, Washingtonia robusta*) existing along the northern and southern boundaries of the site. Project grading would require approximately 400 cubic yards of soil cut which would be reused on-site as soil fill. The maximum anticipated depth of ground disturbance would be five (5) feet below grade. Construction debris would be hauled to the Frank R. Bowerman Landfill located at 11002 Bee Canyon Access Road, Irvine, California 92602. Construction vehicles and equipment would access the project site and staging areas via Warner Avenue. Partial lane closures on eastbound Warner Avenue would be required for utility installation and driveway construction. As part of the driveway construction, the proposed project would also relocate an existing OCTA bus stop for Route 72 approximately 115 feet to the east, which would be coordinated with OCTA.

10. Other Public Agencies Whose Approval is Required

The proposed project requires the following approvals from the City:

- General Plan Amendment and Zoning Map Amendment
- Building Permit
- Density Bonus and Affordable Housing Agreement
- Precise Plan
- Conditional Use Permit

Other public agencies whose approval may be required include the following:

- **State Water Resources Control Board (SWRCB).** Prior to construction, coverage would be obtained under the SWRCB's General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities, Order No. 2022-0057-DWQ, National Pollution Discharge Elimination System (NPDES) No. CAS000002 (Construction Stormwater General Permit).

11. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

The City contacted the Native American Heritage Commission (NAHC) on April 24, 2024 to request a search of the Sacred Lands File (SLF), as well as a contact list of Native American tribes culturally affiliated with the project site vicinity to pursue government-to-government consultation in accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18. On May 10, 2024, the NAHC responded to the request, providing a contact list and confirming that the results of the SLF search were negative. Pursuant to Public Resources Code (PRC) Section 21080.3.1, the City mailed consultation letters to the 17 listed Native American contacts on June 7, 2024. The City has not received a request for Tribal consultation under AB 52 and SB 18.

For further discussion of tribal cultural resources in this IS-MND please refer to Section 18, *Tribal Cultural Resources.*

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Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one (1) impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

Determination

Based on this initial evaluation:

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

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

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

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

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

Signature	Date: 1/7/26
Printed Name: Steven Ayers	Title: Principal Planner

Environmental Checklist

1 Aesthetics

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

a. Would the project have a substantial adverse effect on a scenic vista?

A scenic vista is defined as a public viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. Fountain Valley does not identify specific scenic vistas or visual resources. The Santa Ana and San Gabriel Mountains are located over 30 miles and 15 miles north and east of Fountain Valley, respectively; however, these views are limited due to distance and the built out nature of Fountain Valley and other surrounding communities (Fountain Valley 2023a). The project site is adjacent to the City of Huntington Beach city limits to the north along Warner Avenue. Huntington Beach includes scenic views of the Pacific Ocean. However, the Pacific Ocean is located approximately four (4) miles southwest of the project site. As such, views of the ocean from the site are already obstructed due to the distance and existing development within and outside of Fountain Valley.

The project site is located in an urban area that includes one (1)- to two (2)-story residential and commercial development and a public park. The proposed project would change the appearance of the project site by demolishing the existing one (1)-story commercial center and constructing a three (3)-story, 72-unit apartment complex and a one (1)-story amenity building on the project site.

As a three (3)-story development, the project would be slightly taller than the heights of surrounding development which consists of one (1)- to two (2)-story buildings. However, the proposed project would not obstruct views of scenic vistas as views are currently obstructed due to distance and existing development. Moreover, because the project site is not within, adjacent to, or in the vicinity of any identified scenic vistas within or immediately outside of the city, the proposed project would not obscure (or otherwise result in a substantial adverse effect on) scenic vistas. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The California Department of Transportation (Caltrans) manages the California State Scenic Highway Program, which designates State scenic highways. Scenic highways are located in areas of natural beauty. A scenic highway becomes officially designated when the local governing body applies to and is approved by Caltrans for scenic highway designation and adopts a Corridor Protection Program that preserves the scenic quality of the land that is visible from the highway right-of-way.

The project site is not within or adjacent to a designated State scenic highway, as identified by Caltrans. The nearest designated State scenic highway is a portion of State Route (SR) 91 located approximately 12.5 miles northeast of the project site (Caltrans 2025). The nearest eligible State scenic highway is a portion of SR-1 located approximately 3.75 miles southwest of the project site (Caltrans 2025). Due to the distance from the project site and intervening development, the project site is not visible from SR-91. Furthermore, the project site does not contain any scenic resources such as natural habitats or rock outcroppings, nor is it in proximity to any such resources. In addition, as described in Section 5, *Cultural Resources*, the project site does not contain any historic buildings. Therefore, there would be no impacts related to scenic resources within a State scenic highway.

NO IMPACT

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 a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project site is in an urban area surrounded by one (1)- to two (2)-story residential and commercial development and a public park. The project site currently is designated as Local Commercial by the Fountain Valley General Plan and currently zoned as C1 (Local Business). As part of the project, the project applicant is requesting a General Plan Amendment from Local Commercial to High Density Residential and a Zoning Map Amendment from C1 (Local Business) to R4 (High Density Multiple Dwelling). The High Density Residential land use allows for 15 to 30 dwelling units per acre, and, correspondingly, the R4 zone permits a residential density of 30 dwelling units per acre. To facilitate the development of the proposed 72 residential units on-site, and per the California Density Bonus Law (discussed further under *Land Use and Zoning*) the project applicant is requesting three (3) concessions to 1) reduce the required rear setback adjacent to single-family residential development, 2) allow a reduced balcony size requirement, and 3) allow for the increase in number of units per 1,452 square feet. The proposed uses would be permitted upon

approval of the requested zoning/land use changes, a conditional use permit per FVMC Section 21.08.030, and concessions, and would remain consistent with the surrounding area.

Furthermore, the project would be designed to comply with all applicable development standards regulating scenic quality within the FVMC. Title 18 and 21 of the FVMC contains additional building codes and regulations (Title 18) and development code standards (Title 21) for developments within the city. While development of the project would change the appearance and use of the project site relative to its existing conditions, it would not degrade the visual character or quality of the site. The architecture of the project incorporates a contemporary design with neutral color tones. Furthermore, the project would enhance the character of the existing developed lot by developing a unified community with high-quality visual features such as new open space, shade trees, and landscaping. As described in Section 4, *Biological Resources*, the proposed project would also adhere to FVMC Chapter 12.04, which requires a permit from the director of public works for planting, maintenance, pruning, trimming, and removal of all trees in or upon any street, parkway, or public right-of-way area in or upon any street, parkway, or public right-of-way area within the city. The project would not conflict with applicable zoning or other regulations regarding scenic quality and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

The main sources of light and glare in the project area are streetlights and exterior lighting associated with commercial or residential development. In addition, vehicle headlights generate light and glare on Warner Avenue and Bressel Lane, and the nearby major roadway, Newland Street. The project would add new sources of light and glare from exterior lighting for the proposed residences and amenity building, and from the increase in vehicles accessing the project site. Proposed exterior lighting on the project site would consist of bollard lighting, wall mount lighting, and pole mount lighting. Pole lighting would be shielded and directed downward. Proposed solar photovoltaic panels on top of carports on the project site may generate glare during the daytime; however, any glare would be directed upward and would not adversely affect daytime views in the area of the project site, particularly those from pedestrians or drivers at ground level. Moreover, solar photovoltaic panels are typically designed with anti-reflective glass to maximize light absorption and minimize reflection.

Proposed exterior light sources would not substantially increase the overall levels of day or nighttime lighting in the area because they would be comparable to existing light levels from the commercial and residential development in the urban surrounding area. Of note, exterior lighting would be important aid to public safety and navigation during nighttime hours. In addition, lighting would be designed and constructed in accordance with the requirements of FVMC Section 21.18.060. Furthermore, Warner Avenue, Bressel Lane, Newland Street, and nearby commercial centers, are already illuminated by street lighting. For these reasons, the proposed project would not result in a substantial new source of light such that day or nighttime views in the area would be adversely affected. Therefore, the project would have a less-than-significant impact related to light and glare in the area.

LESS-THAN-SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

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

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

The project site is not located on or near land mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance mapped by the California Department of Conservation's (DOC) Farmland Mapping and Monitoring Program (DOC 2025a). The project site is currently used as a commercial center and would be redeveloped with an apartment complex and amenity building. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impact would occur.

NO IMPACT

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

The project site is currently zoned as C1 (Local Business). The proposed project involves a Zoning Map Amendment from C1 (Local Business) to R4 (High Density Multiple Dwelling). The existing and proposed zoning are not intended for agricultural use. In addition, the project site is not on land enrolled under the Williamson Act or zoned for agricultural use (DOC 2025b). Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

NO IMPACT

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))?

As described under discussion *b.* of this section, the project site is currently zoned as C1 (Local Business) and the proposed project involves a Zoning Map Amendment from C1 (Local Business) to R4 (High Density Multiple Dwelling). The existing and proposed zoning are not intended for forest land, timberland, or timberland zoned Timberland Production. Therefore, the proposed project would not conflict with existing zoning for forestland. No impact would occur.

NO IMPACT

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

As described under discussion *a.* of this section, the project site is currently used as a commercial center and would be redeveloped with an apartment complex and amenity building. Therefore, the proposed project would not result in the loss of forest land or convert forest land to a non-forest use. No impact would occur.

NO IMPACT

e. 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?

As described under discussions *a.* and *d.* of this section, the project site is currently used as a commercial center and would be redeveloped with an apartment complex and amenity building. Therefore, the proposed project would not involve changes in the existing environment which would convert farmland to a non-agricultural use or forest land to a non-forest use. No impact would occur.

NO IMPACT

3 Air Quality

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

Overview of Air Pollution

The federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for "criteria pollutants" and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),[3] nitrogen oxides (NO_X), particulate matter with diameters of ten microns or less (PM_{10}) and 2.5 microns or less ($PM_{2.5}$), sulfur dioxide, and lead. Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between ROG and NO_X. Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog).

[3] CARB defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term VOC is used in this IS-MND.

Air pollutant emissions are generated primarily by stationary and mobile sources. Stationary sources can be divided into two (2) major subcategories:

- **Point sources** occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat.
- **Area sources** are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and can also be divided into two (2) major subcategories:

- **On-road sources** that may be legally operated on roadways and highways.
- **Off-road sources** include aircraft, ships, trains, and self-propelled construction equipment.

Air Quality Standards and Attainment

The project site is located in the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, and all of Orange County. The SCAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). As the local air quality management agency, SCAQMD must monitor air pollutant levels to ensure that the NAAQS and CAAQS are met, if they are not met, to develop strategies to meet the standards.

Depending on whether the standards are met or exceeded, the SCAB is classified as being in "attainment" or "nonattainment." In areas designated as nonattainment for one (1) or more air pollutants, a cumulative air quality impact exists for those air pollutants. The human health associated with these criteria pollutants, presented in Table 2 on the following page, is already occurring in those areas as part of the environmental baseline condition. Under state law, air districts are required to prepare a plan for air quality improvement for pollutants for which the district is in non-compliance. The SCAB is in nonattainment for ozone and $PM_{2.5}$ federal standards. Also, the SCAB is in nonattainment for the state standard for PM_{10} and designated unclassifiable or in attainment for all other federal and state standards (CARB 2023). The nonattainment statuses result from several factors. These factors include the combination of emissions from a large urban area, the regional meteorological conditions adverse to the dispersion of air pollution emissions, and the mountainous terrain surrounding the SCAB that traps pollutants (SCAQMD 2022).

Table 2 Health Effects Associated with Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Carbon monoxide (CO)	Reduces oxygen delivery leading to: (1) aggravation of chest pain (angina pectoris) and other aspects of coronary heart disease; (2) decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (3) impairment of central nervous system functions; and (4) possible increased risk to fetuses.
Nitrogen dioxide (NO_2)	(1) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (2) risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; and (3) contribution to atmospheric discoloration.
Sulfur dioxide (SO_2)	(1) Bronchoconstriction accompanied by symptoms that may include wheezing, shortness of breath, and chest tightness during exercise or physical activity in persons with asthma.
Suspended particulate matter (PM_{10})	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma).
Suspended particulate matter ($PM_{2.5}$)	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma.
Lead	(1) Short-term overexposures: lead poisoning can cause (a) anemia, (b) weakness, (c) kidney damage, and (d) brain damage; (2) long-term exposures: long-term exposure to lead increases risk for (a) high blood pressure, (b) heart disease, (c) kidney failure, and (d) reduced fertility.

Source: USEPA 2025

Air Quality Management

Since the SCAB currently exceeds ozone and $PM_{2.5}$ NAAQS standard, the SCAQMD is required to implement strategies to reduce pollutant levels to achieve attainment of the NAAQS. The SCAQMD 2022 Air Quality Management Plan (2022 AQMP) is a regional blueprint designed to meet the NAAQS and demonstrate how attainment will be reached. The 2022 AQMP represents a thorough analysis of existing and potential regulatory control options, includes available, proven, and cost-effective strategies, and seeks to achieve multiple goals in partnership with other entities promoting reductions in greenhouse gases and toxic risk, as well as efficiencies in energy use, transportation, and goods movement. The prior AQMP, published in 2016, determined that, with implementation of the proposed control strategy, the SCAB could expect to reach attainment of the 1997 eight (8)-hour ozone standard by July 15, 2024, and the 2012 annual $PM_{2.5}$ by 2025. The 2006 24-hour $PM_{2.5}$ did not meet the attainment date of December 31, 2019, which required SCAQMD to revise the plan to meet standard as early as possible. SCAQMD's 2022 AQMP, an update to the 2016 AQMP, was developed to identify and implement strategies and control measures to meet the 2015 eight (8)-hour ozone NAAQS as expeditiously as practicable, but no later than the statutory attainment deadline of August 3, 2038 for the SCAB (SCAQMD 2022).

Air Emission Thresholds

The SCAQMD approved the CEQA Air Quality Handbook in 1993. Since then, the SCAQMD has provided supplemental guidance on their website to address changes to the methodology and nature of CEQA since the publication of the Handbook. Some of these changes include recommended thresholds for emissions associated with both construction and operation of the project are used to evaluate a project's potential regional and localized air quality impacts (SCAQMD 2023).

Regional Thresholds

Table 3 presents the significance thresholds for regional construction and operational-related criteria air pollutant and precursor emissions being used for the purposes of this analysis.

Table 3 Air Quality Thresholds of Significance

Pollutant	Construction (pounds per day)	Operation (pounds per day)
NO_x	100	55
VOC	75	55
PM_{10}	150	150
$PM_{2.5}$	55	55
SO_x	150	150
CO	550	550

NO_x = Nitrogen Oxides; VOC = Volatile Organic Compounds; PM_{10} = Particulate Matter with a diameter no more than 10 microns; $PM_{2.5}$ = Particulate Matter with a diameter no more than 2.5 microns; SO_x = Sulfur Oxide; CO = Carbon Monoxide

Source: SCAQMD 2023

Localized Significance Thresholds

In addition to the above regional thresholds, the SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4). LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities and have been developed for NO_X, CO, PM_{10}, and $PM_{2.5}$. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or State ambient air quality standard at the nearest sensitive receptor by taking into consideration ambient concentrations in each SRA, distance to the sensitive receptor, and project size. LSTs have been developed for emissions generated in construction areas up to five (5) acres in size. However, LSTs only apply to emissions in a fixed stationary location and are not applicable to mobile sources, such as cars on a roadway (SCAQMD 2008).

The project site is located within SRA 17 (Central Orange County). SCAQMD provides LST lookup tables for project sites that measure one (1), two (2), or five (5) acres. The construction area of the project site is approximately 2.11 acres. Therefore, the LST analysis conservatively uses two (2)-acre LSTs. LSTs are provided for receptors at a distance of 82 feet (25 meters), 164 feet (50 meters), 328 feet (100 meters), 656 (200 meters), 1,640 feet (500 meters) from the project disturbance boundary to the sensitive receptors. The construction activities would occur approximately 10 feet away from single-family residences located south of the project site. According to the SCAQMD's publication, Final LST Methodology, projects with boundaries located closer than 82 feet to the nearest receptor should use the LSTs for receptors located at 82 feet (SCAQMD 2009). Therefore, the analysis below

uses the LST values for 82 feet. LSTs for construction and operation in SRA 17 on a two (2)-acre site with a receptor 82 feet away are shown in Table 4.

Table 4 SCAQMD LSTs for Construction/Operation (SRA-17)

	Allowable Emissions for a Two (2)-Acre Site in SRA-17 for a Receptor 82 Feet Away (pounds per day)	
Pollutant	**Construction**	**Operation**
Gradual conversion of NO_X to NO_2	115	203
CO	715	1,733
PM_{10}	6	2
$PM_{2.5}$	4	1

NO_x = Nitrogen Oxides; NO_2 = Nitrogen Dioxide; CO = Carbon Monoxide; PM_{10} = Particulate Matter with a diameter no more than 10 microns; $PM_{2.5}$ = Particulate Matter with a diameter no more than 2.5 microns

Source: SCAQMD 2009

Toxic Air Contaminants

SCAQMD has developed significance thresholds for the emissions of toxic air contaminants (TACs) based on health risks associated with elevated exposure to such compounds. For carcinogenic compounds, cancer risk is assessed in terms of incremental excess cancer risk. A project would result in a potentially significant impact if it would generate an incremental excess cancer risk of 10 in one (1) million (1×10^{-6}) or a cancer burden of 0.5 excess cancer cases in areas exceeding a one (1)-in-a-million risk. In addition, non-carcinogenic health risks are assessed in terms of a hazard index. A project would result in a potentially significant impact if it would result in a chronic and acute hazard index greater than one (1) (SCAQMD 2023).

Methodology

Air pollutant emissions generated by project construction and operation were estimated using the California Emissions Estimator Model (CalEEMod), version 2022.1. CalEEMod uses project-specific information, including the project's land uses, square footage for different uses (e.g., apartments and parking), and location, to model a project's construction and operational emissions. The analysis reflects the construction and operation of the proposed project as described under *Description of Project.* CalEEMod results are included as Appendix A.

Project construction would primarily generate temporary criteria pollutant emissions from construction equipment operation on-site, construction worker vehicle trips to and from the site, and import of materials off-site. Construction of the proposed project was analyzed based on the land use types, building square footage, and construction timeline provided by the applicant. Construction of the proposed project would begin in March 2026 and end in September 2027, over approximately 18 months. Based on the applicant-provided land uses, CalEEMod provides assumptions for construction phase schedule, equipment lists, and vehicle trips. The proposed project would include the demolition of the existing 18,782-square-foot commercial center. Excavated soil during the grading phase would be backfilled on-site. It is assumed construction equipment used would be diesel-powered and the proposed project would comply with applicable regulatory standards such as SCAQMD Rule 403 for dust control measures and Rule 1113 for architectural coating VOC limits.

Operational emissions modeled include mobile and area source emissions. The proposed project would include an all-electric design and would not utilize natural gas. As a result, emissions attributed to energy use include electricity consumption by appliances as well as for space and water heating. Mobile source emissions are generated by vehicle trips to and from the project site. The proposed project would result in a reduction by approximately 547 net daily vehicle trips, based the Transportation Screening Assessment prepared for the proposed project by Ganddini Group, Inc. (Ganddini Group 2025). The Transportation Screening Assessment is included as Appendix B. The mobile trip generation rates were adjusted to reflect the Transportation Screening Assessment results. Area source emissions are generated by landscape maintenance equipment, consumer products and architectural coatings. The proposed project would also not include wood fireplaces under SCAQMD Rule 445.

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

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP. The 2022 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates local city general plans and the Southern California Association of Governments (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) socioeconomic forecast projections of regional population, housing, and employment growth (SCAQMD 2022, SCAG 2020).[4]

According to the California Department of Finance (DOF), the City of Fountain Valley has an estimated population of 56,560, a household count of 19,583, and an average person per household size of 2.86 (DOF 2025). The proposed project involves demolition of the existing commercial center and construction of 72 residential units. Based on the DOF's average household size, the proposed project would increase the local population by up to 206 persons (72 units x 2.86 persons per unit).

The population growth forecasts from SCAG's 2020-2045 RTP/SCS estimate that Fountain Valley's population would increase to 59,000 in 2045, which is an increase of 2,300 people from the city's population in 2016 (SCAG 2020). As a residential development, the project would account for approximately nine (9) percent of the City's total projected population growth through year 2045. Therefore, the potential population growth generated by the proposed project would be within the SCAG growth forecast for the City of Fountain Valley.

The AQMP also provides strategies and measures to reach attainment with the thresholds for eight (8)-hour and one (1)-hour ozone and $PM_{2.5}$. As shown in Table 5 and Table 6 in the analysis under discussion *b.* of this section, the proposed project would not generate criteria pollutant emissions that would exceed SCAQMD thresholds for ozone precursors (VOC and NO_X) and $PM_{2.5}$. Since the proposed project would also be consistent with population growth projections for Fountain Valley, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan and impacts would be less than significant.

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[4] On April 4, 2024, SCAG's Regional Council formally adopted the 2024-2050 RTP/SCS (titled Connect SoCal 2024). However, the SIPs were adopted prior to this date and relies on the demographic and growth forecasts of the 2020-2045 RTP/SCS; therefore, these forecasts are utilized in the analysis of the project's 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?

The SCAB has been designated as a federal nonattainment area for ozone and $PM_{2.5}$ and a State nonattainment area for ozone, PM_{10}, and $PM_{2.5}$. The SCAB is designated unclassifiable or in attainment for all other federal and State standards.

Construction Emissions

Project construction would generate temporary air pollutant emissions associated with fugitive dust (PM_{10} and $PM_{2.5}$) and exhaust emissions from heavy construction equipment and construction vehicles in addition to VOC emissions that would be released during the drying of architectural coating and paving phases. Table 5 summarizes the estimated maximum daily emissions of pollutants during project construction.

Table 5 Proposed Project Construction Emissions

	Maximum Daily Emissions (lbs/day)					
Year	**VOC**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
2026	2	21	29	<1	2	1
2027	18	22	29	<1	2	1
SCAQMD Thresholds	75	100	550	150	150	55
Exceed SCAQMD Thresholds?	**No**	**No**	**No**	**No**	**No**	**No**

lbs/day = pounds per day; TOG = total organic gases; NO_x = nitrogen oxide; CO = carbon monoxide; PM_{10} = particulate matter with a diameter no more than 10 microns; $PM_{2.5}$ = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

For a conservative estimate of project emissions, construction emissions were modeled during winter and summer, then reported for the maximum day during the winter or summer, whichever was highest. Maximum daily emission estimates were then compared to the SCAQMD thresholds measured in pounds-per-day.

Notes: Some numbers may not add up precisely due to rounding. Refer to Appendix A for complete modeling results.

As shown in Table 5, construction-related emissions would not exceed SCAQMD thresholds. Therefore, project construction would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard. Impacts would be less than significant.

Operational Emissions

Operation of the project would generate criteria air pollutant emissions associated with area sources (e.g., architectural coatings, consumer products, and landscaping equipment) and mobile sources (i.e., vehicle trips to and from the project site). As the proposed apartments would be all-electric, they would not generate criteria pollutant emissions from energy sources, which come from consumption of natural gas. Table 6 on the following page summarizes the proposed project's maximum daily operational emissions by emission source.

Table 6 Proposed Project Operational Emissions

Emission Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile	-2	-1	-11	<1	-3	-1
Area	2	<1	4	<1	<1	<1
Energy	0	0	0	0	0	0
Proposed Project Emissions	1	-1	-7	<1	-3	-1
SCAQMD Regional Thresholds	55	55	550	150	150	55
Exceed SCAQMD Thresholds?	**No**	**No**	**No**	**No**	**No**	**No**

lbs/day = pounds per day; TOG = total organic gases; NO_x = nitrogen oxide; CO = carbon monoxide; PM_{10} = particulate matter with a diameter no more than 10 microns; $PM_{2.5}$ = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

For a conservative estimate of project emissions, operation emissions were modeled during winter and summer, then reported for the maximum day during the winter or summer, whichever was highest. Maximum daily emission estimates were then compared to the SCAQMD thresholds measured in pounds-per-day.

Notes: Some numbers may not add up precisely due to rounding considerations. Refer to Appendix A for CalEEMod results.

As shown in Table 6, operational emissions would not exceed SCAQMD regional thresholds for criteria pollutants. Therefore, proposed project operation would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment, and impacts would be less than significant.

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

The closest sensitive receptors are single-family residences along El Rancho Avenue that share a property boundary line on the south of the project site. Localized air quality impacts to sensitive receptors typically result from criteria pollutants and TACs, which are discussed in the following subsections.

Localized Significance Thresholds

SCAQMD's Final LST Methodology was developed to be used as a tool to analyze localized air quality impacts associated with project-level development. If the calculated emissions for construction or operation of the proposed project are below the LST emission levels found on the LST mass rate look-up tables (Appendix C of Final LST Methodology*;* SCAQMD 2009) and no potentially significant impacts to air quality are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality. The project site is in SRA 17 (Central Orange County) and the allowable emissions for the proposed project utilizes the 82 feet receptor distance.[5] Table 7 on the following page summarizes the proposed project's maximum localized daily construction emissions which would occur during overlapping demolition, site preparation, and grading activities in 2026.

[5] The project site is approximately 2.1 acres; therefore, the LST analysis uses two (2)-acre LSTs. LSTs are provided for receptors at 82 feet (25 meters) 164 feet (50 meters), 328 feet (100 meters), 656 (200 meters), 1,640 feet (500 meters) from the project disturbance boundary to the sensitive receptors. The southern border of construction activity would occur adjacent to single-family residences; therefore, the analysis uses the LST values for 82 feet (25 meters) to conservatively evaluate emissions.

Table 7 Proposed Project LST Construction Emissions

Year	Pollutant (lbs./day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum Construction On-site Emissions	21	27	1	1
SCAQMD LST	115	715	6	4
Threshold Exceeded?	**No**	**No**	**No**	**No**

lbs/day = pounds per day; VOC = volatile organic compounds; NO_x = nitrogen oxide; CO = carbon monoxide; PM_{10} = particulate matter with a diameter no more than 10 microns; $PM_{2.5}$ = particulate matter with a diameter no more than 2.5 microns; SO_x = sulfur oxide

Notes: Some numbers may not add up precisely due to rounding considerations. Maximum on-site emissions are the highest emissions that would occur on the project site from on-site sources, such as heavy construction equipment and architectural coatings, and excludes off-site emissions from sources such as construction worker vehicle trips and haul truck trips. Refer to Appendix A for CalEEMod results.

As shown in Table 7, localized construction emissions would not exceed SCAQMD LST thresholds. Therefore, localized criteria pollutant emissions impacts from project construction would be less than significant.

Toxic Air Contaminants

Construction Health Risk Assessment

A construction Health Risk Assessment (HRA) was prepared for the construction activities associated with proposed project. Construction-related activities would result in temporary project-generated DPM exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building construction, and other construction activities. DPM was identified as a TAC by CARB in 1998. Results of the analysis were compared to SCAQMD thresholds for a cancer risk threshold of 10 in one (1) million persons, and a chronic hazard index significance threshold of one (1). Since DPM is not associated with acute health risks (OEHHA 2023), acute risk was not evaluated in this construction HRA. Construction HRA technical data is included as Appendix C.

The maximum unmitigated risk from construction of the proposed project was identified for sensitive receptors north of the project site on the corner of Warner Avenue and Bressel Lane. The maximum off-site cancer risk would be 53.33 in one (1) million and the maximum off-site residential chronic risk would have a hazard index of 0.12 at the residential receptor. The chronic risk numbers would not exceed the hazard index significance threshold of one (1) for chronic risk. However, the cancer risk at maximally exposed off-site residential receptor would exceed SCAQMD's 10 in one (1) million cancer risk thresholds. Therefore, construction TAC impacts are potentially significant.

CO Hotspots

A CO hotspot is a localized concentration of CO that is above a CO ambient air quality standard. The SCAB has been in attainment of federal CO standards since 2007, and most air quality monitoring stations no longer report CO levels (SCAQMD 2017). The nearest monitoring station from the project site that monitors CO within SRA 17 (Central Orange County) measured a maximum 1-hour and eight (8)-hour CO concentrations of 2.5 parts per million (ppm) and 1.6 ppm, respectively, in 2023 (SCAQMD 2024). These concentrations are well below the respective one (1)-hour and eight (8)-hour standards of 20 ppm and 9 ppm. In addition, typical development projects, such as the project, do not emit the levels of CO necessary to result in a localized hot spot.

As an example, a detailed carbon monoxide analysis was conducted during the preparation of the SCAQMD's 2003 AQMP. The locations selected for microscale modeling in the 2003 AQMP included high average daily traffic (ADT) intersections in the SCAB that are expected to experience the highest CO concentrations. The highest CO concentration observed was at the intersection of Wilshire Boulevard and Veteran Avenue on the west side of Los Angeles near Interstate 405, approximately 42 miles northwest of the project site. The concentration of CO at this intersection was 4.6 ppm, which is well below the State and federal standards. The Wilshire Boulevard/Veteran Avenue intersection had an ADT of approximately 100,000 vehicles per day at the time of the study (SCAQMD 2003). The proposed project would result in a decrease in daily vehicle trip by 547 trips and would not increase traffic volumes on Warner Avenue to more than 100,000 ADT. This is significantly below the 100,000 ADT at the intersection studied by SCAQMD in the 2003 AQMP, which found that CO emissions at that intersection were below the federal standards. Therefore, the proposed project would not expose sensitive receptors to substantial CO pollutant concentrations and impacts would be less than significant.

Mitigation Measure

AQ-1 Construction Emissions Reduction

Prior to issuance of grading permits, the following measures shall be noted on all construction plans:

- All mobile off-road equipment (wheeled or tracked) greater than 25 horsepower used during construction activities shall meet the United States Environmental Protection Agency Tier 4 interim standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 interim standards.
- Electric signal boards, cement and mortar mixers, and forklifts shall be used during construction of the proposed project. These requirements shall be incorporated into the contract agreement with the construction contractor. A copy of the equipment's certification or model year specifications shall be available upon request for all equipment on-site.

Significance After Mitigation

With incorporation of Mitigation Measure AQ-1, the proposed project would be required to use off-road diesel-powered construction equipment that meets or exceeds the most stringent and environmentally protective CARB and USEPA Tier 4 off-road emissions standards, or alternatively fueled equipment which would substantially reduce DPM emissions. The Tier 4 standards reduce DPM emissions by approximately 81 to 96 percent as compared to equipment that meet the Tier 2 off-road emissions standards, depending on the specific horsepower rating of each piece of equipment. Electric signal boards, cement and mortar mixers, and forklifts would also further reduce DPM emissions during construction. With implementation of Mitigation Measure AQ-1, the maximum off-site residential cancer risk would be 8.59 in one (1) million. Therefore, construction activities would not expose sensitive receptors to substantial TAC concentrations that would potentially exceed cancer risk greater than 10 per one (1) million population. Construction-related health impacts would be reduced to a less-than-significant level.

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

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust and during idling. However, these odors would be intermittent and temporary and would cease upon completion, and odors disperse with distance. In addition, project construction would be required to comply with SCAQMD Rule 402, which specifies that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. Overall, project construction would not generate other emissions, such as those leading to odors, affecting a substantial number of people. Construction-related impacts would be less than significant.

With respect to operation, the SCAQMD's CEQA Air Quality Handbook identifies land uses associated with odor complaints as agricultural uses, wastewater treatment plants, chemical and food processing plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The proposed project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the proposed project would not generate other emissions such as those leading to odors affecting a substantial number of people, and no operational impact would occur.

LESS-THAN-SIGNIFICANT IMPACT

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4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	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 Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	■
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

The analysis presented in this section is based on a review of available information regarding biological resources in the project vicinity. In order to obtain comprehensive information regarding the presence of sensitive biological resources (including special status species, sensitive communities, and jurisdictional waters and wetlands) in the vicinity of the project site, the following queries were conducted: United States Fish and Wildlife Service (USFWS) Environmental Conservation Online System: Information, Planning and Conservation System (USFWS 2023a), USFWS Critical Habitat Portal (USFWS 2023b), USFWS National Wetland Inventory (USFWS 2023c), California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) (CDFW 2022a), CDFW Biogeographic Information and Observation System (BIOS) (CDFW 2022b) and California Native Plant Society (CNPS) Online Inventory of Rare, Threatened and Endangered Plants of California (CNPS 2022). The search area of these databases included the project area and specifically the CNDDB and CNPS queries included the Newport Beach Unites State Geological Survey (USGS) 7.5 minute quadrangle map (project location) and the surrounding USGS quadrangles, including Seal Beach, Los Alamitos, Anaheim, Orange, Tustin, and Laguna Beach.

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 Wildlife or U.S. Fish and Wildlife Service?*

Special status species are those plants and wildlife listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS under the Federal Endangered Species Act; those listed or candidates for listing as Rare, Threatened, or Endangered by the CDFW under the California Endangered Species Act; animals designated as “Fully Protected” by the California Fish and Game Code (CFGC); wildlife listed as Species of Special Concern by the CDFW; and plants with CNPS California Rare Plant Ranks of 1B, 2, 3, and 4.

The desktop review identified records or ranges of 56 special status plants and 59 wildlife and/or insect species within the USGS quadrangle maps that were queried of the CNDDB (CDFW 2022a) and CNPS (CNPS 2022). These records are from generally undeveloped open space several miles from the site including Bolsa Bay State Marine Conservation Area (over three [3] miles), Seal Beach National Wildlife Refuge (over 3.5 miles), and Upper Newport Bay Nature Preserve (over six [6] miles).

Special status plant and wildlife species are not expected to occur on the project site or in adjacent areas due to the urban and developed condition of the project site and surrounding areas. There is no suitable habitat within or adjacent to the project site for supporting special status plant or wildlife species. However, although heavily developed, the project site has the potential to provide minimal foraging and nesting habitat for birds, as well as migrating songbirds that could occur in the area that are adapted to disturbed areas and urban environments.

Migratory or other common nesting birds, while not designated as special status species, are protected by the CFGC and Migratory Bird Treaty Act (MBTA) and may nest in the ornamental trees, shrubs, and landscaped grasses on-site. Therefore, construction of the project has the potential to directly (by destroying a nest) or indirectly (by creating construction noise, dust, and other human disturbances that may cause a nest to fail) impact nesting birds protected under the CFGC and MBTA.

Mitigation Measure

BIO-1 Nesting Bird Avoidance

Prior to ground disturbance or vegetation removal activities, the following measures shall be implemented:

- To avoid disturbance of nesting birds, including raptorial species protected by the California Fish and Game Code and Migratory Bird Treaty Act, construction activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven (7) days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot in the project site, including a 50-foot buffer, and in inaccessible areas (e.g., private lands) the use of binoculars should be used to inspect trees and other suitable nesting areas. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in Southern California.
- If nests are found, an avoidance buffer shall be determined and demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone until the young have fledged or the nest is otherwise no longer active, as determined by the qualified biologist. No parking, storage of materials, or construction activities shall occur within this buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.
- A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable State and federal regulations protecting nesting birds shall be submitted to the City. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nests to ensure that no inadvertent impacts on nesting birds would occur.

Significance After Mitigation

Implementation of Mitigation Measure BIO-1 would ensure compliance with the CFGC Section 3503 and the MBTA with respect to nesting birds by reducing the impact through pre-construction nesting bird surveys and avoidance of active nests. Therefore, impacts would be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Plant communities are considered sensitive biological resources if they have limited distributions, have high wildlife value, including sensitive species, or are particularly susceptible to disturbance. CDFW ranks sensitive communities as “threatened” or “very threatened.” The project site is in a developed and is not located within a naturally vegetated or open space area. The vegetation on and adjacent to the project site includes ornamental landscaping which does not constitute a

sensitive natural community. In addition, no riparian habitats are located within or adjacent to the project site. Therefore, the proposed project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities since none exist on the site or in adjacent areas. No impact would occur.

NO IMPACT

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

No potentially jurisdictional waters or wetlands are present on the project site. There is a concrete-lined stormwater channel approximately 730 feet to the north of the site. However, based on review of aerial imagery and National Wetlands Inventory maps, there is no connection of this waterway to the project site and Warner Avenue, and a residential neighborhood are located between the site and the channel. Furthermore, there are no State or federally protected wetlands or other waters that may be considered jurisdictional by the CDFW, United States Army Corps of Engineers, or Regional Water Quality Control Board (RWQCB) on the project site. Therefore, the proposed project would not directly or indirectly have a substantial adverse effect on State or federally protected wetlands or other jurisdictional waters. No impact would occur.

NO IMPACT

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?

Wildlife corridors are generally defined as connections between habitat areas that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, or open areas with little vegetative cover.

The project site is highly developed and located in an urban area of the city surrounded by roads and highways, commercial development, and residential neighborhoods. The site is separated from open space areas by existing development, highways, and roadways. The project site does not contain any natural communities or habitat that would be expected to support native wildlife nurseries or the movement of species. Therefore, the proposed project would not result in impacts to the movement of native or migratory species or the use of native wildlife nursery sites. No impact would occur.

NO IMPACT

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

Chapter 12.04 of the FVMC regulates the planting, maintenance, pruning, trimming, and removal of all trees in or upon any street, parkway, or public right-of-way area within the city by requiring a permit from the director of public works for such activities. The ordinance also requires that all trees be sufficiently guarded or protected from injury during any type of construction in the city. Of note, the ordinance does not protect specific tree species, such as native trees.

Based on the review of aerial/street-view imagery and project plans, the project site contains six (6) stone pine trees (*Pinus pinea*) and 15 palms (*Syagrus romanzofiana, Brahea armata, Washingtonia robusta*) along the northern and southern boundaries of the site. It appears that the trees on and adjacent to the project site are non-native and planted as part of the ornamental landscaping. There are no other local policies related to trees or biological resources that are relevant to the proposed project; therefore, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

The project site is not located within or near an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other approved habitat conservation plan at the local, regional, or State levels (CDFW 2023). Therefore, no impact would occur.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	■
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	■	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

Rincon prepared a Cultural Resources Assessment in July 2025 for the proposed project which documents the results of the cultural resources records search, archival and background research, field survey, historic resources evaluation, and impacts assessment. The following analysis is based on the findings of the Cultural Resources Assessment, which is included as Appendix D.

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

The Cultural Resources Assessment identified one (1) built-environment resource in the project site, 8550 Warner Avenue. The resource was recommended ineligible for listing in the National Register of Historic Places and California Register of Historic Resources under all criteria due to lack of historical and architectural significance. Therefore, the property is not considered a historical resource pursuant to CEQA, and the proposed project would therefore result in no impact to historical resources.

NO IMPACT

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

No prehistoric or historic-period archaeological resources were identified within the proposed project site as a result of the California Historical Resources Information System (CHRIS) records search, SLF search, or pedestrian survey. The Cultural Resources Assessment concluded that the project site is considered to have a low potential to support the presence of intact subsurface archaeological resources. In the event that unanticipated or previously unknown archaeological resources are encountered during project implementation, such resources could qualify as either historical resources or unique archaeological resources under CEQA, and therefore, impacts to these resources would be potentially significant.

Mitigation Measure

CUL-1 Unanticipated Discovery of Cultural Resources

Prior to the start of ground-disturbing activities, the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (National Park Service 2020)(Qualified Archaeologist) to respond to and address any inadvertent discoveries identified for the duration of construction activities. The Qualified Archaeologist should possess experience and familiarity with historic-period and prehistoric archaeological resources in the region.

In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and the Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist shall be contacted immediately to evaluate the resource. If the resource is determined by the qualified archaeologist to be prehistoric, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via Project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of California Code of Regulations (CCR) Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate. All resulting documentation, including the appropriate State of California Department of Parks and Recreation 523 series forms, shall be submitted to the City and the regional repository of the California Historical Resources Information System, per CCR Section 15126.4(b)(3)(C).

Significance After Mitigation

Implementation of Mitigation Measure CUL-1 would require retention of a Qualified Archaeologist prior to ground-disturbing activities and establish protocol in compliance with applicable regulations in the event of that archaeological resources are unexpectedly encountered during ground-disturbing activities. Implementation of Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

No prehistoric or historic-period burials within or outside formal cemeteries were identified within the project site as a result of the CHRIS records search, SLF search, or field survey. In the event that human remains are inadvertently encountered during ground-disturbing activities, they would be treated consistently with State and local regulations including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and California Code of Regulations (CCR) Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further disturbance should occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the County

Coroner determines the remains are, or believed to be Native American origin, he or she is required to notify the NAHC, which should then notify those persons believed to be the most likely descendant (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance. Adherence to existing regulations would reduce potential impacts to human remains to a less-than-significant level.

LESS-THAN-SIGNIFICANT IMPACT

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6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a 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?	☐	☐	☐	■

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The proposed project would consume energy during construction and operational activities. Sources of energy for these activities would include electricity usage and transportation fuels (diesel and gasoline). The proposed project would include an all-electric design and would not utilize natural gas. The following analysis considers the four (4) factors set forth in Appendix F of the CEQA Guidelines to determine whether an impact would occur.

Construction

During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site. Construction equipment would be maintained to applicable standards, and construction activity and associated fuel consumption and energy use would be temporary and typical for construction sites. Construction contractors would also be required to comply with the provisions of CCR Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five (5) minutes, which would minimize unnecessary fuel consumption.

In addition, construction worker and vendor trips as well as hauling trips to and from the project site would also contribute to fuel consumption during project construction. Demolished material would be hauled off-site while excavated soil would be balanced on-site and no soil hauling trips would be required. Per applicable regulatory requirements such as 2022 California Green Building Standards Code (CALGreen; CCR Title 24, Part 11), project construction would comply with construction waste management practices to divert a minimum of 65 percent of construction debris. These practices would result in efficient use of the energy necessary to construct the proposed project.

Furthermore, in the interest of cost-efficiency, construction contractors also would not utilize fuel in a manner that is wasteful or unnecessary. Overall, the construction activities would be temporary and typical of those associated with development throughout the region. Therefore, the proposed project would not involve the inefficient, wasteful, and unnecessary use of energy during

construction, and construction impacts related to energy consumption would be less than significant.

Operation

Operation of the project would contribute to regional energy demand by consuming electricity and gasoline and diesel fuels. Electricity would be used for heating and cooling systems, lighting, appliances, and water and wastewater conveyance, among other purposes. As the proposed residences are designed to be all-electric, natural gas would not be utilized as part of project operations.

Vehicle trips from future residents of the proposed project would consume gasoline and diesel fuel. However, as implementation of the proposed project would result in a reduction in trips to the project site, fuel consumption would also be reduced. Therefore, electricity use would represent the greatest operational use of energy associated with the proposed project, which would require 304,942 kilowatt-hour (kWh) per year of electricity during project operation according to CalEEMod results (Appendix A).

In addition, the proposed project would be built to meet the standards set in the latest iteration of the California Building Code (CCR Title 24), which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources by the built environment during operation. CALGreen standards (CCR Title 24, Part 11) require implementation of energy-efficient light fixtures and building materials into the design of new construction projects. In addition, the 2022 Building Energy Efficiency Standards (CCR Title 24, Part 6) require newly constructed buildings to meet energy performance standards set by the California Energy Commission. These standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. Pursuant to CALGreen, all plumbing fixtures used for the proposed project would be high-efficiency fixtures, which would minimize the potential for the inefficient or wasteful consumption of energy related to water and wastewater. The proposed project would install on-site solar panels (i.e., a photovoltaic solar system) for electricity generation over the carport roofs and would be served by SCE, which is required to increase its share of renewable energy procurement pursuant to SB 100 requirements. The proposed project would also allocate six (6) EV charging stations with additional facilities for EV parking spaces planned, which would promote use of renewable energy for transportation. As a result, the proposed project would maximize the use of renewable energy. Therefore, project operation would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Adopted in 2023, the Fountain Valley General Plan outlines policies to promote energy efficiency and generation within Fountain Valley (Fountain Valley 2023b). The Open Space and Conservation Element includes Goal OSC-3, which aims to protect air, water, and energy resources from pollution and overuse. Policies within the Open Space and Conservation Element such as Policy OSC-3.2, Alternative Fueled Vehicles; Policy OSC-3.3, Energy and Water Conservation; and Policy OSC-3.8, Renewable Energy, are intended to promote energy conservation and efficiency. The proposed project would be designed to be all electric and would meet the latest CALGreen and Building Efficiency Energy Standards. Implementation of the proposed project would also involve installation

of EV charging stations and solar panels over the carport roofs for on-site electricity generation. These project features would promote use of renewable energy for transportation and would potentially reduce petroleum-based fuel consumption from transportation. In addition, electricity would be provided by SCE, which continues to increase renewable energy sources to comply with state requirements of SB 100.

With regard to transportation related energy usage, the proposed project would not conflict with the goals of SCAG's Connect SoCal 2024, which incorporates vehicle miles traveled (VMT) targets established by SB 375. SCAG's Connect SoCal 2024 focuses on four (4) core categories: mobility, communities, environment and economy (SCAG 2024). In addition, the SCS implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The proposed project is an infill development and is within 0.25 mile of existing bus stops (i.e., OCTA Route 72) as well as existing schools and commercial uses, which could potentially reduce reliance on motor vehicle use and promote walking and biking near the project site.

The proposed project would also result in a reduction in trips to the project site by 547 trips, which would reduce gasoline and diesel fuel consumption as compared to the existing commercial and restaurant uses. Furthermore, the proposed project would be consistent with the energy efficiency policies by being consistent with the CALGreen and Building Energy Efficiency Standards for appliances and EV charging provisions. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and no impact would occur.

NO IMPACT

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7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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?	☐	☐	■	☐
2. Strong seismic ground shaking?	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
4. Landslides?	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	■	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	■	☐	☐

The analysis presented in this section is based on information provided in a Geotechnical Engineering Investigation prepared for the project by NorCal Engineering in June 2023. The Geotechnical Investigation is included as Appendix E.

a.1. 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?

The project site is in a seismically active area of Southern California. A fault that has ruptured in at least the last 11,700 years is considered to have a higher potential of future seismicity and is considered an active fault by the Alquist-Priolo Earthquake Fault Zoning Act. Faults with evidence of longer earthquake frequency events are considered to have a lower potential of future seismicity. According to California Geological Survey (CGS) the project site is not located in an Alquist-Priolo Fault Zone (CGS 2025). However, the site is situated in a region subject to strong earthquakes occurring along active faults. The closest known active fault to the site is the Newport-Inglewood-Rose Canyon located approximately 2.7 miles southwest of the project site (CGS 2025; Fountain Valley 2023a).

To reduce geologic and seismic impacts, the City regulates development through the requirements of the CBC. The purpose of the CBC is to establish minimum standards to safeguard the public health, safety, and general welfare through structural strength, means of egress, and general stability by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all building and structures within its jurisdiction. The earthquake design requirements of the CBC consider the occupancy category of the structure, site class, soil classifications, and various seismic coefficients. The CBC provides standards for various aspects of construction, including but not limited to excavation, grading, earthwork, construction, preparation of the site prior to fill placement, specification of fill materials, fill compaction and field testing, retaining wall design and construction, foundation design and construction, and seismic requirements. It includes provisions to address issues such as (but not limited to) fault rupture. In accordance with California law, project design and construction would be required to comply with provisions of the CBC; therefore, impacts related to seismically induced fault rupture would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

As detailed under discussion *a.1.* of this section, the project site is in a seismically active area of Southern California. According to the CGS the project site is not located in an Alquist-Priolo Fault Zone (CGS 2025). However, the site is situated in a region subject to strong earthquakes occurring along active faults. The closest known active fault to the site is the Newport-Inglewood-Rose Canyon located approximately 2.7 miles southwest of the project site (CGS 2025; Fountain Valley 2023a). The possibility of ground acceleration, or shaking at the site, may be considered as approximately similar to the Southern California region as a whole.

As detailed under discussion *a.1* of this section, to reduce geologic and seismic impacts, the City regulates development through the requirements of the CBC. The earthquake design requirements of the CBC consider the occupancy category of the structure, site class, soil classifications, and various seismic coefficients. The CBC provides standards for various aspects of construction,

including but not limited to excavation, grading, earthwork, construction, preparation of the site prior to fill placement, specification of fill materials, fill compaction and field testing, retaining wall design and construction, foundation design and construction, and seismic requirements. It includes provisions to address issues such as (but not limited to) ground shaking. In accordance with California law, project design and construction would be required to comply with provisions of the CBC; therefore, construction of the project would not exacerbate existing ground shaking hazards and impacts related to seismically induced ground shaking would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction is a process whereby soil is temporarily transformed to fluid form during intense and prolonged ground shaking or because of a sudden shock or strain. Typically, liquefaction occurs in areas where there are loose soils and the depth to groundwater is less than 50 feet from the surface. Likewise, earthquakes can cause landslides in areas with unstable slopes and terrain.

The project site is located within a mapped potential liquefaction hazard zone (CGS 2025). Further, the project's geotechnical investigation determined that based on the historical high groundwater level, the soils have a high potential for liquefaction (NorCal Engineering 2023). While the project site is in a seismically active area and is susceptible to liquefaction, the project would be required to minimize this risk, to the extent feasible, through the incorporation of applicable CBC standards. The design and construction of the project would conform to the current seismic design provisions of the CBC, which incorporates the latest seismic design standards for structural loads and materials, as well as provisions from the National Earthquake Hazards Reduction Program, to mitigate losses from an earthquake, including liquefaction, and provide for the latest in earthquake safety. The proposed project would also be required to adhere to the geotechnical recommendations of the geotechnical investigation related to liquefaction. Adherence to applicable CBC standards and the geotechnical investigation's recommendations would ensure that impacts related to liquefaction would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The project site and surrounding area are relatively flat. According to the CGS, the project site is not located in an area subject to landslides caused by earthquakes and the nearest landslide hazard zone is located approximately 6.7 miles southeast of the project site (CGS 2025). Implementation of the project would not exacerbate the existing risk of earthquake-induced landslides in the immediate vicinity because the project would not directly result in a seismic event or destabilize soils prone to landslides. Therefore, the risk of earthquake-induced landslides at the project site is low and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

Construction activities have the potential to result in soil erosion, particularly during grading and excavation activities. Fugitive dust caused by strong wind and/or earth-moving operations during construction would be minimized through compliance with SCAQMD Rule 403, which prohibits visible particulate matter from crossing property lines. Standard practices to control fugitive dust emissions include watering of active grading sites, covering soil stockpiles with plastic sheeting, and covering soils in haul trucks with secured tarps. In addition, the potential for project construction activities to result in increased erosion and sediment transport by stormwater to surface waters would be minimized because the project would be required to comply with a Construction General Permit, which is issued by the SWRCB. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP), which outlines best management practices (BMP) to reduce erosion and topsoil loss from stormwater runoff (also refer to the discussion in Section 10, *Hydrology and Water Quality*). Compliance with the Construction General Permit would ensure that BMPs are implemented during construction and minimize substantial soil erosion or the loss of topsoil. Upon completion of construction, the project site would be stabilized with landscaping and paving, and operational activities would not result in soil erosion. Therefore, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

Lateral spreading is the horizontal movement or spreading of soil toward an open face (an area exposed rock or soil). Lateral spreading may occur when soils liquefy during an earthquake event, and the liquefied soils with overlying soils move laterally to unconfined spaces. Due to the lack of nearby “free face” conditions, the potential for lateral spreading is considered very low. Therefore, lateral spreading impacts would be less than significant.

Subsidence is the sudden sinking or gradual downward settling of the earth’s surface with little or no horizontal movement. Subsidence is caused by a variety of activities that include, but are not limited to, withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydrocompaction. Collapse potential refers to the potential settlement of a soil under existing stresses upon being wetted. As discussed under discussions *a.1* through *a.4* of this section, the project is in a seismically active area and within a liquefaction hazard zone. However, the project would be required to comply with CBC design provisions. Therefore, compliance with CBC design provisions would ensure that impacts would remain less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

Expansive soils are highly compressible, clay-based soils that tend to expand as they absorb water and shrink as water is drawn away. According to the geotechnical investigation prepared for the project, the expansion potential of soils underlying the project site are considered to be low expansion potential (NorCal Engineering 2023). However, the geotechnical investigation provides expansive soil guidelines regarding the proper design and maintenance of the proposed project to

reduce potential risks related to expansive soils. The construction of the proposed project would adhere to these recommendations. With adherence to the geotechnical investigation's recommendations related to expansive soils, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

The project would be served by the City's existing sewer system. No septic tanks are proposed for the project. Therefore, there is no potential for adverse effects due to soil incompatibility with septic tanks or alternative wastewater disposal systems. No impact would occur.

NO IMPACT

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

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in "soil" but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to evaluate the potential for geologic units to contain scientifically important paleontological resources and therefore evaluate the potential for impacts to those resources and provide mitigation for paleontological resources if they are discovered during construction of a development project.

Rincon evaluated the paleontological sensitivity of the geologic unit that underlies the project site to assess the project's potential for significant impacts to scientifically important paleontological resources. The analysis was based on the results of a paleontological locality search and a review of existing information in the scientific literature regarding known fossils within geologic units mapped at the project site. According to the SVP classification system, geologic units can be assigned a high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources (SVP 2010). Following the literature review, a paleontological sensitivity classification was assigned to each geologic unit mapped within the project site. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units.

Rincon requested a records search from the Natural History Museum of Los Angeles County (NHMLAC). Results from the NHMLAC resulted in five (5) paleontological localities from Pleistocene-aged sediments near the project site. The nearest locality is approximately 1.5 miles southwest of the project site and has produced sharks, rays, and bony fish. These specimens were found between 150 and 350 feet below the surface. A second locality, approximately three (3) miles east of the

project site produced mammoth (*Mammuthus*), bison (*Bison*), and invertebrates between six (6) and 20 feet below the surface. The remaining localities produced mostly vertebrate specimens such as horse (*Equus*), mole (*Scapanus*), toad (*Bufo*), and houndshark (*Triakis*) (NHMLAC 2025).

The project site is situated in the Peninsular Ranges, one (1) of the 11 major geomorphic provinces in California (CGS 2002). In general, the Peninsular Ranges consist of northwest-southeast trending mountain ranges and faults (Norris and Webb 1976). These mountains are generally comprised of Mesozoic to Cenozoic plutonic and extrusive igneous and Cretaceous marine sedimentary rocks. The Peninsular Ranges province also contains sedimentary basins such as the Los Angeles Basin which have accumulated thick sequences of Cenozoic marine and terrestrial sedimentary rocks.

The project is located in the Newport Beach USGS 7.5-minute topographic quadrangle. The geology of the region surrounding the project site was mapped by Morton and Miller (2006) who identified a single geologic unit, Quaternary young alluvial fan deposits, underlying the project site.

Quaternary young alluvial-fan deposits consist of slightly consolidated to unconsolidated silt, sand, pebbly cobbly sand, and bouldery sediments (Morton and Miller 2006). The geotechnical investigation prepared for the project included six (6) subsurface borings, ranging in depths between five (5) and 50 feet below ground surface. The geotechnical investigation encountered fill soils from the surface to two (2) feet below the surface. From two (2) feet below ground surface, a brown, sandy silt to silty clay was encountered (NorCal Engineering 2023). The composition of deeper sediments encountered in the geotechnical investigations match the description of quaternary young alluvial fan deposits. Quaternary young alluvial-fan deposits are Holocene in age. Holocene-aged sediments are generally considered too young (i.e., less than 5,000 years old) to contain paleontological resources (SVP 2010) meaning they have low paleontological sensitivity. However, Holocene-aged sediments may become old enough in the subsurface to preserve paleontological resources. Pleistocene-aged sediments within Orange County are known to preserve paleontological resources (NHMLAC 2025; Paleobiology Database 2025) and are therefore considered to have high paleontological sensitivity. The presence of significant paleontological resource discoveries in the region suggests that this transition to high-sensitivity sediments may occur at five (5) feet below the surface. However, this five (5)-foot depth is an estimate, so sediments below this threshold should be treated as having undetermined paleontological sensitivity rather than high. Therefore, sediments underlying the project site have low paleontological sensitivity from the surface to five (5) feet below the surface and undetermined paleontological sensitivity greater than five (5) feet below the surface.

Ground-disturbing activities within previously undisturbed sediments with high or undetermined paleontological sensitivity could nonetheless result in significant impacts to paleontological resources. Impacts would be significant if construction activities result in the destruction, damage, or loss of scientifically important paleontological resources and associated stratigraphic and paleontological data. The project will require grading for building pads and excavations for underground utilities (e.g., water, sewer). The maximum depth of these excavations is expected to be approximately five (5) feet below the surface. Therefore, project construction will likely affect previously undisturbed sediments with undetermined paleontological sensitivity, meaning that significant impacts to paleontological resources could occur.

Mitigation Measure

GEO-1 Unanticipated Fossil Discovery

PALEONTOLOGICAL WORKER ENVIRONMENTAL AWARENESS PROGRAM

Prior to issuance of grading permit, the applicant shall retain a Qualified Professional Paleontologist meeting the Society of Vertebrate Paleontology (2010) standards to respond to and address any inadvertent discoveries identified for the duration of construction activities. Prior to the start of construction, the Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel. The Worker Environmental Awareness Program shall discuss the potential to discover paleontological resources in the project site, legal obligations to protect paleontological resources, examples of paleontological resources that may be found in the project site, procedures in case a paleontological resource is discovered, and contact information for the Qualified Professional Paleontologist.

UNANTICIPATED DISCOVERY OF PALEONTOLOGICAL RESOURCES

The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist. If the find is determined to be significant, the Qualified Professional Paleontologist shall direct all mitigation efforts related to paleontological resources consistent with the Society of Vertebrate Paleontology (2010) standards, which may include, but are not limited to: paleontological monitoring; fossil salvage, preparation, and curation; and reporting to summarize the paleontological mitigation efforts. That report shall include a lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to and accepted by the City, and the curation of all significant fossils in a fossil repository has occurred, shall signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

Significance After Mitigation

Implementation of Mitigation Measure GEO-1 would reduce potential impacts to paleontological resources to a less-than-significant level and would effectively mitigate the project's impacts to these resources through the recovery, identification, and curation of previously unrecovered fossils.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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8 Greenhouse Gas Emissions

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

Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. Climate change is the result of numerous, cumulative sources of greenhouse gases (GHGs). GHGs contribute to the "greenhouse effect," which is a natural occurrence that helps regulate the temperature of the planet. The majority of radiation from the Sun hits the Earth's surface and warms it. The surface in turn radiates heat back towards the atmosphere, known as infrared radiation. Gases and clouds in the atmosphere trap and prevent some of this heat from escaping back into space and re-radiate it in all directions. This process is essential to supporting life on Earth because it warms the planet by approximately 60° Fahrenheit. Emissions from human activities since the beginning of the industrial revolution (approximately 250 years ago) are adding to the natural greenhouse effect by increasing the gases in the atmosphere that trap heat, thereby contributing to an average increase in the Earth's temperature.

GHGs occur naturally and from human activities. Human activities that produce GHGs include the burning of fossil fuels (coal, oil and natural gas for heating and electricity, gasoline and diesel for transportation); methane from landfill wastes and raising livestock, deforestation activities; and some agricultural practices. GHGs produced by human activities include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF_6). The United Nations Intergovernmental Panel on Climate Change (IPCC) expressed that the rise and continued growth of atmospheric CO_2 concentrations is unequivocally due to human activities in the IPCC's Sixth Assessment Report (2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, a total of 2,390 gigatons of anthropogenic CO_2 was emitted. It is likely that anthropogenic activities have increased the global surface temperature by approximately 1.07 degrees Celsius between the years 2010 through 2019 (IPCC 2021). Emissions resulting from human activities are thereby contributing to an average increase in Earth's temperature. Potential climate change impacts in California may include loss of snowpack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (California Natural Resource Agency 2018).

Significance Thresholds

Based on Appendix G of the CEQA Guidelines, impacts related to GHG emissions from the proposed project would be significant if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to significant cumulative effects, even if individual changes resulting from a project are limited. As a result, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines Section 15064[h][1]).

To determine a project-specific threshold, guidance on GHG significance thresholds in the region from SCAQMD, the air district in which the project site is located, was used. The SCAQMD's GHG CEQA Significance Threshold Working Group considered a tiered approach to determine the significance of residential and commercial projects. The draft tiered approach is outlined in meeting minutes dated September 29, 2010 (SCAQMD 2010):

- **Tier 1.** If the project is exempt from further environmental analysis under existing statutory or categorical exemptions, there is a presumption of less than significant impacts with respect to climate change. If not, then the Tier 2 threshold should be considered.
- **Tier 2.** Consists of determining whether the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing concept of consistency in CEQA Guidelines Section 15064(h)(3), 15125(d) or 15152(a). Under this Tier, if the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If there is not an adopted plan, then a Tier 3 approach would be appropriate.
- **Tier 3.** Establishes a screening significance threshold level to determine significance. The Working Group has provided a recommendation of 10,000 metric tons (MT) of carbon dioxide equivalent (CO_2e) per year for industrial projects and 3,000 MT CO_2e per year for nonindustrial projects.
- **Tier 4.** Establishes a service population threshold to determine significance. The Working Group has provided a recommendation of 4.8 MT CO_2e per year for land use projects.

Tier 1 would not apply to the proposed project as it is not exempt from environmental analysis. For Tier 2, the City of Fountain Valley does not have a qualified GHG reduction plan in its General Plan. As described above, when the tiered approach is applied to a proposed project, and the project is found not to comply with Tier 1 or Tier 2, the project's emissions are compared against a screening threshold, as described above, for Tier 3. The screening threshold formally adopted by SCAQMD is an "interim" screening threshold for stationary source industrial projects where the SCAQMD is the lead agency under CEQA. The threshold was termed "interim" because, at the time, SCAQMD anticipated that CARB would be adopting a statewide significance threshold that would inform and

provide guidance to SCAQMD in its adoption of a final threshold. However, no statewide threshold was ever adopted, and the interim threshold remains in effect. For projects for which SCAQMD is not a lead agency, no screening thresholds have been formally adopted. However, the SCAQMD Working Group has recommended a threshold of 10,000 MT CO_2e per year for industrial projects and 3,000 MT CO_2e per year for residential and commercial projects. SCAQMD determined that these thresholds would "capture" 90 percent of GHG emissions from these sectors, "capture" meaning that 90 percent of total emissions from all new projects would be subject to some type of CEQA analysis. Therefore, for a project-specific threshold, the City of Fountain Valley has selected SCAQMD's 3,000 MT CO_2e per year threshold for nonindustrial projects as the applicable project-specific threshold, in accordance with Tier 3. The SCAQMD's 3,000 MT CO_2e per year threshold is frequently used by jurisdictions across Southern California to determine GHG emissions impacts from nonindustrial projects. In addition, the project is evaluated based on consistency with plans and polices adopted for the purposes of reducing GHG emissions and mitigating the effects of climate change. The most directly applicable adopted regulatory plans to reduce GHG emissions are the 2022 Scoping Plan and SCAG's Connect SoCal 2024.

Methodology

Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO_2, CH_4, and N_2O because these make up 98 percent of all GHG emissions by volume and are the GHG emissions the project would emit in the largest quantities (IPCC 2014). Emissions of all GHGs are converted into their equivalent global warming potential in terms of CO_2 (i.e., CO_2e). Minimal amounts of other GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would not substantially add to the total GHG emissions. GHG emissions associated with project construction and operation were estimated using CalEEMod, version 2022.1, with the assumptions described in Section 3, *Air Quality,* in addition to the following:

- The project's CalEEMod model uses CalEEMod default assumptions for area sources, water, wastewater, solid waste, and refrigerants.
- The CalEEMod model accounts for all-electric apartments.
- In accordance with SCAQMD's recommendation, GHG emissions from construction of the proposed project were amortized over a 30-year period and added to annual operational emissions to determine the project's total annual GHG emissions (SCAQMD 2008b).

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

Construction Emissions

Based on the CalEEMod results (Appendix A), construction activity for the proposed project would generate an estimated 880 MT of CO_2e (as shown in Table 8 on the following page) during construction. Amortized over a 30-year period (the assumed life of a project), construction of the proposed project would generate approximately 29 MT CO_2e per year. Emissions from construction are amortized for the purpose of comparison with annual operational emissions over the estimated 30-year life of the proposed project.

Table 8 Estimated Construction GHG Emissions

Year	Project Emissions (MT/yr CO_2e)
2026	462
2027	418
Total	880
Total Amortized over 30 Years	29

Note: Refer to Appendix A for CalEEMod results.

Operational Emissions

Long-term emissions related to transportation, area sources, energy use, water use, wastewater and solid waste generation, and refrigerant use are shown in Table 9.

Table 9 Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (MT CO_2e)
Construction	29
Operational	
Mobile	-521
Area	4
Energy	48
Water	7
Waste	17
Refrig.	<1
Total	**-416**
SCAQMD Threshold	**3,000**
Threshold Exceeded?	**No**

Note: Refer to Appendix A for CalEEMod results.

As shown in Table 9, the proposed project would result in a net reduction in GHG emissions by 416 MT CO_2e and would not exceed the SCAQMD threshold of 3,000 MT CO_2e. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

2022 Scoping Plan

The principal State GHG reduction plans and policies are AB 32, the California Global Warming Solutions Act of 2006, and the subsequent legislation, SB 32 and AB 1279. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. The goal of SB 32 is to reduce GHG emissions to 40 percent below 1990 levels by 2030. In 2022, the State passed AB 1279, which declares the State would achieve net-zero GHG emissions by 2045 and would reduce GHG emissions by 85 percent below 1990 levels by 2045. The latest iteration of the CARB Scoping Plan is the 2022 Scoping Plan, which focuses on outcomes needed to achieve carbon neutrality by assessing paths

for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities (CARB 2022). The 2022 Scoping Plan's strategies that apply to the proposed project include the following:

- Reducing fossil fuel use, energy demand and VMT.
- Maximizing recycling and diversion from landfills.

The proposed project would be consistent with these goals through project design, as the project would be designed to be all-electric and would at least meet the latest Title 24 Green Building Code and Building Efficiency Energy Standards. In addition, implementation of the proposed project would involve installing solar panels over the carport roofs and would allocate six (6) EV charging stations with additional facilities for EV parking spaces planned. The proposed project would also result in a reduction in trips to the project site by 547 trips, which, in turn, would reduce GHG emissions compared to the existing commercial center.

The proposed project would be served by SCE, which is required to increase its renewable energy procurement in accordance with SB 100 targets. The proposed project is an infill development that would not convert natural lands and would contribute to the job and housing balance. These project features would minimize GHG emissions from the project. Therefore, the proposed project would be consistent with the State's long-term climate goals of carbon neutrality by 2045. No impact would occur.

SCAG Connect SoCal 2024

On April 4, 2024, SCAG's Regional Council formally adopted Connect SoCal 2024. SCAG's Connect SoCal 2024 is forecast to help California reach its GHG reduction goals by reducing GHG emissions from passenger cars in the SCAG region by 19 percent by 2035 in accordance with the most recent CARB targets adopted in March 2018.[6] Connect SoCal 2024 focuses on four (4) core categories: mobility, communities, environment, and economy. In addition, the Connect SoCal 2024 implementation strategies include focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, and supporting implementation of sustainability policies. The proposed project would develop 72 residential units and would provide connectivity with several residential neighborhoods and commercial areas nearby. The proposed project would also result in a reduction in trips to the project site by 547 trips as compared to the existing commercial center, which also would reduce VMT. In addition, as the proposed project is an infill development, it would not impact natural and working lands or restoration of habitats. The project site would be within 0.25 mile from existing transit bus stops along Warner Avenue (i.e., OCTA Route 72), which could potentially promote walking and biking near the project site, which could potentially reduce VMT and commute times to new job opportunities. Furthermore, implementation of the proposed project would involve installing solar panels over the carport roofs and would allocate six (6) EV charging stations with additional facilities for EV parking spaces planned. These project features would promote the use of renewable energy for transportation and would potentially reduce petroleum-based fuel consumption from transportation. Therefore, the proposed project would be consistent with the GHG emissions reduction strategies contained in SCAG's Connect SoCal 2024 and no impact would occur.

[6] Eight (8) percent emissions reduction from 2005 levels by 2020 target was achieved (SCAG 2024).

Fountain Valley General Plan

Adopted in 2023, the Fountain Valley General Plan outlines policies that would minimize GHG emissions from energy and mobile sources (Fountain Valley 2023a). The Open Space and Conservation Element includes Goal OSC-3, which aims to protect air, water, and energy resources from pollution and overuse. Policies within the Open Space and Conservation Element include Policy OSC-3.2, Alternative Fueled Vehicles; Policy OSC-3.3, Energy and Water Conservation; and Policy OSC-3.8, Renewable Energy. These policies are intended to minimize GHG emissions by reducing reliance on nonrenewable energy sources, encouraging energy conservation and efficiency in building design, and promoting use of renewable energy sources. The proposed project would be designed to be all electric and would meet the latest Title 24 CALGreen and Building Efficiency Energy Standards. In addition, the proposed project would also involve installation of EV charging stations, EV-ready infrastructure, and solar panels over the carport roofs. These project features would minimize GHG emissions within the city and, therefore, the proposed project would be consistent with the goals and policies in the General Plan pertaining to GHG. No impact would occur.

NO IMPACT

9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	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?	☐	☐	■	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	■	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	■	☐
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	■
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	■
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	■	☐

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

Project construction would involve the use of potentially hazardous materials such as vehicle fuels and fluids that could be released should an accidental leak or spill occur. However, standard construction BMPs for the use and handling of such materials, such as the use of secondary containment, would be implemented to avoid or reduce the potential for such conditions to occur. Furthermore, any use of potentially hazardous materials utilized during construction of the project would be subject to all local, State, and federal regulations regarding the handling of potentially hazardous materials. The transport, use, and storage of hazardous materials during construction of the project would be subject to all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the CCR Title 22. Therefore, project construction would not create a significant hazard to the public and environment through the routine transport, use, or disposal of hazardous materials.

Operation

Operation of the project would involve the use of common materials in the regular maintenance of multi-family residences and landscaping, including cleaning and degreasing solvents, fertilizers, and pesticides. Project operation activities would require minor quantities of such products and would not involve the use of extremely hazardous substances. Use and storage of chemicals would be subject to compliance with existing regulations, standards, and guidelines established by the federal, State, and local agencies related to storage, use, and disposal of hazardous materials. The transport, use, and storage of hazardous materials during operation of the project would be subject to all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the CCR Title 22. Other than small quantities of materials used in the maintenance of the residential community, operation of the project would not involve the use or storage of substantial quantities of hazardous materials, nor would the project generate large quantities of hazardous waste. Therefore, operation of the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

The project involves the construction of a 72-unit apartment complex which typically do not use or store large quantities of hazardous materials. Potentially hazardous materials such as fuels, lubricants, and solvents would be used during construction of the project. However, the transport, use, and storage of hazardous materials during the construction of the project would be conducted in accordance with all applicable State and federal laws, including the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the CCR Title 22. As discussed in Section 3, *Air Quality*, construction of the

project, and associated air pollutant emissions, would be temporary and would not result in air pollutant emissions that exceed the applicable thresholds at the nearest sensitive receptors.

As described under discussion *a.* of this section, the project would involve the use of common materials in the regular maintenance of multi-family residences and landscaping, including cleaning and degreasing solvents, fertilizers, and pesticides. Compliance with applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and CCR Title 22, during project operations would further minimize risks to the public from the small quantities of common, household hazardous materials and waste that would be used and generated during operations. Therefore, the project is not anticipated to create a significant hazard to the public or environment through the upset and accident conditions involving the release of hazardous materials. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The nearest schools to the project site are the Tamura Elementary School and Lake View Elementary School, located approximately 0.25 mile southeast of the project site and 0.34 mile southwest of the project site, respectively.

During construction of the proposed project, hazardous and potentially hazardous materials would be utilized for the transport and operation of vehicles and machinery. As described under discussion *a.* of this section, the transport, use, and storage of hazardous materials during the construction of the proposed project would be conducted in accordance with all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the CCR Title 22. Additionally, operation of the proposed project would not involve the use or routine transport of large quantities of hazardous materials. Therefore, the proposed project would not result in the emission or handling of hazardous materials within 0.25 mile of an existing or proposed school and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project be located on a site that is included on a list of hazardous material 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?

Government Code Section 65962.5 requires the California Environmental Protection Agency to develop and update the "Cortese List." The California Department of Toxic Substance Control (DTSC) is responsible for a portion of the information contained in the Cortese List. In addition to reviewing the Cortese List, this analysis included a review of the following resources to provide potential hazardous material release information:

- SWRCB GeoTracker database
- DTSC EnviroStor database

According to GeoTracker, there are no cleanup program sites or Leaking Underground Storage Tank (LUST) cleanup sites within the project site; however, there are three (3) LUST Cleanup Sites within 0.25 mile of the project site (SWRCB 2025). According to EnviroStor, there are no cleanup sites within the project site or within 0.25 mile of the project site (DTSC 2025).

The LUST Cleanup Sites within 0.25-mile of the project site identified by GeoTracker include:

- Saad Service Center located at 8471 Warner Avenue, which had a potential contaminant of concern for gasoline in groundwater for uses other than drinking water supply. The cleanup status is Open – Remediation as of 2011.
- Texaco located at 8520 Warner Avenue, which had a potential contaminant of concern for gasoline in groundwater for uses other than drinking water supply. The cleanup status is Completed – Case Closed as of 2014.
- Texaco Oil located at 8520 Warner Avenue, which had a potential contaminant of concern for gasoline. The cleanup status is Completed – Case Closed as of 1987.

Of these nearby sites, no violations have been reported. As a result, these sites do not pose a significant hazard to the project site. As detailed above, there are no cleanup program sites or LUST cleanup sites within the project site as identified by GeoTracker and EnviroStor. Therefore, no impact would occur.

NO IMPACT

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?

The project site is located approximately seven (7) miles northwest of the John Wayne Airport and there are no private airstrips in the vicinity of the project site. Therefore, the project is not located within two (2) miles of an airport, and no impact would occur.

NO IMPACT

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

The project site is located along a designated evacuation route, Warner Avenue, and is located adjacent to a designated evacuation route, Newland Street (Fountain Valley 2023a). The project would not permanently modify Warner Avenue or Newland Street and would maintain evacuation route access on both roadways. The project site is not located on or near a designated evacuation constrained parcel and would not result in inadequate emergency access to a designated evacuation constrained parcel.

Construction

During construction, temporary and occasional partial lane closures may be required on Warner Avenue for utility installation and driveway construction. However, construction would not involve permanent or full closure of Warner Avenue roadway lanes. Temporary project construction would not significantly affect emergency vehicle use of area roadways or evacuation of vehicles in the event of an emergency. Although the project site shares access with the adjacent animal hospital (Warner Avenue Animal Hospital at 8546 Warner Avenue); temporary construction fencing during project construction would comply with FVMC Section 21.22.070 requirements for aisle dimensions

to allow adequate backup distances for any vehicle accessing adjacent off-site uses, including emergency vehicles in the event of an emergency event.

Operation

During project operation, emergency response vehicles would continue to access the project site and nearby properties via the respective driveway entrances on Warner Avenue. The proposed project would be designed to ensure adequate access to the site would be provided via Warner Avenue, which would connect to the site's internal circulation network. The project would not permanently modify existing roadways in the vicinity and would therefore not affect emergency vehicle use of area roadways or evacuation of vehicles in the event of an emergency. Furthermore, FVFD would review site plans and site construction prior to occupancy to ensure that required fire protection safety features, including building sprinklers and emergency access, are implemented.

Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

A fire hazard severity zone (FHSZ) is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high). While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern. FHSZs are meant to help limit wildfire damage to structures through planning, prevention, and mitigation activities/requirements that reduce risk. The FHSZs serve several purposes: they are used to designate areas where California's wildland urban interface building codes apply to new buildings, they can be a factor in real estate disclosure, and they can help local governments consider fire hazard severity in the safety elements of their general plans.

The project site is in an urban area of Fountain Valley surrounded by roads and structures, including commercial and residential buildings and a public park. Undeveloped wildland areas are not located near the project site. According to the California FHSZ Viewer, the project site is not located in a FHSZ or Very High FHSZ for wildland fires (CALFIRE 2025). The nearest Very High FHSZ is located approximately eight (8) miles southeast of the project site in the City of Irvine. Furthermore, the FVFD would review site plans, site construction, and the actual structures prior to occupancy to ensure that required fire protection safety features, including building sprinklers and emergency access, are implemented. Therefore, 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.

LESS-THAN-SIGNIFICANT IMPACT

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10 Hydrology and Water Quality

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

A Water Quality Management Plan (WQMP) was prepared for the proposed project by Jones, Cahl, and Associates in January 2025 and is included as Appendix F.

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

The project site is currently developed with a commercial center, surface parking, and landscaping. The project site is surrounded by roads and structures, including commercial and residential buildings and a public park. Compared to the existing conditions, the project would increase pervious site surfaces by introducing more landscaped areas and planters, which would increase infiltration and groundwater recharge, reducing the amount of surface runoff. Construction of the proposed project could result in soil erosion during earth-moving activities such as excavation, grading, and soil stockpiling, and the generation of water pollutants, including trash, construction materials, and equipment fluids. However, prior to initiation of construction, the project would be required to obtain coverage under a Construction General Permit to comply with Clean Water Act NPDES requirements, administered by the Santa Ana RWQCB. In addition, the project would be required to comply with the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan). Under the NPDES permit and Basin Plan, the project applicant would be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a SWPPP for project construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the SWPPP. Furthermore, the project applicant would be required to implement all applicable source control BMPs to reduce water-quality impacts as listed under the NPDES permit. Non-structural source control BMPs for the project would include education for occupants and employees, activity restrictions, landscape irrigation practices, common area litter control, street sweeping, and drainage facility inspection and maintenance. Structural source control BMPs would include storm drain signage, roof runoff controls, and an infiltration system. The project would also be required to comply with sections of the FVMC that regulate water quality, including FVMC Chapter 14.40.

Because the proposed project includes additional permeable surface area that would improve infiltration and stormwater quality and would comply with all applicable local and federal stormwater drainage requirements, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

The City is a retail water supplier that provides water to its residents and other customers using the imported potable water supply obtained from its regional wholesaler, Municipal Water District of Orange County, local groundwater from the Orange County Groundwater Basin, and recycled water from the Orange County Water District. The City operates two (2) five (5)-million-gallon storage and distribution reservoirs and manages a 205-mile water distribution system with over 17,000 service conditions. The City generally meets its demands through a combination of local groundwater and recycled water, and supplemental imported water (Fountain Valley 2021).

As discussed in Section 19, *Utilities and Service Systems,* the proposed project's water demand would not substantially affect the City's water supply. According to the 2020 Urban Water Management Plan (UWMP), the City would be able to provide reliable water supplies for an average year, single dry year, and multiple dry years for its existing and planned supplies through 2045

(Fountain Valley 2021). Therefore, operational water use associated with the proposed project would not significantly deplete groundwater supplies or impede sustainable groundwater management of the Orange County Groundwater Basin.

The city lies within the Santa Ana River watershed. The project site is currently developed with a commercial center, surface parking, and landscaping. The proposed project would not substantially increase/decrease pervious and impervious surfaces compared to existing conditions, which would not impact infiltration and groundwater recharge. The amount of surface runoff would be similar to existing conditions. Therefore, the project would not substantially interfere with groundwater recharge in the Santa Ana River watershed and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c.(i) 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?

The project site is generally flat, with minimal elevation change across the site, and does not contain any streams, rivers, or other drainage features. As required by the FVMC and NPDES permit, construction activities on the project site would use a series of BMPs to reduce erosion and sedimentation and the construction contractor would be required to operate and maintain these controls throughout the duration of construction. Therefore, the project would not substantially alter the existing drainage pattern in a manner that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c.(ii) 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

The proposed project would not substantially increase/decrease pervious and impervious surfaces compared to existing conditions, because the project consists of a redevelopment. The amount of surface runoff would be similar to existing conditions and upon completion of construction drainage of the site would generally return to existing conditions. Therefore, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c.(iii) 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 that would 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?

The project site is located in an urban area and would not involve the altering course of streams or rivers, nor would it substantially modify the existing drainage patterns to the extent that it could cause flooding or redirection of floodwaters. The project consists of a redevelopment that would generally maintain the site's existing drainage patterns.

Construction

During the construction phase of the project, earth-moving activities could temporarily affect on-site drainage patterns by exposing the underlying soils, which could increase site permeability and alter the site's terrain. Moreover, construction activities could contribute to erosion and sediment in stormwater runoff. However, as detailed under discussion *a.* of this section, the proposed project would comply with the City's urban runoff requirements as stated in the FVMC and the NPDES permit, which would reduce the quantity and level of pollutants from runoff leaving the project site. The construction activities associated with the project would not significantly disrupt drainage patterns, or cause substantial erosion, siltation, flooding or redirection of floodwaters, nor pollute runoff either on- or off-site.

Operation

During operation of the project, any runoff from the site would be channeled into the existing drainage system, and the project would not introduce substantial changes to the site's drainage patterns or alter the course of streams, rivers, or other drainage routes in a way that could result in flooding or redirect floodwaters. The project site would be entirely occupied by the proposed development, paved areas, and landscaping upon completion, there would be no exposed bare soil vulnerable to erosion. The drainage of the site would generally return to existing conditions with stormwater flows traveling from higher areas of the site to lower areas and would be collected in on-site infiltration features or directed towards the city's existing stormwater infrastructure. Therefore, the operation of the project would not lead to significant erosion or siltation on- or off-site. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

c.(iv) 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 impede or redirect flood flows?

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 06059C0253J, the project site is located within Zone X in an area with reduced flood risk due to levee, which are areas of minimal flood hazard and not considered a special flood hazard area (FEMA 2025). As the project consists of a redevelopment and the drainage pattern would be similar to the existing conditions, it would not substantially alter the drainage pattern or add to flooding risks. Therefore, the project site is not expected to be inundated by flood flows, and the project would not impede flood flows. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

The project site is not located near any major bodies of enclosed water and is located approximately four (4) miles from the Pacific Ocean. The project site is not located within a designated tsunami hazard area (California Governor's Office of Emergency Services 2025). Therefore, the site is not located in a seiche or tsunami zone. As described under discussion *c.(iv)* of this section, the site is within an area of minimal flood hazard (FEMA 2025).

The nearest inland water bodies subject to flooding or seiche impacts are the Prado Dam and Seven Oaks Dam located approximately 22.5 miles and 57 miles northeast of project site, respectively. According to the City's Hazard Mitigation Plan, failure of the Prado Dam or the Seven Oaks Dam due to seismic activity has the potential to impact Fountain Valley and many other communities along the Santa Ana River (Fountain Valley 2025a). However, failure of this dam during a catastrophic event, such as a severe earthquake, is considered a very unlikely event due to the dam's method of construction and strict regulatory oversight. Furthermore, the project does not involve storage or processing of pollutants other than minor quantities of typical household hazardous waste such as cleaning agents and landscaping maintenance materials, that could be released due to inundation should such an event occur. Therefore, potential impacts related to the release of pollutants due to project inundation would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

The proposed project would be required to adhere to BMPs to ensure that water quality standards and waste discharge requirements are not violated. Compliance with the NPDES permit provisions and incorporation of these BMPs are regulatory obligations applicable to all development projects. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan. Although construction activities related to the project may lead to a minor increase in water demand compared to the existing conditions, this increased demand is temporary and has been accounted for in the City's water supply planning. Upon completion of the proposed project, the nature of water demand would not undergo significant changes in comparison to the current conditions. Therefore, there would be no substantial adverse effects on groundwater supplies or rechargeability. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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11 Land Use and Planning

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

a. Would the project physically divide an established community?

The project site is currently occupied by a commercial building. Regional vehicular access to the site is provided by Interstate 405 (I-405) and SR-39. The project site is locally accessible by Warner Avenue. Regional mass transit service is provided by Metrolink, the Pacific Surfliner, and Amtrak, with the closest train stop being the Santa Ana Station on Railroad Street located 7.5 miles northeast of the project site. Pedestrians would be able to access the project site via the sidewalks along Warner Avenue. The project site is currently developed and surrounded by commercial and residential uses and a public park. The project would not include the implementation of any large linear features and would not re-develop existing residential areas. The project would not result in the division of an established community. Therefore, no impact would occur.

NO IMPACT

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?

As described in Section 1, *Aesthetics*, the project site is designated as Local Commercial by the Fountain Valley General Plan and currently zoned as C1 (Local Business). The project applicant is requesting a General Plan Amendment from Local Commercial to High Density Residential and a Zoning Map Amendment from C1 (Local Business) to R4 (High Density Multiple Dwelling). The High Density Residential land use allows for 15 to 30 dwelling units per acre, and, correspondingly, the R4 zone permits a residential density of 30 dwelling units per acre. To facilitate the development of the proposed 72 residential units on-site, and per the California Density Bonus Law the project applicant is requesting three (3) concessions to 1) reduce the required rear setback adjacent to single-family residential development, 2) allow a reduced balcony size requirement, and 3) allow for the increase in number of units per 1,452 square feet. The proposed uses would be permitted upon approval of the requested zoning/land use changes, a conditional use permit per FVMC Section 21.08.030, and concessions, and would remain consistent with the surrounding area.

With these changes, development of the project would comply with all applicable policies and regulations contained within the General Plan and FVMC, including the City's Zoning Code contained within. Once the requested land use designation changes are applied, the project would be consistent with the allowed uses described within the City's Zoning Code.

No significant environmental impact would occur from a conflict with an applicable land use policy, plan, or regulation. As disclosed throughout this IS-MND, project impacts would be reduced to less-than-significant levels after mitigation; therefore, the project would not cause a significant environmental impact due to conflict with any goals, objectives, and policies of applicable land use plans, including SCAQMD's 2022 AQMP, CARB's 2022 Scoping Plan, and SCAG's Connect SoCal 2024 (as discussed in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*). Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	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?	☐	☐	☐	■
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?	☐	☐	☐	■

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

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

The California Surface Mining and Reclamation Act of 1975 was enacted to promote conservation and protection of significant mineral deposits. According to the California Department of Conservation Mineral Land Classification Maps, the project site is within an area classified as Mineral Resource Zone-2 and designated for Portland cement concrete-Grade Aggregate, which indicates that the project site contains identified mineral resources (DOC 2010). However, the project site has not historically been used for mineral resource recovery and is in an urban area primarily developed with residential and commercial land uses. Therefore, the project site and surrounding area are not used for or compatible with mineral deposit recovery. In addition, according to the California Geologic Energy Management Division, there are no active oil extraction-sites in the vicinity of the project site (DOC 2023). Given the existing conditions of the project site and surrounding area, the project would not result in the loss of availability of a known mineral resource, and no impact would occur.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	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?	☐	☐	■	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■

Noise Overview

Sound is a vibration that transmits through a medium (such as a gas, liquid, or solid) created by a moving or vibrating source, which is capable of being detected by the hearing organs. Sound in the context of environmental analysis consists of sound that transmits through the open air from a source to a receiver. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds.

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 hertz (Hz) and less sensitive to frequencies around and below 100 Hz (Kinsler, et al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as the doubling of vehicle traffic volumes, results in a noise level increase of 3 dB, whereas dividing the energy in half results in a 3 dB decrease (Crocker 2007).

Human perception of noise has no simple correlation with sound energy, i.e., the perception of sound is not linear in terms of dBA or in terms of sound energy. Two (2) sources, each containing the same sound energy, do not “sound twice as loud” as one (1) source. It is widely accepted that the average healthy human ear can detect changes (either increases or decreases) of 3 dBA, which is recognized as being barely perceptible to most people. Similarly, a change of 5 dBA is readily perceptible and a change of 10 dBA sounds twice (or half) as loud (Crocker 2007).

Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs, and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. The noise descriptors used in this analysis are the equivalent continuous noise level (L_{eq}) and the maximum noise level (L_{max}). The L_{eq} is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, L_{eq} is equivalent to a one (1)-hour period, even when measured for shorter durations as the noise level of a 10- to 30-minute period would be the same as the hour if the noise source is relatively steady. L_{max} is the highest Root Mean Squared (RMS) sound pressure level within the sampling period.

Propagation

Sound from a small, localized source (approximating a "point" source) radiates uniformly outward as it travels away from the source in a spherical pattern, known as geometric spreading. The sound level decreases or drops off at a rate of 6 dBA for each doubling of the distance away from the source. Other sources of noise, such as a road or railroad, are not a single, stationary point source of sound but rather, emanate noise from a line ("line" source). The drop-off rate for a line source is 3 dBA for each doubling of distance away from the source.

The propagation of noise is also affected by the absorption characteristics of the ground: a hard site, such as a parking lot or smooth body of water, provides no absorption/attenuation and the changes in noise levels with distance result simply from the geometric spreading of the source (i.e., 3 or 6 dBA reduction per doubling of distance for a point source or line source, respectively). Conversely, a soft site, such as soft dirt, grass, or scattered bushes and trees, may provide additional absorption/attenuation, potentially reducing noise levels an additional 1.5 dBA per doubling of distance away from the source (Caltrans 2013).

Noise levels may also be reduced by intervening structures. The amount of reduction provided by the "shielding" of these features depends on the size of the structure/s, the location of the structure/s relative to the noise source and receivers, and the frequency content of the noise levels. Natural terrain features, such as hills and dense woods, and manufactured features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight between a noise source and receiver will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011).

Vibration Overview

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hz. The frequency of a vibrating object describes how rapidly it oscillates. Vibration levels are usually expressed as a single-number measure of vibration magnitude in terms of velocity or acceleration, which describes the severity of the vibration without the frequency variable. The peak particle velocity (PPV) is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in inches per second. Since it is related to the stresses experienced by buildings, PPV is often used in monitoring and controlling construction vibration to prevent damage to nearby structures.

Although PPV is appropriate for evaluating the potential of building damage, it is not suitable for evaluating human response. It takes some time for the human body to respond to vibrations. In a sense, the human body responds to an average vibration amplitude (Federal Transit Administration [FTA] 2018). Because vibration waves are oscillatory, the net average of a vibration signal is zero. Therefore, the RMS amplitude is used to describe the "smoothed" vibration amplitude (FTA 2018). The RMS of a signal is the square root of the average of the squared amplitude of the signal, usually measured in inches per second. The average is typically calculated over a one (1)-second period. The RMS amplitude is always less than the PPV and is always positive. Decibel notation is used to compress the range of numbers required to describe vibration. The abbreviation "VdB" is used in this analysis for "vibration decibels" to reduce the potential for confusion with sound decibels.

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise-sensitive land uses typically include uses that are adversely affected by noise intrusion, such as residences, schools, hospitals and long-term care facilities, transient lodging (hotels and motels), places of worship, and parks (or other outdoor recreational areas).

The closest sensitive receptors in the vicinity of the project site include Westmont Park located adjacent to the eastern project site boundary and existing single-family residences located adjacent to the southern project site boundary. In addition, there are single-family residences located approximately 150 feet north of the northern project site boundary, 200 feet east of the eastern project site boundary, and 450 feet west of the western project site boundary.

Project Noise Setting

The primary noise source in the vicinity of the project site is vehicular traffic along Warner Avenue. To characterize ambient noise levels in the project vicinity, two (2) short-term (15-minute) noise level measurements were taken on July 15, 2025 and two (2) long-term (24-hour) noise level measurements were taken on July 15–16, 2025 using Soft dB Piccolo-II, Type 2 integrating sound level meters. The sound level meters were calibrated prior to and after measurements. Short-term noise measurement 1 (ST 1) was conducted at the northeast corner of the project site and ST 2 was conducted at the southeast corner of the project site. Long-term noise measurement 1 (LT 1) was conducted along the northern boundary of the project site along Warner Avenue and LT 2 was conducted along the southern project boundary near the existing residential properties located south of the project site. Approximate noise measurement locations are shown in Figure 7 on the following page. Table 10 summarizes the results of the short-term noise measurements.

Table 10 Short-Term Noise Measurement Results

Measurement Location		Sample Times[1]	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)
ST 1	Northeast corner of project site	7:32 – 7:47 a.m.	69.4	51.5	84.4
ST 2	Southeast corner of project site	7:50 – 8:05 a.m.	57.0	45.8	63.4

dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level; L_{min} = minimum sound level; L_{max} = maximum sound level

[1] All short-term noise measurements were conducted on July 15, 2025.

Note: Noise measurement locations are shown on Figure 7. Sound level measurement results are included in Appendix G.

Figure 7 Approximate Noise Measurement Locations

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25-17226 EPS
Fig X Noise Measurement Locations

Table 11 summarizes the results of the long-term noise measurements at LT 1, and Table 12 summarizes the results of the long-term noise measurements at LT 2. All noise measurement data is included in Appendix G.

Table 11 Long-Term Noise Measurement Results (LT 1)

Sample Time	dBA L_{eq}	Sample Time	dBA L_{eq}
LT 1, Along northern project site boundary – July 15–16, 2025			
7:00 a.m.	73.5	7:00 p.m.	70.1
8:00 a.m.	73.1	8:00 p.m.	69.7
9:00 a.m.	72.4	9:00 p.m.	69.7
10:00 a.m.	71.7	10:00 p.m.	66.8
11:00 a.m.	70.6	11:00 p.m.	64.8
12:00 p.m.	72.2	12:00 a.m.	63.8
1:00 p.m.	70.8	1:00 a.m.	60.0
2:00 p.m.	72.2	2:00 a.m.	59.4
3:00 p.m.	70.1	3:00 a.m.	62.0
4:00 p.m.	72.8	4:00 a.m.	66.5
5:00 p.m.	71.6	5:00 a.m.	68.9
6:00 p.m.	70.8	6:00 a.m.	73.2
24-hour Noise Level (dBA CNEL)			**74.6**

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level; CNEL = Community Noise Equivalent Level

Note. Noise measurement locations are shown on Figure 7. Graphical sound level measurement results are included in Appendix G.

Table 12 Long-Term Noise Measurement Results (LT 2)

Sample Time	dBA L_{eq}	Sample Time	dBA L_{eq}
LT 2, Along southern project site boundary – July 15–16, 2025			
7:00 a.m.	59.0	7:00 p.m.	51.9
8:00 a.m.	70.1	8:00 p.m.	50.8
9:00 a.m.	53.0	9:00 p.m.	50.5
10:00 a.m.	51.0	10:00 p.m.	49.4
11:00 a.m.	50.3	11:00 p.m.	48.5
12:00 p.m.	54.5	12:00 a.m.	45.9
1:00 p.m.	51.1	1:00 a.m.	42.9
2:00 p.m.	52.8	2:00 a.m.	43.8
3:00 p.m.	50.2	3:00 a.m.	43.7
4:00 p.m.	52.5	4:00 a.m.	47.4
5:00 p.m.	53.0	5:00 a.m.	49.3
6:00 p.m.	52.2	6:00 a.m.	55.8
24-hour Noise Level (dBA CNEL)			**59.4**

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level; CNEL = Community Noise Equivalent Level

Note: Noise measurement locations are shown on Figure 7. Graphical sound level measurement results are included in Appendix G.

Significance Thresholds

Construction Noise

FOUNTAIN VALLEY MUNICIPAL CODE

Section 6.28.070 of the FVMC states that noise sources associated with the construction, repair, remodeling or grading of any real property, provided said activities[7] take place between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, 9:00 a.m. through 8:00 p.m. on Saturday and at no time on Sunday or any legal Holiday are exempt from the noise regulations established in the FVMC. Therefore, noise impacts associated with construction of the project would be considered significant if construction activities were to occur outside of the allowable days and times established in the FVMC.

FEDERAL TRANSIT ADMINISTRATION TRANSIT NOISE AND VIBRATION IMPACT ASSESSMENT MANUAL

In absence of a quantitative threshold for evaluating construction noise impacts in the Fountain Valley General Plan and FVMC, the criteria recommended by the FTA in the Transit Noise and Vibration Impact Assessment Manual (FTA 2018) were used to evaluate noise levels associated with construction of the project. This document provides criteria for assessing construction noise impacts based on the potential for adverse community reaction according to affected land use type, which are shown in Table 13.

Table 13 FTA Construction Noise Criteria

	L_{eq}, equip (8-hour), dBA	
Land Use	**Day (7:00 a.m. to 10:00 p.m.)**	**Night (10:00 p.m. to 7:00 a.m.)**
Residential	80	70
Commercial	85	85
Industrial	90	90

dBA = A-weighted decibels; L_{eq} = equivalent continuous sound level

Source: FTA 2018

As shown in Table 13, noise impacts associated with construction of the project would be considered significant if noise levels were to exceed 80 dBA L_{eq} over an eight (8)-hour period at nearby noise-sensitive (i.e., residential) land uses.

Operational Noise

FOUNTAIN VALLEY MUNICIPAL CODE

Chapter 6.28 of the FVMC contains regulations pertaining to noise generated within the City. Section 6.28.050(a) of the FVMC establishes exterior noise levels, which are presented in Table 14 on the following page.

[7] For purposes of this exception the use of saws, buffers, sanders, drills, and sprayers shall be included, as shall similar activity.

Table 14 Fountain Valley Municipal Code Exterior Noise Standards

Noise Zone[1]	Noise Level	Time Period
1	55 dBA	7:00 a.m. to 10:00 p.m.
	50 dBA	10:00 p.m. to 7:00 a.m.

dBA = A-weighted decibels

[1] Pursuant to Section 6.28.040 of the FVMC, all properties located in residential zone districts are "Noise Zone 1."

Furthermore, FVMC Section 6.28.050(b) states that it is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either incorporated or unincorporated, to exceed:

1. The noise standard for a cumulative period of more than 30 minutes in any hour; or
2. The noise standard plus 5 dBA for a cumulative period of more than 15 minutes in any hour; or
3. The noise standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour; or
4. The noise standard plus 15 dBA for a cumulative period of more than 1 minute in any hour; or
5. The noise standard plus 20 dBA for any period of time.

Section 6.28.050(c) of the FVMC states that if the ambient noise level exceeds any of the noise limit categories discussed above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. If the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.

Operational noise impacts associated with the project would be considered significant if they were to exceed the City's daytime and nighttime thresholds of 55 and 50 dBA, respectively, at nearby sensitive receptors.

Vibration

FEDERAL TRANSIT ADMINISTRATION TRANSIT NOISE AND VIBRATION IMPACT ASSESSMENT MANUAL

In absence of a quantitative threshold for evaluating vibration impacts in the City's General Plan and Municipal Code, the criteria recommended by the FTA in the Transit Noise and Vibration Impact Assessment Manual (FTA 2018) were used to evaluate vibration impacts associated with the project. This document provides criteria for evaluating vibration impacts based on preventing minor architectural (i.e., non-structural) damage to nearby structures. These vibration limits are presented in Table 15.

Table 15 FTA Vibration Damage Criteria

Building Category	PPV (in/sec)
I. Reinforced concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Nonengineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

PPV = peak particle velocity; in/sec = inches per second

Source: FTA 2018

As shown in Table 15, vibration impacts associated with the project would be considered significant if vibration levels were to exceed 0.2 in/sec PPV at nearby residential structures and 0.3 in/sec PPV at nearby commercial structures.

Federal Aviation Administration

Fountain Valley does not establish a quantitative threshold for evaluating traffic noise impacts. Therefore, the recommended thresholds developed by the Federal Aviation Administration (FAA) were used. These thresholds are used for assessing noise impacts based on the extent to which the existing ambient noise level at a site is increased (FAA 2020). Based on FAA recommendations, significant noise impacts are determined by the percentage of people who would be annoyed at various levels of noise exposure. FAA criteria indicates that significant impacts would occur if project-related noise were to increase the existing noise environment by the following:

- Greater than 1.5 dBA CNEL for ambient noise environments of 65 dBA CNEL and higher; or
- Greater than 3 dBA CNEL for ambient noise environments of 60 to 64 dBA CNEL; or
- Greater than 5 dBA CNEL for ambient noise environments of less than 60 dBA CNEL.

As discussed under *Project Noise Setting* of this section, the existing ambient noise level at the project site was measured to be approximately 75 dBA CNEL along Warner Avenue. Therefore, traffic noise impacts would be considered significant if project-generated traffic were to cause a noise increase of 1.5 dBA CNEL or more.

Impact Analysis

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?

Construction

Temporary noise levels caused by construction activity would be a function of the noise generated by construction equipment, the location and sensitivity of nearby land uses, and the timing and duration of noise-generating activities. For a construction noise assessment, construction equipment can be considered to operate in two (2) modes: stationary and mobile. As a rule, stationary equipment operates in a single location for one (1) or more days at a time, with either fixed-power operation (e.g., pumps, generators, and compressors) or variable-power operation (e.g., pile drivers, rock drills, and pavement breakers). Conversely, mobile equipment moves around the construction site with power applied in cyclic fashion, such as bulldozers, graders, and loaders (FTA 2018). Noise impacts from stationary equipment are assessed from the center of the equipment, while noise impacts from mobile construction equipment are assessed from the center of the equipment activity area (e.g., construction site). Due to the complex and mobile nature of construction activity within a project site, the FTA Transit Noise and Vibration Impact Assessment Manual document recommends evaluating construction noise impacts from all equipment at the center of the construction site, stating that the distance variable in its recommended construction noise calculation “assumes that all equipment operates at the center of the project” (FTA 2018). For purposes of this analysis, the center of the project site was assumed to be located approximately 120 feet from the north and south project site boundaries and 190 feet from the east and west project site boundaries.

Construction noise was estimated using the FHWA's Roadway Construction Noise Model (RCNM) (FWHA 2006). Typical construction projects have long-term noise averages that are lower than louder short-term noise events due to equipment moving around the site, work breaks, and idle time. Each phase of construction has a specific equipment mix depending on the work to be conducted during that phase. Accordingly, each phase is characterized by varying noise conditions; some phases will have higher continuous noise levels than others, while others may have intermittent, higher instantaneous noise levels. The maximum hourly L_{eq} of each phase is determined by combining the L_{eq} contributions from each piece of equipment used in that phase (FTA 2018). Project construction would include demolition, site preparation, grading, building construction, paving, and architectural coating phases. It is assumed that diesel engines would power all construction equipment. Noise levels generated during each phase of construction were estimated based on the equipment list provided by the project applicant. For a conservative evaluation of noise impacts, it was assumed that up to the five (5) loudest pieces of equipment during each phase would be operating simultaneously.

Table 16 shows the estimated noise levels at the nearest sensitive receptors during each phase of construction. As shown in Table 16, construction noise levels would reach up to approximately 79 dBA L_{eq} (eight [8]-hour) at the nearest residence located to the south during the building construction phase, which would not exceed the FTA's recommended construction noise threshold of 80 dBA L_{eq} (eight [8]-hour). Therefore, temporary noise impacts associated with construction of the project would be less than significant.

Table 16 Estimated Noise Levels at Sensitive Receptors by Construction Phase

	Construction Noise Level (dBA L_{eq} [8-hour])			
Construction Phase	**RCNM Reference Noise Level**	**Nearest Single-Family Residences to the South**	**Westmont Park to the East**	**Nearest Single-Family Residences to the North**
Distance (feet)	**50**	**120**	**190**	**285**
Demolition	86	78	74	71
Site Preparation	76	68	64	61
Grading	81	73	69	66
Building Construction	87	79	76	73
Paving	85	77	73	69
Architectural Coating	76	68	64	61

dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level; RCNM = Roadway Construction Noise Model

Note: Refer to Appendix G for construction noise modeling results.

Operation

On-site Stationary Noise Sources (HVAC Equipment)

The project would include roof-mounted heating, ventilation, and air conditioning (HVAC) equipment. Based on the roof plan provided for the project, HVAC units would be located in groupings of between eight (8) and 11 units along the centerline of the roof ridge. HVAC units with the potential to generate the highest levels of noise upon adjacent sensitive receptors would be the grouping of eight (8) units located near the southeastern corner of the rooftop. HVAC units were assumed to be operating simultaneously and continuously during both daytime and nighttime hours

for a conservative estimate of noise impacts. Based on information provided by the project applicant, HVAC units would be two (2)-ton units; however, the specific manufacturer and model are unknown at this stage of project design. Therefore, this analysis assumes the use of a typical HVAC system for residential applications: a 2.5-ton Carrier 24ABA4030 unit, which produces a noise level of 68 dBA at a reference distance of three (3) feet. Equipment specification sheets are included in Appendix G. The combined noise level generated by simultaneous operation of eight (8) HVAC units would be 77 dBA at three (3) feet away.

Noise impacts associated with simultaneous operation of these eight (8) HVAC units were calculated at the nearest residential property line to the south. Noise levels were calculated assuming that combined noise levels from this grouping of equipment would emit from the center of the grouping and while accounting for both the horizontal distances between the roof-mounted equipment and nearest residential property line. Based on these calculations, it is estimated that the simultaneous operation of eight (8) HVAC units would generate noise levels up to 48 dBA, which would not exceed the City's adjusted daytime or nighttime noise limits of 57 and 52 dBA, respectively, for residential-zoned properties. Furthermore, the existing six (6)-foot-tall brick wall along the southern project site boundary would provide additional noise reduction to the residential properties located to the south, reducing project-generated operational noise levels even more. Therefore, operational noise impacts associated with the project's on-site stationary noise sources would be less than significant.

Off-site Mobile Noise Sources (Traffic)

Once operational, the project would generate noise in the form of increased traffic volumes on nearby roadways (assumed to be Warner Avenue and Newland Street) due to residents and visitors traveling to and from the site. The relative noise increases associated with the project on nearby roadways were determined by comparing the existing traffic volumes with the expected number of daily vehicle trips during project operation.

In the vicinity of the project site, Warner Avenue and Newland Street have existing ADT volumes of 56,800 and 17,600 vehicles,[8] respectively (Fountain Valley 2016). According to the Transportation Screening Assessment prepared for the project, the project would generate 471 daily trips during operation (Ganddini Group 2025).

An increase of 471 daily vehicle trips on these roadways (increasing the ADT volumes to 57,271 vehicles on Warner Avenue and 18,071 vehicles on Newland Street) would result in noise increases of approximately 0.04 dBA CNEL on Warner Avenue and 0.1 dBA CNEL on Newland Street, which would not exceed the traffic noise increase threshold of 1.5 dBA CNEL based on the existing ambient noise environment at the project site. Therefore, operational noise impacts associated with the project's off-site noise sources would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Construction Vibration

Construction activities known to generate excessive groundborne vibration, such as pile driving and blasting, would not be conducted during construction of the project. Therefore, the greatest known sources of vibration during project construction activities would be a static roller and large

[8] Note that these ADT volumes are based on traffic counts from the year 2016.

earthmoving equipment (such as a backhoe, excavator, and dozer). Based on the project site plan, a static roller may be used as close as approximately 45 feet from the nearest off-site residential structure to the south of the project site. A static roller generates a vibration level of approximately 0.05 in/sec PPV at a reference distance of 25 feet (IR McIver 2012), which would attenuate to approximately 0.021 in/sec PPV[9] at 45 feet away. Large earthmoving equipment may be used as close as approximately 35 feet from the nearest off-site residential structure to the south of the project site. This type of equipment generates a vibration level of approximately 0.089 in/sec PPV at a reference distance of 25 feet (FTA 2018), which would attenuate to approximately 0.054 in/sec PPV at 35 feet away. Vibration levels generated by use of a static roller and large earthmoving equipment would not exceed the FTA's recommended vibration threshold of 0.2 in/sec PPV at the nearest off-site residential structures; therefore, temporary vibration impacts associated with construction of the project would be less than significant.

Operational Vibration

Operation of the project would not include substantial sources of vibration; therefore, vibration impacts associated with operation of the project would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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?

The project site is located approximately seven (7) miles northwest of the John Wayne Airport and there are no private airstrips in the vicinity of the project site. The project site is not located within any of the noise contours of this airport according to the October 2024 through December 2024 noise contours prepared as part of the Noise Abatement Program Quarterly Report for the airport (County of Orange 2024). Residents and workers in the project vicinity would not be exposed to excessive aviation-related noise levels and no impact would occur.

NO IMPACT

[9] PPVEquipment = PPVRef (25/D)^n (in/sec), PPVRef = reference PPV at 25 feet, D = distance ,and n = 1.1

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14 Population and Housing

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

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)?

SCAG's 2024-2050 RTP/SCS (titled Connect SoCal 2024) socioeconomic forecast includes projections of regional housing and employment growth but does not include population projects. As such, the General Plan is utilized below to determine if population generated by the project is within the planned growth for Fountain Valley. The population growth forecasts in the General Plan estimate that the city's population would increase to 73,668 people in 2045, which is an increase of 17,108 people from the city's population of 56,560 people in 2025 (Fountain Valley 2023a, DOF 2025).

The project involves the development of 72 residential units. Based on the DOF average household size of 2.86 persons per residential unit in Fountain Valley, the project would potentially add an estimated 206 residents to the city's population, increasing the population from 56,560 to 56,766 persons (DOF 2025). The project would account for approximately one (1) percent of the city's total projected population growth through year 2045. Potential population growth generated by the project would be within the General Plan's growth forecast; therefore, the population increase associated with the project would not be considered substantial or unplanned and impacts associated with population growth would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

No residential uses currently exist at the site. Therefore, the project would not displace existing housing or people and would not necessitate the construction of replacement housing elsewhere. No impact would occur.

NO IMPACT

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15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	No Impact
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:				
	1 Fire protection?	☐	☐	■	☐
	2 Police protection?	☐	☐	■	☐
	3 Schools?	☐	☐	■	☐
	4 Parks?	☐	☐	■	☐
	5 Other public facilities?	☐	☐	■	☐

A will-serve letter was prepared for the proposed project by Fountain Valley School District (FVSD) in October 2024 and is included as Appendix H.

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

FVFD provides fire protection and paramedic emergency services to residents and businesses within the city. Two (2) FVFD stations exist in Fountain Valley; the nearest fire station is FVFD Station 1, located approximately 1.2 miles southeast of the project site at 17737 Bushard Street. FVFD includes a total of 39 sworn personnel, with 13 firefighting and emergency medical personnel on-duty 24 hours per day (Fountain Valley 2025b).

The project would incrementally increase demand for fire protection services by adding approximately 206 residents to the city. However, as detailed in Section 14, *Population and Housing*, this population increase would be within the General Plan's population and housing forecasts, and the population growth would be considered planned. Therefore, although the project would incrementally increase demand for police services, the project would not result in substantial adverse impacts that would require the provision of new or physically altered police protection facilities. Furthermore, FVFD would review site plans, site construction, and the actual structures

prior to occupancy to ensure that required fire protection safety features, including building sprinklers and emergency access, are implemented. The project would comply with applicable policies and ordinances for fire prevention, protection, and safety as required by the FVMC, which has adopted the 2022 California Fire Code, including development with modern materials and in accordance with current standards, and provision of automatic fire sprinklers. With these provisions and the location of the project site within an area already served by the FVFD, the project would not require the construction of new or expanded firefighting facilities. Therefore, the project's potential impacts to fire services and facilities would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Fountain Valley Police Department (FVPD) provides police protection services to residents and businesses within the city. The FVPD station is located approximately 1.6 miles southeast of the project site at 10200 Slater Avenue.

The project would incrementally increase demand for police protection services by adding approximately 206 residents to the city. However, as detailed in Section 14, *Population and Housing*, this population increase would be within the General Plan's population and housing forecasts, and the population growth would be considered planned. Therefore, although the project would incrementally increase demand for police services, the project would not result in substantial adverse impacts that would require the provision of new or physically altered police protection facilities. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The project site is served by the FVSD and the Huntington Beach Union High School District (HBUHSD). The site would be served by Tamura Elementary School (K-5), Fulton Middle School (6-8), and Fountain Valley High School (9-12). In the 2023-2024 school year, Tamura Elementary School and Fulton Middle School had a total enrollment of 518 and 730 students, respectively (Tamura Elementary School 2025, Fulton Middle School 2024). In the 2021-2022 school year, Fountain Valley High School had a total enrollment of 3,286 students (Fountain Valley High School 2023).

The need for new school facilities is typically associated with a population increase that generates an increase in enrollment large enough to cause new schools to be constructed. The project involves the construction of a 72-unit apartment complex, which would increase the number of residential units within the FVSD and HBUHSD district boundaries. As shown in Table 17 on the following page, the proposed project would generate 16 new students in FVSD and 15 new students in HBUHSD based on the proposed 72 units provided by the project.

Table 17 Proposed Project Student Generation

District	Multi-Family Residential Enrollment Rate	Students Generated
Fountain Valley School District		
Elementary (K-5)	0.14	11
Middle School (6-8)	0.06	5
Total		**16**
Huntington Beach Unified High School District		
High School (9-12)	0.2	15
Grand Total		**31**

Source: Fountain Valley 2023b; HBSHSD 2025

Compared to the 518 and 730 students enrolled in Tamura Elementary School and Fulton Middle School in 2024, the project would incrementally increase existing student enrollment by approximately 2.1 and 0.6 percent, respectively. Compared to the 3,286 students enrolled in Fountain Valley High School in 2022, the project would incrementally increase existing student enrollment by approximately 0.5 percent. Therefore, the students generated by the proposed project would not represent a substantial increase in enrollment for the schools serving the project site. Additionally, a will-serve letter was prepared by FVSD which states that FVSD can accommodate all FVSD grade-level students generated by the proposed project (Appendix H).

Furthermore, the project applicant would be required to pay the state-mandated school impact fees that would contribute to the funds available for development of new school facilities. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, the project would not substantially increase the number of students at local public school or lead to the need for new or physically altered school facilities. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The City operates over 450 acres of regional, community, and neighborhood parks (Fountain Valley 2023b). The closest park to the project site is the Westmont Park which is located immediately east of the project site. The Westmont Park is 11.39 acres and includes a playground, jogging course, sandpit, and picnic tables (Fountain Valley 2025c). Chapter 21.79 of the FVMC defines the City's parkland ratio standard of three (3) acres of parkland per 1,000 residents. With an existing population of 56,560 residents, the City's existing parkland ratio is 7.96 acres of parkland per 1,000 residents, which exceeds the City's parkland ratio standard.

As discussed in Section 14, *Population and Housing*, the addition of 206 residents would increase the city's population to 56,766 persons. Therefore, the proposed project would nominally decrease the city's ratio of parkland to residents to approximately 7.93 acres per 1,000 residents which would remain above the City's parkland ratio standard.

Policy OSC-1.1 of the General Plan requires that all new residential or mixed-use projects, including the proposed project, must provide or pay fees equivalent to a ratio of three (3) acres of parkland and recreational facilities for every 1,000 new residents added. As detailed in Section 14, *Population and Housing*, the project would result in an additional 206 residents to the city's population. Therefore, the proposed project could be required to provide or pay fees equivalent to approximately 0.6 acre of parkland and recreational facilities. The proposed project would not involve parkland or recreational facilities. Therefore, the project applicant would be required to pay in-lieu impact fees per Policy OSC-1.1 of the General Plan, Chapter 21.79 of the FVMC, the Quimby Act, and per the fees set by City Council Resolution. Overall, the project would not generate a substantial increase in population within the city and would not considerably alter the parkland-to-resident ratio. Therefore, the project would not create the need for new or expanded park facilities and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The project site exists in an urban area already served by public services and facilities, such as hospitals and public libraries. The Huntington Beach Hospital, located approximately 0.8-miles southwest, is the nearest medical facility to the project site. The MemorialCare Orange Coast Medical Center is located approximately two (2) miles southeast of the project site. A number of other medical facilities exist in the vicinity of the project site. Any of these surrounding facilities could serve the residents of the project.

The project site is served by the Fountain Valley Library which is located approximately 1.65 miles southeast of the project site at 17635 Los Alamos Street. The Fountain Valley Library is a branch of the Orange County Public Library.

As discussed in Section 14, *Population and Housing*, the project would potentially add an estimated 206 residents to the city's population, which would account for approximately one (1) percent of the city's total projected population growth through year 2045. Increased population generated by the project would incrementally increase demand on local public facilities in the vicinity, such as the Fountain Valley Library. However, the project site is in an urban area already served by other commonly used public facilities. As discussed in Section 14, *Population and Housing*, the project would not induce substantial growth and would therefore not adversely affect existing governmental facilities or require the need for new or altered governmental facilities and would generally follow the same use patterns of similar existing residential uses in terms of demand for public services. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

16 Recreation

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

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?

The City operates over 450 acres of regional, community, and neighborhood parks (Fountain Valley 2023b). The closest park to the project site is the Westmont Park which is located immediately east of the project site. The Westmont Park is 11.39 acres and includes a playground, jogging course, sandpit, and picnic tables (Fountain Valley 2025c). Chapter 21.79 of the FVMC defines the City's parkland ratio standard of three (3) acres of parkland per 1,000 residents. With an existing population of 56,560 residents, the City's existing parkland ratio is 7.96 acres of parkland per 1,000 residents, which exceeds the City's parkland ratio standard.

As discussed in Section 14, *Population and Housing*, the addition of 206 residents would increase the City's population to 56,766 persons. Therefore, the proposed project would nominally decrease the city's ratio of parkland to residents to approximately 7.93 acres per 1,000 residents which would remain above the City's parkland ratio standard.

Policy OSC-1.1 of the General Plan requires that all new residential or mixed-use projects, including the proposed project, must provide or pay fees equivalent to a ratio of three (3) acres of parkland and recreational facilities for every 1,000 new residents added. As detailed in Section 14, *Population and Housing*, the project would result in an additional 206 residents to the city's population. Therefore, the proposed project could be required to provide or pay fees equivalent to approximately 0.6 acres of parkland and recreational facilities. The proposed project would not involve parkland or recreational facilities. Therefore, the project applicant would be required to pay in-lieu impact fees per Policy OSC-1.1 of the General Plan, Chapter 21.79 of the FVMC, the Quimby Act, and per the fees set by City Council Resolution. Overall, the project would not generate a substantial increase in population within the city and would not considerably alter the parkland-to-resident ratio. Therefore, the project would not create the need for new or expanded park facilities and impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

The project involves the construction of a 72-unit multi-family residential development, which includes 18,701 square feet of open space. The proposed project's open space includes an outdoor area with barbeques and outdoor seating, which would assist with meeting on-site residents' passive recreation needs. Furthermore, as detailed under discussion *a.* of this section, the proposed project would not have a substantial effect on the City's parkland and recreational facilities and the City's parkland ratio would remain above the City's standard. The proposed project would not include recreational facilities, nor would it require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. Therefore, there would be no impact.

NO IMPACT

17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	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?	☐	☐	■	☐
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	■	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	■	☐

Ganddini Group prepared a Transportation Screening Assessment in June 2025 to determine if the preparation of a traffic impact analysis with level of service (LOS) or VMT analysis is necessary. However, pursuant to Section 15064.3 of the CEQA Guidelines, traffic delay (i.e., impacts to LOS) resulting from a land use project shall not constitute a significant environmental impact for purposes of CEQA. Nonetheless, the Transportation Screening Assessment determined that the proposed project would generate fewer than 50 peak hour trips and would not warrant the preparation of an LOS analysis.

The following analysis is based on the findings of the Transportation Screening Assessment, which is included in Appendix B.

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

Regional access to the project site is provided by I-405 which is approximately 0.6-mile east of the project site. Local access to the site is provided by Warner Avenue. In addition, regional mass transit service is provided by the OCTA, with the closest bus stop being for Route 72 located immediately northwest of the project site. The proposed project involves coordination with OCTA to permanently relocate the bus stop approximately 115 feet to the east of its existing location.

Sidewalks are provided along Warner Avenue within the project site which would be maintained after the project is developed. There are no designated bike facilities currently on Warner Avenue east of Newland Street; however, there is a Class I bike path to the east of the project site in the Westmont Park from Warner Avenue to south of Ellis Avenue.

Construction

Construction of the proposed project would generate traffic for deliveries of equipment and materials to the project site and construction worker traffic. Construction-related vehicles would travel to, and access, the project site via Warner Avenue. Construction worker trips were estimated based on default values provided by CalEEMod (Appendix A). The project would generate a maximum of 110.7 one (1)-way construction worker trips per day. Construction worker and hauling traffic may result in increased traffic in the vicinity of the project site; however, these impacts would be temporary and minimal.

Construction of the proposed project would not involve any vehicle or equipment staging on Warner Avenue. Temporary and occasional partial lane closures may be required on Warner Avenue for utility installation and driveway construction. However, construction would not involve permanent or full closure of Warner Avenue roadway lanes.

To further lessen the potential impact of construction traffic, the project would be required to comply with all local and State standard conditions pertaining to construction, including work hours, traffic control plans, haul routes, access, oversized-vehicle transportation permits, site security, noise, vehicle emissions, and dust control. Whenever possible, construction-related trips would be restricted to off-peak hours. Transportation of heavy construction equipment or materials requiring the use of oversized vehicles would require the appropriate transportation permit. In addition, pursuant to City regulations, if construction work would impact the public right-of-way, the construction contractor would be required to submit a construction work site traffic control plan to the City for review and approval prior to the start of any construction work that would impact the public right-of-way. The plan would be required to demonstrate the location of any roadway, sidewalk, bike route, bus stop or driveway closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. Temporary traffic controls used around the construction area would be required to adhere to the standards set forth in the California Manual of Uniform Traffic Control Devices and construction activities would be required to adhere to applicable City ordinances. Therefore, construction would not conflict with any programs, plans, or ordinances addressing the circulation system.

Operation

Operation of the project would generate vehicle trips from residents accessing the site. According to the Transportation Screening Assessment (Appendix B), the proposed project would generate approximately 471 daily trips, including 31 AM peak hour trips, and 37 PM peak hour trips. However, the Transportation Screening Assessment concluded there would be approximately 547 fewer net daily trips, 13 fewer AM peak hour trips, and 86 fewer PM peak hour trips, associated with the proposed project compared to the existing uses of the project site. As further described under discussion *b.* of this section, in accordance with the City's VMT thresholds, VMT impacts associated with the project would be less than significant. In addition, the proposed project would not alter the alignment of Warner Avenue. The proposed project would involve relocation of the bus stop to approximately 115 feet to the east of its existing location; however, this relocation would not have a significant impact on the bus stop's operation. Therefore, project operation would not conflict with a program, plan, ordinance, or policy addressing the circulation system. Potential impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

In December 2018, the California Natural Resources Agency certified and adopted the updated CEQA Guidelines. The amended CEQA Guidelines, specifically Section 15064.3, generally require the use of VMT as the primary metric for the evaluation of transportation impacts associated with land use and transportation projects. In general terms, VMT quantifies the amount and distance of automobile travel attributable to a project or region.

The updated CEQA Guidelines allow for the lead agency's discretion in establishing methodologies and thresholds provided there is substantial evidence to demonstrate that the established procedures promote the intended goals of the legislation. Where quantitative models or methods are unavailable, CEQA Guidelines Section 15064.3 allows agencies to assess VMT qualitatively using factors such as availability of transit and proximity to other destinations. The Office of Planning and Research (OPR's; now titled the Office of Land Use and Climate Innovation) Technical Advisory on Evaluating Transportation Impacts in CEQA provides considerations regarding methodologies and thresholds with a focus on office, residential, and retail developments as these projects tend to have the greatest influence on VMT.

According to the City's Transportation Impact Assessment (TIA) Guidelines for Land Use Projects in CEQA and for General Plan Consistency from June 2020, certain types of projects, because of their size nature, or location are exempt from the requirement of preparing a LOS or VMT traffic analysis. There are three (3) types of screening methods to effectively screen projects from project-level assessment: (1) Transit Priority Area (TPA) Screening; (2) Low VMT Area Screening; (3) Project Type Screening. Based on the Transportation Screening Assessment (Appendix B), the proposed project meets the screening criteria set forth in the City's VMT Guidelines for (2) Low VMT Area Screening, and is therefore screened out from further VMT project-level assessment because it can be presumed to have less than significant impact on VMT. As such, impacts related to VMT would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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

Vehicle access to the project site would be available via Warner Avenue. The project would not substantially alter the alignment of Warner Avenue. The project would continue to be served by and would not interfere with existing and planned roadway, pedestrian, and public transit facilities. Furthermore, the project would not result in uses that would be incompatible with the existing land uses surrounding the project site. Therefore, implementation of the project would not result in substantial hazards due to geometric design features or incompatible uses. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

d. Would the project result in inadequate emergency access?

The project site is located along a designated evacuation route, Warner Avenue and located adjacent to a designated evacuation route, Newland Street (Fountain Valley 2023a). The project would not modify Warner Avenue or Newland Street and would maintain evacuation route access on both roadways. The project site is not located on or near a designated evacuation constrained parcel and would not result in inadequate emergency access to a designated evacuation constrained parcel.

During construction, temporary and occasional partial lane closures may be required on Warner Avenue for utility installation and driveway construction. However, construction would not involve permanent or full closure of Warner Avenue roadway lanes. Although the project site shares access (with the adjacent animal hospital (Warner Avenue Animal Hospital at 8546 Warner Avenue) as shown in Figure 3; temporary construction fencing during project construction would comply with FVMC Section 21.22.070 requirements for aisle dimensions to allow adequate backup distances for any vehicle accessing adjacent off-site uses, including emergency vehicles in the event of an emergency event. Construction of the project would not involve permanent or full closure of the existing driveway nor would it significantly hinder access of emergency response vehicles. Project construction would not result in inadequate emergency access to the project site or surroundings.

During project operation, emergency response vehicles would be able to access the project site via the entrances on Warner Avenue. The proposed project would be designed to ensure adequate access to the site would be provided via Warner Avenue, which would connect to the site's internal circulation network. The project would not modify existing roadways in the vicinity and would therefore not affect emergency vehicle use of area roadways. Furthermore, FVFD would review site plans and site construction prior to occupancy to ensure that required fire protection safety features, including building sprinklers and emergency access, are implemented. Therefore, the project would not result in inadequate emergency access. Impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. 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)?	☐	☐	☐	■
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	■

Senate Bill 18

Enacted on March 1, 2005, SB 18 (California Government Code Sections 65352.3 and 65352.4) requires cities and counties to notify and consult with California Native American tribal groups and individuals regarding proposed local land use planning decisions for the purpose of protecting traditional tribal cultural places (sacred sites), prior to adopting or amending a General Plan or designating land as open space. Tribal groups or individuals have 90 days to request consultation following the initial contact.

Assembly Bill 52

AB 52 of 2014 was enacted in 2015, expanding CEQA by defining a new resource category: "tribal cultural resources." AB 52 establishes that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states the lead agency shall

establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and that are either:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k)
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding TCRs that must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed under the jurisdiction of the lead agency.

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 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)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

The City contacted the NAHC on April 24, 2024 to request a search of the SLF, as well as a contact list of Native American tribes culturally affiliated with the project site vicinity to pursue government-to-government consultation in accordance to AB 52 and SB 18. On May 10, 2024, the NAHC responded to the request, providing a contact list and confirming that the results of the SLF search were negative. Pursuant to PRC Section 21080.3.1, the City prepared and mailed consultation letters to the 17 listed Native American contacts on June 7, 2024.

The City did not receive requests for Tribal consultation from any of the notified Tribes within their respective 30-day and 90-day response periods under AB 52 and SB 18, respectively. Therefore, it is assumed the invitation to consult on the project was declined by these Tribes.

No tribal cultural resources as defined in PRC Section 21074 that are eligible for listing in the CRHR, or a local register, or that were determined by the lead agency to be significant were identified in the project site. The project would therefore result in no impact to tribal cultural resources.

NO IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than - Significant Impact	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?	☐	☐	■	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

A will-serve letter was prepared for the proposed project by Republic Services in October 2024 and is included as Appendix I.

a. Would the project 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?

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?

Water

The project site is in an urbanized area that is well-served by existing utilities structures. As discussed in Section 10, *Hydrology and Water Quality*, and under discussion b. of this section, the City generally meets its demands through a combination of local groundwater and recycled water, and supplemental imported water purchased from the Municipal Water District of Orange County when needed (Fountain Valley 2021). The city would have adequate water supplies available for the project and no new or expanded water facilities would be required to serve the project. Therefore, no significant adverse impacts related to water facilities would occur.

Wastewater Treatment

The City owns the majority of the sewer collection system within city limits. Wastewater treatment services are provided by Orange County Sanitation District (OCSD) at the OCSD Treatment Plant No.1 (Fountain Valley 2023b). The OCSD Treatment Plant No. 1 has an average daily flow of 116 million gallons of wastewater per day (MGD) (OCSD 2025).

According to the CalEEMod results (Appendix A), the project is anticipated to require approximately 2,944,219 gallons of water per year. Assuming that total water demand required by the project would end up as wastewater, the project would generate approximately 2,944,219 gallons of wastewater per year, which would account for approximately 2.5 percent of the average daily flow of the OCSD Treatment Plant No. 1. Therefore, the OCSD Treatment Plant No. 1 would have adequate capacity to provide wastewater treatment for the project, and the project would not require the construction of new or expanded wastewater conveyance or treatment facilities. Impacts would be less than significant.

Stormwater

The project site would continue to connect to the existing storm drain system operated and maintained by the City. As discussed in Section 10, *Hydrology and Water Quality*, compared to the existing conditions, the project would increase pervious site surfaces by introducing more landscaped areas and planters, which would increase infiltration and groundwater recharge, thereby reducing the amount of surface runoff. However, the project would be required to comply with the SWPPP and the NPDES permit, which require on-site BMPs to capture and treat flows. Therefore, potential adverse impacts related to new or expanded stormwater facilities would be less than significant.

Electric Power, Natural Gas, and Telecommunications

The project would not cause substantial unplanned population growth (as discussed in Section 14, *Population and Housing*) and would not result in wasteful or inefficient use of energy (as discussed in Section 6, *Energy*). Project operation would result in similar amounts of electricity consumption on the project site, totaling approximately 304,942 kWh per year according to CalEEMod results (Appendix A). The project's electricity demand would be served by SCE, which supplied 76,840 GWh of electricity to its service area in 2023 (CEC 2025). The project's electricity demand would represent a negligible percentage of electricity provided by SCE. Therefore, the project would connect to existing electrical utility lines and would not require the extension or expansion of electrical facilities.

The proposed project would include an all-electric design and would not utilize natural gas. Therefore, the project would not require additional natural gas storage/transmission facilities.

Likewise, the project site is an infill project served by existing telecommunications facilities within the city and would not require the expansion or construction of new telecommunications infrastructure.

As described in the above analysis, the project would not result in significant environmental impacts due to the construction of new utility facilities, and the project would be served by the existing water and wastewater infrastructure. Therefore, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

As discussed in Section 10, *Hydrology and Water Quality*, the City is a retail water supplier that provides water to its residents and other customers using the imported potable water supply obtained from its regional wholesaler, Municipal Water District of Orange County, local groundwater from the Orange County Groundwater Basin, and recycled water from the Orange County Water District. The City operates two (2) five (5)-million-gallon storage and distribution reservoirs and manages a 205-mile water distribution system with over 17,000 service conditions. The City generally meets its demands through a combination of local groundwater and recycled water, and supplemental imported water purchased from the Municipal Water District of Orange County when needed (Fountain Valley 2021).

According to the City's 2020 UWMP, the City would have an adequate water supply of water, with normal conservation efforts, to meet projected demand through 2045 in average year, single dry year, and multiple dry year scenarios.

Table 18 through Table 20 show projected water supply and demand (in acre-feet per year [AFY] under normal year, single dry year, and multiple dry year conditions in the City's service area through 2045.

Table 18 Normal Year Water Supply and Demand Comparison (AFY)

Year	2025	2030	2035	2040	2045
Projected Normal Year Supply	9,989	9,911	10,024	10,118	10,118
Projected Normal Year Demand	9,989	9,911	10,024	10,118	10,118
Surplus	0	0	0	0	0

Table 19 Single Dry Year Water Supply and Demand Comparison (AFY)

Year	2025	2030	2035	2040	2045
Projected Normal Year Supply	10,588	10,505	10,625	10,725	10,725
Projected Normal Year Demand	10,588	10,505	10,625	10,725	10,725
Surplus	0	0	0	0	0

Table 20 Multiple Dry Year Water Supply and Demand Comparison (AFY)

Year		2025	2030	2035	2040	2045
Year 1	Supply	10,487	10,572	10,529	10,645	10,725
	Demand	10,487	10,572	10,529	10,645	10,725
	Surplus	0	0	0	0	0
Year 2	Supply	10,513	10,555	10,553	10,665	10,725
	Demand	10,513	10,555	10,553	10,665	10,725
	Surplus	0	0	0	0	0
Year 3	Supply	10,538	10,539	10,577	10,685	10,725
	Demand	10,538	10,539	10,577	10,685	10,725
	Surplus	0	0	0	0	0
Year 4	Supply	10,563	10,522	10,601	10,705	10,725
	Demand	10,563	10,522	10,601	10,705	10,725
	Surplus	0	0	0	0	0
Year 5	Supply	10,588	10,505	10,625	10,725	10,725
	Demand	10,588	10,505	10,625	10,725	10,725
	Surplus	0	0	0	0	0

The project would be constructed in accordance with all applicable CBC standards, including those that mandate water-efficient fixtures and features. According to CalEEMod results (Appendix A), the project demand would require approximately 2,944,219 gallons of water per year or approximately 9.04 AFY. The project's water demand would account for approximately 0.09 percent of the lowest anticipated water demand of 9,989 AFY, and therefore, would be accommodated by the water supply available for the city during normal, single dry year, and multiple dry year conditions through the year 2045. Therefore, impacts would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

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?

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

AB 341 set a statewide goal for a 75 percent reduction in waste disposal by the year 2020 and established mandatory recycling for commercial businesses. The City is required to comply with this law and report their progress towards achieving the 75 percent reduction goal to the Department of Resources Recycling and Recovery (CalRecycle). The City contracts with Republic Services to provide trash, recycling, and special pickup services for multi-family residential development. A will-serve letter was prepared by Republic Services which states that Republic Services can serve the proposed project (Appendix I). After collection, Republic Services delivers the City's solid waste to the Frank Bowerman Sanitary Landfill (Fountain Valley 2023b). The Frank Bowerman Sanitary Landfill has a maximum permitted throughput of 11,500 tons of solid waste per day (CalRecycle 2025). The anticipated life for the landfill at its currently permitted capacity is November 2053. The last reported remaining capacity at the landfill was approximately 160,896,082 cubic yards. Development of the project would generate solid waste, including construction debris. This

construction debris would include materials such as scrap wood, concrete, and plaster materials. Construction debris would be removed and disposed of in a timely manner and in accordance with all applicable laws and regulations.

The handling of all debris and waste generated during construction of the project would be subject to CALGreen requirements and the California Integrated Waste Management Act of 1989 (AB 939) requirements for salvaging, recycling, and reuse of materials from construction activity on the project site. In accordance with CALGreen requirements, the project would be required to achieve a minimum of 65 percent diversion rate for construction waste. The removal of construction debris would only occur during the construction period and would be hauled to a facility that allows the inert debris (gravel, rocks, soil, etc.) that is currently on the project site. Therefore, construction of the project would not contribute to an exceedance of the permitted capacity of any local landfill.

According to CalEEMod results (Appendix A), operation of the project would generate approximately 53.4 tons of solid waste per year or 0.17 tons per day[10]. The project's anticipated daily solid waste generation would account for approximately 0.001 percent of Frank Bowerman Sanitary Landfill's daily permitted throughout. Because the project would generate a relatively small amount of solid waste per day as compared to the permitted throughput at the receiving landfill, impacts to the Frank Bowerman Sanitary Landfill during the project's long-term operational activities would be less than significant. In addition, the project would comply with federal, State, and local statues and regulations related to solid waste, such as AB 939 and the City's recycling programs for residences. Impacts related to solid waste would be less than significant.

LESS-THAN-SIGNIFICANT IMPACT

[10] Average daily disposal quantities are based on 312 days (6 days per week, average).

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20 Wildfire

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

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

A State Responsibility Area is a legal term defining the area where the state has financial responsibility for wildland fire protection and prevention, whereas a FHSZ is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high). While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern. FHSZs are meant to help limit wildfire damage to structures through planning, prevention, and mitigation activities/requirements that reduce risk. The FHSZs serve several purposes: they are used to designate areas where California's wildland urban interface building codes apply to new buildings, they can be a factor in real estate disclosure, and they can help local governments consider fire hazard severity in the safety elements of their general plans.

The project site is in an urban area of Fountain Valley surrounded by roads and structures, including commercial and residential buildings and a public park. Undeveloped wildland areas are not located near the project site. According to the California FHSZ Viewer, the project site is not located in a State Responsibility Area, FHSZ, or Very High FHSZ for wildland fires (CALFIRE 2025). The nearest Very High FHSZ is located approximately eight (8) miles southeast of the project site in the City of Irvine.

As discussed in Section 15, *Public Services*, the project site is in an urbanized area already served by the FVFD and would not have a significant impact on fire response times nor create a substantially greater need for additional fire protection services above current capacity. The nearest fire station is FVFD Station 1, located approximately 1.2 miles southeast of the project site at 17737 Bushard Street and would provide emergency and evacuation services in the event of a fire. Furthermore, all buildings would be constructed to meet the current building code fire safety requirements.

As detailed in Section 17, *Transportation*, the project site is located along a designated evacuation route, but would not modify evacuation route access. Therefore, the project would not interfere with an emergency response plan or evacuation route. No impacts would occur.

NO IMPACT

b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, 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?

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As stated under discussion *a.* of this section, the project site is not located in a State Responsibility Area or Very High FHSZ for wildland fires. There are no rivers located on or adjacent to the project site, and the project site and surrounding areas are relatively flat, and not at high risk of downslope or downstream flooding or landslides. The project does not include uses that could exacerbate wildfire risks and risks to project occupants would be mitigated through conformance with the 2022 California Fire Code, CBC, and California Health and Safety Code, which establish provisions for fire safety related to construction, maintenance and design of buildings, and land uses. Therefore, the project would not exacerbate wildfire risks or expose people or structures to risk due to runoff, post-fire slope instability, or drainage changes. Likewise, residents of the project site would not be exposed to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impact would occur.

NO IMPACT

c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?

The project site is not within or near a State Responsibility Area or VHFHSZ. The project site is located approximately eight (8) miles northwest from the nearest mapped Very High FHSZ (CALFIRE 2025). The project site is developed and is within an urbanized area served by existing

infrastructure, including roads and utilities. Warner Avenue would provide adequate access to the project site without the need for significant road improvements. Furthermore, the existing utilities in the project area and would not require the installation or maintenance of associated infrastructure within FHSZs that may exacerbate fire risk. No impact would occur.

NO IMPACT

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21 Mandatory Findings of Significance

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

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

As discussed under Section 4, *Biological Resources*, the project site does not include any mapped essential habitat connectivity areas in the immediate vicinity of the project site. Regional wildlife movement is restricted due to the urbanized nature of the project site. As such, no native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, or native wildlife nursery sites exist on the project site. Furthermore, there is no suitable habitat for special-status species on the site. As noted under Section 4, *Biological Resources,* the project may affect nesting birds. However, implementation of Mitigation Measure BIO-1 would reduce impacts to a less-than-significant level by requiring nesting bird surveys. As noted under Section 5, *Cultural*

Resources, no archaeological resources were identified, additionally, none of the properties are eligible for listing under National Register of Historic Places and/or California Register of Historic Resources significance criteria. Therefore, there would be no impact related to the elimination of important examples of California history. Although there is also low potential for encountering intact subsurface archaeological resources , unanticipated discoveries of these resources may occur that could result in a potentially significant impact. However, Mitigation Measure CUL-1 as identified in Section 5, *Cultural Resources*, would be implemented to reduce potential impacts to a less-than-significant level related to archaeological resources in the unanticipated event of their discovery. Furthermore, as discussed in Section 18, *Tribal Cultural Resources*, no tribal cultural resources as defined in PRC Section 21074 that are eligible for listing in the CRHR, or a local register, or that were determined by the lead agency to be significant were identified in the project site. The project would therefore result in no impact to tribal cultural resources.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

Cumulative impacts are defined as two (2) or more individual (and potentially less than significant) project effects which, when considered together or in concert with other projects, combine to result in a significant impact within an identified geographic area. Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the proposed project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the proposed project. For example, if the construction of other projects in the area occurs at the same time as construction of the proposed project, potential impacts associated with biological resources, cultural resources, geology and soils, and hazards and hazardous materials in the project area may be more substantial.

As discussed under environmental checklist Sections 1 through 20, the project would have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated, with respect to all environmental issues.

Aesthetics

New development on the project site and in the surrounding area would change the existing character of the project's viewshed. However, all development in the immediate vicinity of the project would be required to comply with the development regulations and design standards contained in the FVMC, which would ensure that minimum standards related to visual character and quality are met to preclude adverse aesthetic effects (e.g., size, scale, building materials, lighting). Accordingly, the project's aesthetic impacts would not be cumulatively considerable.

Agriculture and Forestry Resources

The project would have no impact on agricultural resources. Therefore, there is no potential for the project to contribute to a cumulatively considerable impact under this topic.

Air Quality

Based on SCAQMD guidance, any direct exceedance of a regional or localized threshold also is considered to be a cumulatively considerable effect, while air pollutant emissions below applicable regional and/or localized thresholds are not considered cumulatively considerable. As discussed in Section 3, *Air Quality*, the project would not exceed SCAQMD's regional threshold for criteria pollutants during construction or operation of the project. Therefore, project-related construction and operation emissions would not be cumulatively considerable.

Biological Resources

If the proposed project and other planned commercial projects in nearby neighborhoods are constructed during the bird nesting season, these projects could result in cumulative impacts to special status bird species and nesting birds within the vicinity of project site. Mitigation Measure BIO-1 would require nesting bird avoidance and protective measures to ensure the proposed project would not impact nesting birds. With implementation of Mitigation Measure BIO-1, potential cumulative impacts to special status bird species and nesting birds would be reduced to less than significant levels. In addition, all projects would be required to comply with the biological resources policies and standards of the FVMC which would minimize the potential for these projects to result in cumulative impacts to special status species, wetlands, wildlife movement, and biological resources protected by local policies and ordinances. Furthermore, the proposed project would have less than significant impacts related to sensitive natural communities, riparian habitat, and adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plan. Therefore, the proposed project would not combine with other projects to result in cumulative impacts to biological resources.

Cultural Resources

Cumulative development in the region would continue to disturb areas with the potential to contain cultural resources. Cumulative development projects have undergone or would be required to undergo CEQA review, which would determine the extent of potential cultural resources impacts and mitigate those impacts appropriately. If cumulative projects would result in impacts to known or unknown cultural resources, impacts to such resources would be addressed on a case-by-case basis. Implementation of the project has the potential to impact unknown archaeological resources on the project site and, therefore, would result in a significant cumulative impact in the event any of such resources were found on-site during construction. Mitigation Measure CUL-1 would require implementation of protocol to ensure that unanticipated archaeological resources are properly evaluated and treated. With implementation of Mitigation Measures CUL-1, potential cumulative impacts would be reduced to a less-than-significant level.

Energy

The project's construction and operation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and would not obstruct a State or local plan for renewable energy or energy efficiency. In addition, all cumulative projects would be required to comply with Title 24, similar to the project, which establishes standards for energy efficiency and "green" construction. Compliance with applicable existing regulations, as detailed in Section 6, *Energy*, would ensure that cumulative projects would not involve the inefficient, wasteful, and unnecessary use of energy and would not obstruct a State or local plan for renewable energy or energy

efficiency. Therefore, implementation of the project would not result in a cumulatively considerable impact on energy.

Geology and Soils

Potential effects related to geology and soils are inherently site-specific; therefore, there is no potential for the project to contribute to a cumulatively considerable impact under this topic. Furthermore, all development proposals would be required to comply with applicable federal, State, and local regulations that are in place to preclude adverse geology and soils effects, including effects related to strong seismic ground shaking, fault rupture, soil erosion, and hazardous soil conditions (e.g., liquefaction, expansive soils, landslides).

There is potential that paleontological resources are buried beneath the surface of the project site and could be impacted during construction. Other projects within the region would similarly have the potential to impact unknown, subsurface paleontological resources during ground-disturbing activities. Therefore, the potential for development on the project site to impact subsurface paleontological resource deposits is a cumulatively considerable impact; however, with implementation of Mitigation Measure GEO-1, potential cumulative impacts to paleontological resources would be reduced to a less-than-significant level.

Greenhouse Gas Emissions

Global climate change occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant Global Climate Change-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines also emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (CEQA Guidelines Section 15130[f]). Accordingly, the analysis in Section 8, *Greenhouse Gas Emissions*, reflects a cumulative impact analysis of the GHG emissions related to the project. As concluded in Section 8, *Greenhouse Gas Emissions*, the project would not result in a cumulatively considerable impact related to GHG emissions.

Hazards and Hazardous Materials

Potential effects related to hazards and hazardous materials are inherently site-specific; therefore, the project would not contribute to a cumulatively considerable impact under this topic. It is anticipated that future growth in the cumulative project area would result in an incremental increase in the quantity of hazardous materials used, treated, transported, and disposed area wide. Cumulative projects would be required to comply with safety procedures mandated by applicable federal, State, and local laws and regulations related to the transport, use, and disposal of hazardous materials. Future development in the cumulative area could potentially expose residents and construction workers to contaminated soil or groundwater, including on or near sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Cumulative projects would be required to comply with handling procedures mandated by applicable federal, State, and local laws and regulations related to the exposure of contaminated soil or groundwater related to hazardous materials sites. Therefore, a cumulatively considerable impact would not occur.

Hydrology and Water Quality

Construction and operation of the project and other projects in the Santa Ana River watershed would have the potential to result in a cumulative water quality impact, including erosion and sedimentation. However, in accordance with applicable federal, State, and local regulations, all development projects would be required to implement plans during construction and operation (e.g., SWPPP and WQMP) to minimize adverse effects to water quality, which would avoid a cumulatively considerable impact.

As detailed within Section 10, *Hydrology and Water Quality*, the City would be able to provide reliable water supplies for an average year, single dry year, and multiple dry years for its existing and planned supplies through 2045, including cumulative projects. Therefore, the project would not have a cumulatively considerable impact related to groundwater supplies.

Potential effects related to drainage patterns are inherently site-specific; therefore, there is no potential for the project to contribute to a cumulatively considerable impact under this topic. Furthermore, all development proposals would be required to comply with applicable federal, State, and local regulations that are in place to preclude adverse drainage effects. Therefore, the project would not have a cumulatively considerable impact related to the alteration of drainage patterns.

The project and other projects in the Santa Ana River watershed would be required to comply with federal, State, and local regulations in order to preclude flood hazards both on- and off-site. Compliance with federal, State, and local regulations would require on-site areas to be protected, at a minimum, from flooding during peak storm events (i.e., 100-year storm) and that development would not expose downstream properties to increased flooding risks during peak storm events. Accordingly, a cumulatively considerable effect related to flooding would not occur.

Land Use and Planning

The project would not physically divide an established community, or conflict with applicable land use or planning documents with approval of the requested zoning/land use changes, a conditional use permit per FVMC Section 21.08.030, and concessions (as discussed in Section 11, *Land Use and Planning*). Therefore, the project would not contribute to a cumulatively considerable impact related to land use and planning.

Mineral Resources

The project would have no impact on mineral resources. Therefore, there is no potential for the project to contribute to a cumulatively considerable impact under this topic.

Noise

As detailed in Section 13, *Noise*, the proposed project would not generate substantial temporary or permanent increase in ambient noise levels beyond local, State, or federal thresholds nor would the project generate excessive groundborne vibration or noise. Therefore, the project would not contribute to any cumulatively considerable noise or vibration impacts.

Population and Housing

The project would generate an estimated 206 residents, which would not exceed the General Plan's population forecast on a project-specific basis. Under a cumulative scenario, the City recently approved three (3) residential projects at 16300 Euclid Street (a multi-family residential

development), 16800 Magnolia Street (a mixed-use development), and 17103 Magnolia Street (a multi-family residential development) with a combined total of 1,292 residential units. Based on the DOF average household size of 2.86 persons per residential unit in Fountain Valley, these projects would potentially add an estimated 3,695 residents to the city's population. Adding the proposed project residents would result in an estimated cumulative population increase of 3,901 residents, increasing the population from 56,560 to 60,461 persons (DOF 2025). The population growth forecasts in the General Plan estimate that the city's population would increase to 73,668 people in 2045, which is an increase of 17,108 people from the city's population of 56,560 people in 2025 (Fountain Valley 2023a, DOF 2025). Cumulative projects plus the proposed project would account for approximately 23 percent of the city's total projected population growth through year 2045. Furthermore, since the on-site existing use is a commercial center, the project would also not contribute to the displacement of existing residents requiring the construction of replacement housing. Accordingly, the project would not contribute to a cumulatively considerable environmental effect related to population and housing.

Public Services

All development projects in Fountain Valley, including the project, would require compliance with applicable policies and ordinances for fire prevention, protection, and safety. The project would only incrementally increase demand for fire and police protections services; however, the project would not result in the need for new or physically altered fire or police protection facilities. The project applicant would also be required to pay the state-mandated school impact fees to offset the incremental increase in demand for new school facilities. Based on the foregoing, the project would not contribute to cumulatively considerable impacts to resident-serving public facilities such as schools, parks, libraries, and other public facilities or services.

Recreation

As detailed in Section 16, *Recreation*, the residents of the project may increase use of the existing parks; however, it is more likely that the future residents would use the common open space and private open space that would be constructed under the project. Therefore, the project would not have an adverse effect on existing neighborhood and regional parks or recreational facilities. Further, the project applicant would be required to dedicate land, pay a fee in lieu thereof, or a combination of both, for neighborhood and community park or recreational purposes to satisfy the standards contained in the Chapter 21.79 of the FVMC. Therefore, the project would contribute to a cumulatively considerable impact.

Transportation

The project would not conflict with any City policies addressing the circulation network, and would not generate substantial VMT. Therefore, the project would not contribute to any cumulatively considerable adverse transportation effects.

Tribal Cultural Resources

No tribal cultural resources as defined in PRC Section 21074 that are eligible for listing in the CRHR, or a local register, or that were determined by the lead agency to be significant were identified in the project site. Therefore, the project would not contribute to any cumulatively considerable impacts related to tribal cultural resources.

Utilities and Service Systems

The project would require water, wastewater, stormwater, natural gas, electricity, and telecommunications infrastructure, as well as solid waste disposal for building operation, contributing to increased demand on utilities and service systems.

Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Therefore, cumulative development is accounted for during the public utility planning process. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the project and other developments. The project and other planned projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because of the utility planning and coordination activities described above, the project would not contribute to a cumulatively considerable impact to utilities and service systems.

Wildfire

As discussed in Section 20, *Wildfire*, the project site is not within a State Responsibility Area or VHFHSZ according to CALFIRE. In accordance with applicable State and local regulations, all development projects would be required to be constructed to meet the current building code fire safety requirements, including the CBC and the California Fire Code to minimize adverse effects to wildfire risk, which would avoid a cumulatively considerable impact. Therefore, the project would not contribute to an adverse cumulative impact associated with wildfire.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

In general, impacts to human beings are associated with air quality, GHG emissions and climate change, hazards and hazardous materials, and noise impacts. As detailed in the analyses for these issue areas, the project would not result, either directly or indirectly, in adverse effects related to air quality, GHG emissions, hazardous materials, or noise. Compliance with applicable rules and regulations would reduce potential impacts on human beings to a less-than-significant level.

LESS-THAN-SIGNIFICANT IMPACT

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