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State Clearinghouse No. 2019100444

WESTMINSTER MALL SPECIFIC PLAN PROJECT

City of Westminster

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Abbreviations and Acronyms

ABBREVIATIONS AND ACRONYMS

AAQS	ambient air quality standards
AB	Assembly Bill
ACM	asbestos-containing materials
ADT	average daily traffic
amsl	above mean sea level
AQMP	air quality management plan
AST	aboveground storage tank
BAU	business as usual
bgs	below ground surface
BMP	best management practices
CAA	Clean Air Act
CAFE	corporate average fuel economy
CalARP	California Accidental Release Prevention Program
CalEMA	California Emergency Management Agency
Cal/EPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
Cal/OSHA	California Occupational Safety and Health Administration
CalRecycle	California Department of Resources, Recycling, and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
cfs	cubic feet per second
CGS	California Geologic Survey
CMP	congestion management program

Abbreviations and Acronyms

CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CO	carbon monoxide
CO ₂ e	carbon dioxide equivalent
Corps	US Army Corps of Engineers
CSO	combined sewer overflows
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	environmental impact report
EPA	United States Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gases
GWP	global warming potential
HCM	Highway Capacity Manual
HQTA	high quality transit area
HVAC	heating, ventilating, and air conditioning system
IPCC	Intergovernmental Panel on Climate Change
L _{dn}	day-night noise level
L _{eq}	equivalent continuous noise level
LBP	lead-based paint
LCFS	low-carbon fuel standard
LOS	level of service
LST	localized significance thresholds
M _w	moment magnitude
MCL	maximum contaminant level
MEP	maximum extent practicable

Abbreviations and Acronyms

mgd	million gallons per day
MMT	million metric tons
MPO	metropolitan planning organization
MT	metric ton
MWD	Metropolitan Water District of Southern California
NAHC	Native American Heritage Commission
NO _x	nitrogen oxides
NPDES	National Pollution Discharge Elimination System
O ₃	ozone
OES	California Office of Emergency Services
PM	particulate matter
POTW	publicly owned treatment works
ppm	parts per million
PPV	peak particle velocity
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RMP	risk management plan
RMS	root mean square
RPS	renewable portfolio standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SIP	state implementation plan
SLM	sound level meter
SoCAB	South Coast Air Basin
SO _x	sulfur oxides
SQMP	stormwater quality management plan
SRA	source receptor area [or state responsibility area]
SUSMP	standard urban stormwater mitigation plan
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board

Abbreviations and Acronyms

TAC	toxic air contaminants
TNM	transportation noise model
tpd	tons per day
TRI	toxic release inventory
TTCP	traditional tribal cultural places
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	urban water management plan
V/C	volume-to-capacity ratio
VdB	velocity decibels
VHFHSZ	very high fire hazard severity zone
VMT	vehicle miles traveled
VOC	volatile organic compound
WQMP	water quality management plan
WSA	water supply assessment

Abbreviations and Acronyms

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1. Executive Summary

1.1 INTRODUCTION

This draft environmental impact report (DEIR) addresses the environmental effects associated with the implementation of the proposed Westminster Mall Specific Plan (WMSP) project. The California Environmental Quality Act (CEQA) requires that local government agencies consider the environmental consequences before taking action on projects over which they have discretionary approval authority. An environmental impact report (EIR) analyzes potential environmental consequences in order to inform the public and support informed decisions by local and state governmental agency decision makers. This document focuses on impacts determined to be potentially significant in the Initial Study completed for this project (see Appendix 2-1).

This DEIR has been prepared pursuant to the requirements of CEQA and the City of Westminster's CEQA procedures. The City of Westminster, as the lead agency, has reviewed and revised all submitted drafts, technical studies, and reports as necessary to reflect its own independent judgment, including reliance on City technical personnel from other departments and review of all technical subconsultant reports.

Data for this DEIR derive from onsite field observations, discussions with affected agencies, analysis of adopted plans and policies, review of available studies, reports, data and similar literature, and specialized environmental assessments (air quality, greenhouse gas emissions, noise, and, transportation).

1.2 ENVIRONMENTAL PROCEDURES

This DEIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the proposed project, as well as anticipated future discretionary actions and approvals. CEQA established six main objectives for an EIR:

1. Disclose to decision makers and the public the significant environmental effects of proposed activities.
2. Identify ways to avoid or reduce environmental damage.
3. Prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
4. Disclose to the public reasons for agency approval of projects with significant environmental effects.
5. Foster interagency coordination in the review of projects.
6. Enhance public participation in the planning process.

1. Executive Summary

An EIR is the most comprehensive form of environmental documentation in CEQA and the CEQA Guidelines; it is intended to provide an objective, factually supported analysis and full disclosure of the environmental consequences of a proposed project with the potential to result in significant, adverse environmental impacts.

An EIR is one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, the lead agency must consider the information in the EIR; determine whether the EIR was prepared in accordance with CEQA and the CEQA Guidelines; determine that it reflects the independent judgment of the lead agency; adopt findings concerning the project's significant environmental impacts and alternatives; and adopt a statement of overriding considerations if significant impacts cannot be avoided.

1.2.1 EIR Format

Chapter 1. Executive Summary: Summarizes the background and description of the proposed project, the format of this EIR, project alternatives, any critical issues remaining to be resolved, and the potential environmental impacts and mitigation measures identified for the project.

Chapter 2. Introduction: Describes the purpose of this EIR, background on the project, the notice of preparation, the use of incorporation by reference, and Final EIR certification.

Chapter 3. Project Description: A detailed description of the project, including its objectives, its area and location, approvals anticipated to be required as part of the project, necessary environmental clearances, and the intended uses of this EIR.

Chapter 4. Environmental Setting: A description of the physical environmental conditions in the vicinity of the project as they existed at the time the notice of preparation was published, from local and regional perspectives. These provide the baseline physical conditions from which the lead agency determines the significance of the project's environmental impacts.

Chapter 5. Environmental Analysis: Each environmental topic is analyzed in a separate section that discusses: the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the project; the existing environmental setting; the potential adverse and beneficial effects of the project; the level of impact significance before mitigation; the mitigation measures for the proposed project; the level of significance after mitigation is incorporated; and the potential cumulative impacts of the proposed project and other existing, approved, and proposed development in the area.

Chapter 6. Significant Unavoidable Adverse Impacts: Describes the significant unavoidable adverse impacts of the proposed project.

Chapter 7. Alternatives to the Proposed Project: Describes the alternatives and compares their impacts to the impacts of the proposed project. Alternatives include the No Project Alternative and a Reduced Intensity Alternative.

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Chapter 8. Impacts Found Not to Be Significant: Briefly describes the potential impacts of the project that were determined not to be significant by the Initial Study and were therefore not discussed in detail in this EIR.

Chapter 9. Significant Irreversible Changes Due to the Proposed Project: Describes the significant irreversible environmental changes associated with the project.

Chapter 10. Growth-Inducing Impacts of the Project: Describes the ways in which the proposed project would cause increases in employment or population that could result in new physical or environmental impacts.

Chapter 11. Organizations and Persons Consulted: Lists the people and organizations that were contacted during the preparation of this EIR.

Chapter 12. Qualifications of Persons Preparing EIR: Lists the people who prepared this EIR for the proposed project.

Chapter 13. Bibliography: The technical reports and other sources used to prepare this EIR.

1.2.2 Technical Appendices

CEQA Guidelines Section 15147 states that the “information contained in an EIR shall include summarized...information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public,” and that the “[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR.” The individual technical studies, reports, and supporting documentation that comprise the technical appendices are on a CD-ROM for hard copies of this EIR, or on the City’s website:

https://www.westminster-ca.gov/our_city/depts/cd/planning/specific_plans/westminster_mall_specific_plan.asp.

The technical studies are as follows:

- Appendix 2-1 NOP/Initial Study
- Appendix 2-2 NOP/Initial Study and Scoping Meeting Comments
- Appendix 2-3 Draft Mitigation and Monitoring Report Program
- Appendix 2-4 Distribution List
- Appendix 3-1 Westminster Mall Specific Plan
- Appendix 3-2 WMSP Buildout
- Appendix 3-3 WMSP Household Size per Unit Type
- Appendix 5.2-1 AQ/GHG Analysis
- Appendix 5.3-1 Energy Data
- Appendix 5.5-1 Noise Analysis
- Appendix 5.9-1 Transportation Impact Analysis
- Appendix 5.10-1 Infrastructure Technical Report

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- Appendix 5.10-2 Water Supply Assessment
- Appendix 8-1 Kizh Nation Mitigation Measures

1.2.3 Type and Purpose of This DEIR

This DEIR fulfills the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as for a Project EIR, Program EIRs are typically more conceptual than Project EIRs, with a more general discussion of impacts, alternatives, and mitigation measures. According to Section 15168 of the CEQA Guidelines, a Program EIR may be prepared on a series of actions that can be characterized as one large project. Use of a Program EIR gives the lead agency an opportunity to consider broad policy alternatives and program-wide mitigation measures, as well as greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale.

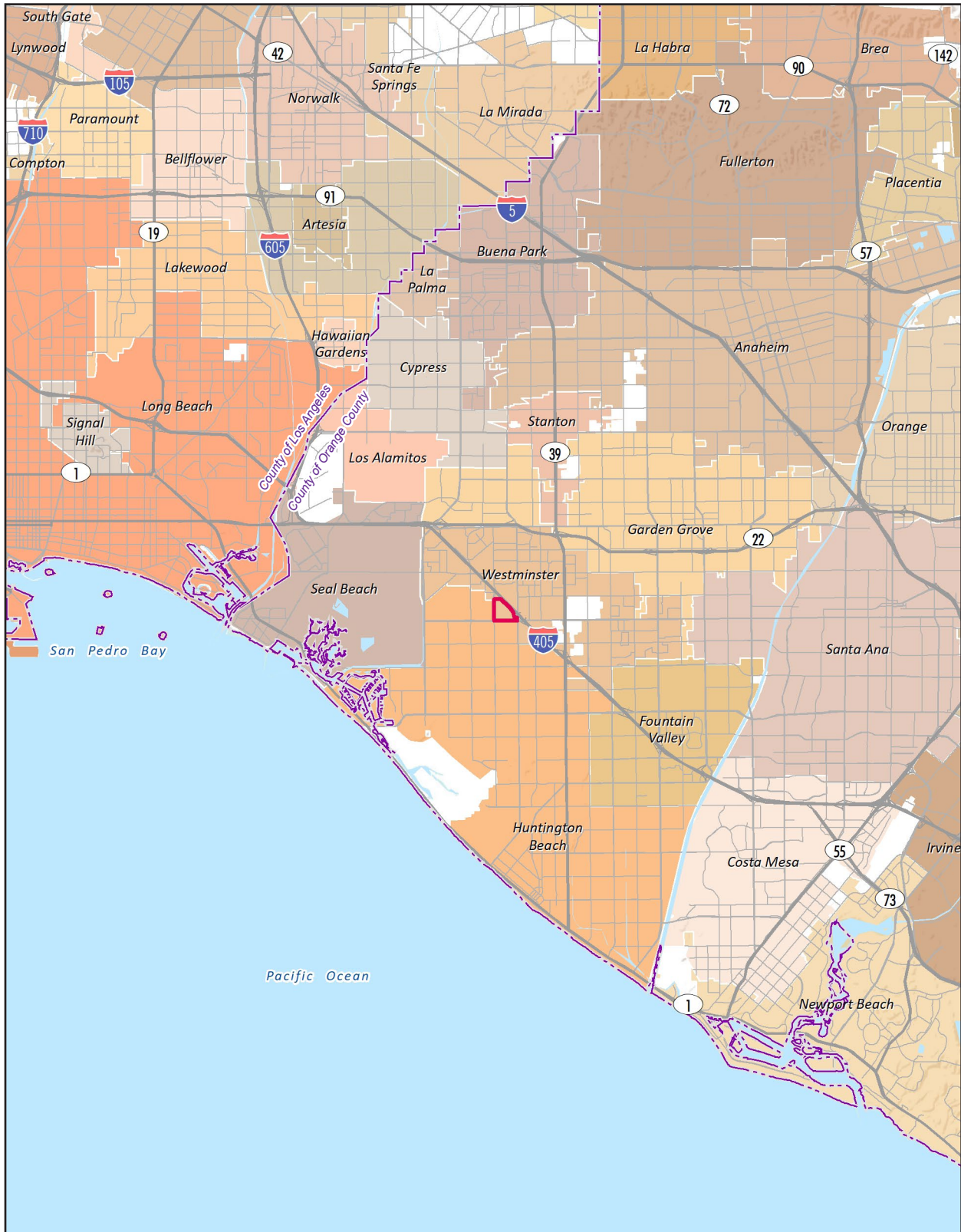
Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document is necessary. If the Program EIR addresses the program's effects, many subsequent activities may be within the Program EIR's scope, and additional environmental documents may not be required (Guidelines § 15168[c]). When a lead agency relies on a Program EIR for a subsequent activity, it must incorporate feasible mitigation measures and alternatives from the Program EIR into the subsequent activities (Guidelines § 15168[c][3]). If a subsequent activity would have effects outside the scope of the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, Mitigated Negative Declaration, or an EIR. Even in this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The CEQA Guidelines encourage the use of Program EIRs, citing five advantages:

- Provide a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR;
- Focus on cumulative impacts that might be slighted in a case-by-case analysis;
- Avoid continual reconsideration of recurring policy issues;
- Consider broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them;
- Reduce paperwork by encouraging the reuse of data (through tiering). (Guidelines § 15168[h])

1.3 PROJECT LOCATION

The Westminster Mall, which is located at 1025 Westminster Mall, in the City of Westminster, Orange County, encompasses approximately 100 acres in the northwest portion of the County. The City is bordered by the Cities of Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, and Seal Beach, as shown in Figure ES-1, *Regional Location*, and Figure ES-1a, *Regional Topographic Map*.

Figure ES-1 - Regional Location



Westminster Mall Specific Plan

Note: Unincorporated county areas are shown in white.

Source: ESRI, 2019

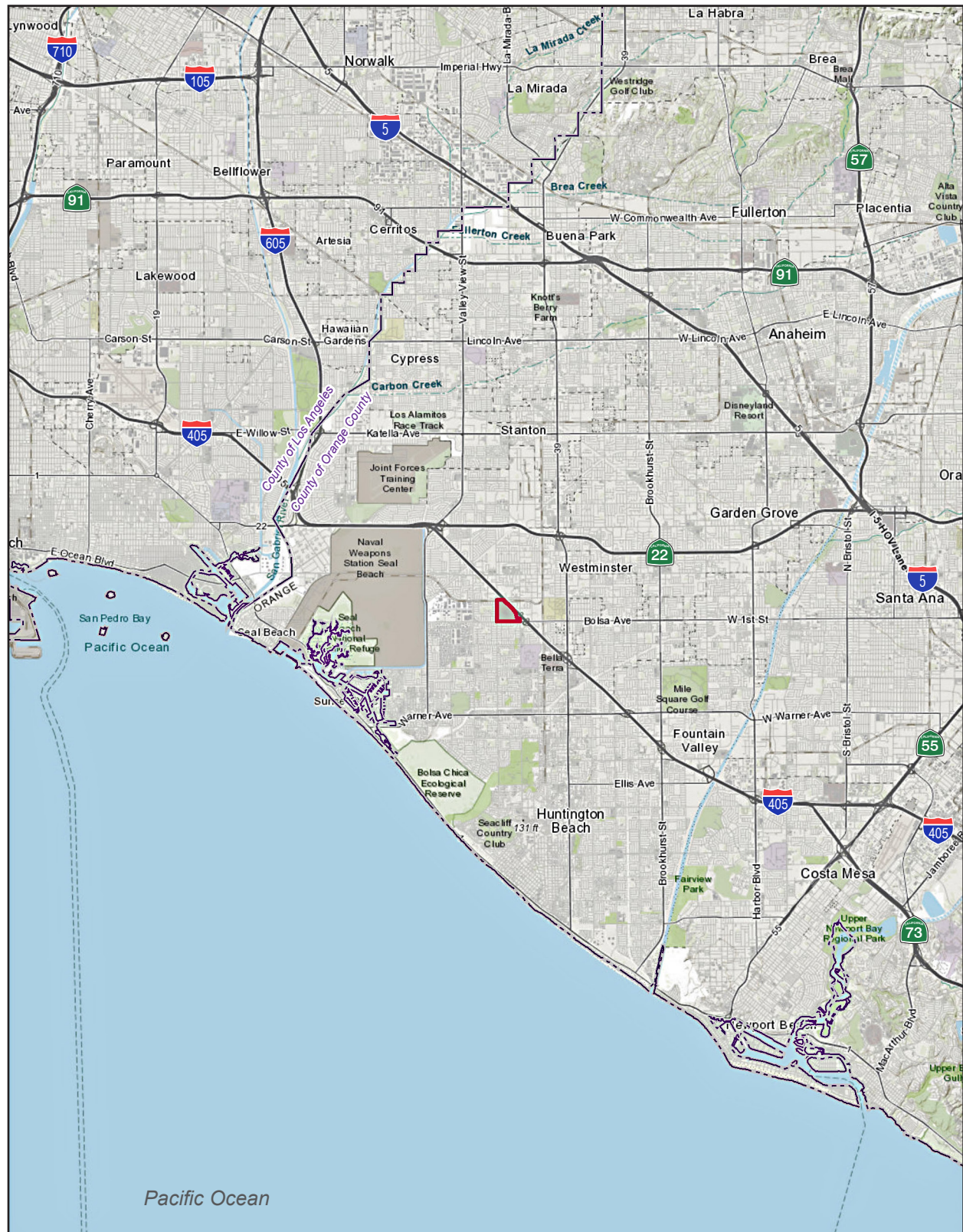
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Scale (Miles)



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Figure ES-1a - Regional Topographic Map



Source: ESRI, 2020

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The project site is bounded by Interstate 405 (I-405) to the north and east, Edwards Street to the west, Bolsa Street to the south, and Goldenwest Street to the east. Figure ES-2, *Local Vicinity*, shows the location of the site within the local context of Orange County. Other nearby freeways include State Route 22 (SR-22) approximately 1.6 miles north of the site and SR-39 approximately one mile to the east of the site.

1.4 PROJECT SUMMARY

The proposed project would adopt the WMSP that provides guidelines for mixed commercial, professional office, hotel, and residential development (which would vary in housing type and affordability). The development standards and guidelines address: permitted uses, building heights (that vary by location on the site), edge treatments, setbacks, aesthetic design features, open space requirements, circulation, and landscaping. The development standards and guidelines would apply to future development and remodeling projects; no property owners have submitted applications for projects at this time.

The Draft EIR analyzes the maximum square footage and number of units (3,000 dwelling units¹, 425 hotel rooms, 1.2 million square feet of non-residential uses (retail and office), and a maximum height of 10 stories (including density bonuses).

1.5 SUMMARY OF PROJECT ALTERNATIVES

The CEQA Guidelines (§ 15126.6[a]) state that an EIR must address “a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluated the comparative merits of the alternatives.” The alternatives in this DEIR were based, in part, on their potential ability to reduce or eliminate the impacts determined to be significant and unavoidable for implementation of the proposed project. Project alternatives are assessed in further detail in Chapter 7, *Alternatives to the Proposed Project*.

1.6 NO-PROJECT/EXISTING GENERAL PLAN ALTERNATIVE

The No Project/Existing General Plan Alternative is required to discuss the existing conditions at the time of the notice of preparation is published and evaluate what would reasonably be expected to occur in the foreseeable future if the proposed project is not approved (CEQA Guidelines, Section 15126.6(e)). Pursuant to CEQA, this Alternative is also based on current plans and consistent with available infrastructure and community services. Therefore, the No Project Alternative assumes that the proposed project would not be adopted and development on the site would be consistent with the projected buildout in the General Plan, which allows for the following buildout:

- Dwellings units: 824
- Hotel rooms: 0
- Population: 2,676
- Employment: 3,490

¹ The EIR evaluates a maximum of 3,000 dwelling units, but fewer than 3,000 dwelling units is anticipated.

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- Non-Residential Square Footage: 1,396,070
- Jobs-to-Housing Ratio: 4.23

1.6.1 Reduced Intensity Alternative

The Reduced Intensity Alternative would result in a 50 percent reduction of non-residential square footage from the proposed project. No changes to the residential component would occur. Buildout under this Alternative is as follows:

- Dwellings units: 3,000
- Hotel rooms: 213
- Population: 8,373
- Employment: 1,495
- Non-Residential Square Footage: 716,875
- Jobs-to-Housing Ratio: 0.5

1.6.2 Environmentally Superior Alternative

CEQA requires a lead agency to identify the “environmentally superior alternative” and, in cases where the “No Project” Alternative is environmentally superior to the proposed project, the environmentally superior development alternative must be identified. One alternative has been identified as “environmentally superior” to the proposed project:

- Reduced Intensity Alternative

The Reduced Intensity Alternative has been identified as the environmentally superior alternative because it would lead to a reduction in vehicle trips, energy use, GHG emissions, and air quality and noise impacts, while achieving the benefits of the project objectives, to a lesser extent.

1.7 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed project, the major issues to be resolved include decisions by the lead agency as to:

1. Whether this DEIR adequately describes the environmental impacts of the project.
2. Whether the benefits of the project override those environmental impacts which cannot be feasibly avoided or mitigated to a level of insignificance.
3. Whether the proposed land use changes are compatible with the character of the existing area.
4. Whether the identified goals, policies, or mitigation measures should be adopted or modified.

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5. Whether there are other mitigation measures that should be applied to the project besides the Mitigation Measures identified in the DEIR.
6. Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic project objectives.

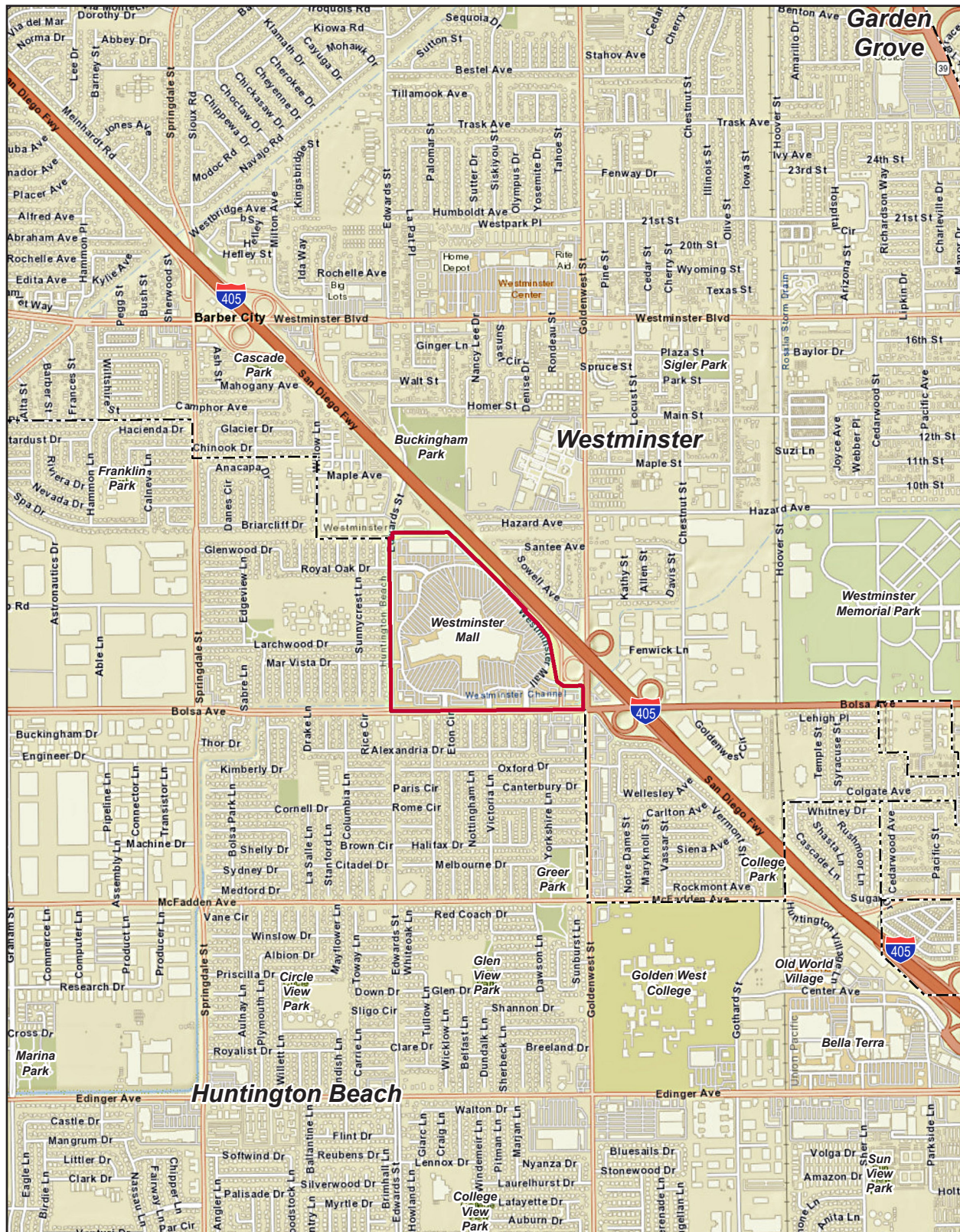
1.8 AREAS OF CONTROVERSY

In accordance with Section 15123(b)(2) of the CEQA Guidelines, the EIR summary must identify areas of controversy known to the lead agency, including issues raised by agencies and the public. The City of Westminster has no knowledge of expressed opposition to the proposed project. Prior to preparation of the DEIR, a public scoping meeting was held on November 18, 2019, to determine the concerns of responsible and trustee agencies and the community regarding the proposed project. Chapter 2, *Introduction*, summarizes the Notice of Preparation (NOP) comment letters received during the review period in Table 2-1, *NOP Comment Summary*.

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Figure ES-2 - Local Vicinity



Westminster Mall Specific Plan

City Boundary

0 2,000
Scale (Feet)

Source: ESRI, 2019



PlaceWorks

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Additionally, as part of the planning process for the WMSP, the City conducted an extensive outreach program with property owners at the Mall, surrounding residents, and the community-at-large. Four community workshops were held prior to the creation of the WMSP to discuss a general overview of the future redevelopment of the Mall, traffic and mobility concerns, design concerns and considerations (such as building heights, scale, transition, etc.), and a final workshop that integrated the community's ideas and feedback.

1.9 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Table 1-1 summarizes the conclusions of the environmental analysis contained in this EIR. Impacts are identified as significant or less than significant, and mitigation measures are identified for all significant impacts. The level of significance after imposition of the mitigation measures is also presented.

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.1 AESTHETICS			
Impact 5.1-1: The proposed project would not substantially alter the visual appearance of the project site and its surroundings.	Less Than Significant	<p>No mitigation is required.</p> <p>The following WMSP PDs would be implemented:</p> <p>Section 5.2.1 Building Setbacks</p> <p>PDF-1 Building setback requirements from:</p> <ul style="list-style-type: none"> • Freeway, Freeway Off-Ramp – Minimum: 60 feet; Maximum: none • Bolsa Avenue – Minimum: 132 feet; Maximum: 142 feet • Edwards Street – Minimum: 72 Feet; Maximum: 82 feet • Goldenwest Street – 60 feet; to clear drainage easement • Primary Internal Circulation Street – Minimum: 50 feet; Maximum: 60 feet • Internal Main Street – Minimum: 46 feet; Maximum: 56 feet • Internal Residential Street – Minimum: 40 feet; Maximum: 50 feet • Internal Paseo – Minimum: 0 feet; Maximum: 10 feet • Building to Building: Setbacks shall comply with Building Code and emergency access requirements <p>Section 5.2.9 Objective Building Design</p> <p>PDF-2 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.</p> <p>Section 5.2.11 Building and Floor Height</p> <p>PDF-3 Building Height:</p> <ul style="list-style-type: none"> • Zone 1 – maximum of 50 feet above the base point • Zone 2 – maximum of 80 feet above the base point • Zone 3 – maximum of 135 feet above the base point 	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>PDF-4 Building Floor Height:</p> <ul style="list-style-type: none"> • Non-Residential Ground Floor – Minimum: 15 feet • Residential Ground Floor – Minimum: 12 feet • Upper Floor Non-Residential – Minimum: 10 feet • Upper Floor Residential – Minimum: 9 feet <p>Section 5.2.15 Open Space Requirements</p> <p>PDF-5 Open Space Minimum Requirements:</p> <ul style="list-style-type: none"> • Cultural Park/Urban Plaza – 3 acres • Mixed-Use Neighborhood Park – 2.5 acres • Westminster Nature Activity Trail – 1 acre • Internal Community Paseo – 1.5 acres • Bolsa Promenade – 1.5 acres • Linear Park – 20,000 square feet • Any Development – 10 percent of project area • Residential Uses – 100 square feet per unit as Private, Private Common Open Space or Common Open Space <p>Section 7.2.1 Site Access</p> <p>PDF-10 The number of site access points for vehicles should be minimized, and shall be consistent with the provisions identified in Chapter 6, Mobility, of the WMSP. Curb cuts should be located and scaled to minimize pedestrian and vehicular conflicts and reduce impacts to traffic flow on primary streets.</p> <p>PDF-11 Drop-off and pick-up zones should be located along the curb or within parking facilities to promote sidewalk/street wall continuity and reduce conflicts with pedestrians. Hotel lobby drop-off areas shall be located within the project site.</p> <p>Section 7.2.2 Parking</p> <p>PDF-12 Accessible, secure and well-signed bicycle parking should be provided at convenient and visible locations throughout the development.</p>	

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Section 7.2.3 Building Placement and Orientation PDF-13 Buildings should be oriented for energy efficiency – to capture daylighting, minimize heat gain, take advantage of prevailing breezes for natural ventilation.	
Impact 5.1-2: The proposed project would generate additional light and glare.	Less Than Significant	No mitigation is required. The following WMSP PDFs would be implemented: Section 5.2.18 Lighting PDF-6 Lighting shall be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, building entrances and pedestrian parkways. PDF-7 Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used. PDF-8 Pedestrian-scale decorative street lighting shall be a maximum spacing of 80 feet on-center. Light source should be located 12-14 feet above finished grade. Section 7.2.9 Lighting PDF-13 Low-contrast lighting, low-voltage fixtures, and energy-efficient bulbs, such as light emitting diode (LED) bulbs should be used for outdoor lighting. PDF-14 Uplighting of building elements and trees should use the lowest wattage possible to minimize impacts to the night sky. Light sources for wall washing and tree lighting should be hidden. PDF-15 Exterior lighting should be designed and located so as not to project off-site or into adjacent or onsite residential areas. Exposed bulbs should not be used. Cut-off lighting is preferred.	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>PDF-16 Parking areas should be designed using many small-scale lights versus fewer, excessively tall or bright lights.</p> <p>PDF-17 Solar-powered fixtures are encouraged for all lighting when it does not conflict with security concerns.</p>	
5.2 AIR QUALITY			
<p>Impact 5.2-1: The Westminster Mall Specific Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the SoCAB and would conflict with the assumptions of the applicable AQMP.</p>	Potentially Significant	<p>AQ-1 Prior to discretionary approval by the City of Westminster for development projects within the Westminster Specific Plan, project applicants shall prepare and submit a technical assessment evaluating potential project regional and localized construction-related air quality impacts to the City of Westminster Community Development Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If regional or localized construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD-adopted thresholds of significance, the City of Westminster shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Community Development Department. Mitigation measures to reduce construction-related emissions could include, but are not limited to:</p> <ul style="list-style-type: none"> • Requiring fugitive-dust control measures that exceed South Coast AQMD Rule 403, such as: <ul style="list-style-type: none"> - Use of nontoxic soil stabilizers to reduce wind erosion. - Applying water every four hours to active soil-disturbing activities. - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. • Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. 	Significant and Unavoidable

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> Ensuring that construction equipment is properly serviced and maintained to the manufacturer's standards. Limiting nonessential idling of construction equipment to no more than five consecutive minutes. Limiting onsite vehicle travel speeds on unpaved roads to 15 miles per hour. Installing wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area. Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast AQMD's website at http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/super-compliant-manf-list.pdf?sfvrsn=71. <p>GHG-1 New development within the Westminster Mall Specific Plan shall implement the following voluntary provisions of the California Green Building Standards Code (CALGreen). The project applicant/developer(s) shall provide documentation (e.g., building plans) of implementation of the applicable voluntary measures to the City of Westminster Community Development Director or his/her designee prior to the issuance of building permits.</p> <p>Residential Structures with Three or Fewer Stories. For residential land uses with three or fewer stories, the project developer(s) shall</p> <ul style="list-style-type: none"> Design and build residential buildings to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Residential Voluntary Measures of California Green Building Standards Code Division A4.2, Energy Efficiency, as outlined under Section A4.203.1.2.2. Design and build residential projects to meet the Tier 2 requirements of the Residential Voluntary Measures of California Green Building Standards Code Division A4.3, Water Efficiency and Conservation, as outlined under Section A4.601.5.2 and comply with at least three elective measures selected from Division A4.3. Design and build condominium/townhouses dwellings that have an attached private garage to have a dedicated electric circuit to support electric vehicle charging as outlined in the Residential Voluntary Measures of the California Green Building Standards Code under Section A4.106.8.1. . 	

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> Design and build multi-family dwellings with 17 or more units to provide electric vehicle (EV) charging for 5 percent of the total number of parking spaces provided (but no less than 1) as outlined in the Residential Voluntary Measures of the California Green Building Standards Code under Section A4.106.8.2. <p>Nonresidential Structures and Residential Structures with Four or More Stories. For non-residential land uses and residential land uses that are four or more stories, the applicant/developer shall:</p> <ul style="list-style-type: none"> Design and build structures to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of California Green Building Standards Code Division A5.2, Energy Efficiency, as outlined under Section A5.203.1.2.2. Use on-site renewable energy sources (e.g., solar) for at least 1 percent of the electric power as outlined in the Nonresidential Voluntary Measures of the California Green Building Standards Code under Section A5.211.1. Design the proposed surface parking lots to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces shall equal to the Tier 2 Nonresidential Voluntary Measures of California's Green Building Standards Code Section A5.106.5.1.2. Design the proposed surface parking lots to provide electric vehicle (EV) charging stations. At minimum, the number of EV charging stations shall equal to the Tier 2 Nonresidential Voluntary Measures of California's Green Building Standards Code Section A5.106.5.3.2. <p>The following WMSP PDFs would be implemented:</p> <p>Section 5.2.9 Objective Building Design</p> <p>PDF-1 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.</p>	

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		<p>Section 5.2.12 Affordable Housing Requirement</p> <p>PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.</p> <p>Section 5.2.15 Open Space Requirements</p> <p>PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.</p> <p>Section 5.2.18 Lighting</p> <p>PDF-4 Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.</p> <p>Section 5.2.28 Parking Standards</p> <p>PDF-5 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.</p> <p>PDF-6 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.</p> <p>Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment</p> <p>PDF-7 All projects with new construction or that will generate more than 50 peak hour trips will be required to:</p> <ul style="list-style-type: none"> • The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy. • The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements. • A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include, but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information 	
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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly-accessible in order to be added to the district's pool of shared parking.</p> <p>Section 7.3.6 Sustainability</p> <p>PDF-8 All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.</p>	
Impact 5.2-2: Construction activities associated with the Westminster Mall Specific Plan would generate short-term emissions that exceed South Coast AQMD's threshold criteria.	Potentially Significant	<p>AQ-1 Prior to discretionary approval by the City of Westminster for development projects within the Westminster Specific Plan, project applicants shall prepare and submit a technical assessment evaluating potential project regional and localized construction-related air quality impacts to the City of Westminster Community Development Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If regional or localized construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD-adopted thresholds of significance, the City of Westminster shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Community Development Department. Mitigation measures to reduce construction-related emissions could include, but are not limited to:</p> <ul style="list-style-type: none"> • Requiring fugitive-dust control measures that exceed South Coast AQMD Rule 403, such as: <ul style="list-style-type: none"> - Use of nontoxic soil stabilizers to reduce wind erosion. - Applying water every four hours to active soil-disturbing activities. - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. 	Significant and Unavoidable

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. Ensuring that construction equipment is properly serviced and maintained to the manufacturer's standards. Limiting nonessential idling of construction equipment to no more than five consecutive minutes. Limiting onsite vehicle travel speeds on unpaved roads to 15 miles per hour. Installing wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area. Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast AQMD's website at http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/super-compliant-manf-list.pdf?sfvrsn=71. 	
Impact 5.2-3: Long-term operation of the Westminster Mall Specific Plan would generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.	Potentially Significant	<p>GHG-1 New development within the Westminster Mall Specific Plan shall implement the following voluntary provisions of the California Green Building Standards Code (CALGreen). The project applicant/developer(s) shall provide documentation (e.g., building plans) of implementation of the applicable voluntary measures to the City of Westminster Community Development Director or his/her designee prior to the issuance of building permits.</p> <p>Residential Structures with Three or Fewer Stories. For residential land uses with three or fewer stories, the project developer(s) shall</p> <ul style="list-style-type: none"> Design and build residential buildings to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Residential Voluntary Measures of California Green Building Standards Code Division A4.2, Energy Efficiency, as outlined under Section A4.203.1.2.2. Design and build residential projects to meet the Tier 2 requirements of the Residential Voluntary Measures of California Green Building Standards Code Division A4.3, Water Efficiency and Conservation, as outlined under Section A4.601.5.2 and comply with at least three elective measures selected from Division A4.3. Design and build condominium/townhouses dwellings that have an attached private garage to have a dedicated electric circuit to support electric vehicle charging as 	Significant and Unavoidable

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>outlined in the Residential Voluntary Measures of the California Green Building Standards Code under Section A4.106.8.1.</p> <ul style="list-style-type: none"> Design and build multi-family dwellings with 17 or more units to provide electric vehicle (EV) charging for 5 percent of the total number of parking spaces provided (but no less than 1) as outlined in the Residential Voluntary Measures of the California Green Building Standards Code under Section A4.106.8.2. <p>Nonresidential Structures and Residential Structures with Four or More Stories. For non-residential land uses and residential land uses that are four or more stories, the applicant/developer shall:</p> <ul style="list-style-type: none"> Design and build structures to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of California Green Building Standards Code Division A5.2, Energy Efficiency, as outlined under Section A5.203.1.2.2. Use on-site renewable energy sources (e.g., solar) for at least 1 percent of the electric power as outlined in the Nonresidential Voluntary Measures of the California Green Building Standards Code under Section A5.211.1. Design the proposed surface parking lots to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces shall equal to the Tier 2 Nonresidential Voluntary Measures of California's Green Building Standards Code Section A5.106.5.1.2. Design the proposed surface parking lots to provide electric vehicle (EV) charging stations. At minimum, the number of EV charging stations shall equal to the Tier 2 Nonresidential Voluntary Measures of California's Green Building Standards Code Section A5.106.5.3.2. <p>PDF-1 through PDF-8 would be implemented.</p>	
Impact 5.2-4: Construction activities associated with the Westminster Mall Specific Plan could expose sensitive receptors to substantial pollutant concentrations.	Potentially Significant	<p>AQ-1 Prior to discretionary approval by the City of Westminster for development projects within the Westminster Specific Plan, project applicants shall prepare and submit a technical assessment evaluating potential project regional and localized construction-related air quality impacts to the City of Westminster Community Development Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If regional or localized construction-related criteria air pollutants are determined</p>	Significant and Unavoidable

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>to have the potential to exceed the South Coast AQMD-adopted thresholds of significance, the City of Westminster shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Community Development Department. Mitigation measures to reduce construction-related emissions could include, but are not limited to:</p> <ul style="list-style-type: none"> • Requiring fugitive-dust control measures that exceed South Coast AQMD Rule 403, such as: <ul style="list-style-type: none"> – Use of nontoxic soil stabilizers to reduce wind erosion. – Applying water every four hours to active soil-disturbing activities. – Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. • Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. • Ensuring that construction equipment is properly serviced and maintained to the manufacturer's standards. • Limiting nonessential idling of construction equipment to no more than five consecutive minutes. • Limiting onsite vehicle travel speeds on unpaved roads to 15 miles per hour. • Installing wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area. • Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast AQMD's website at http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/super-compliant-manf-list.pdf?sfvrsn=71. 	

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.3 ENERGY			
Impact 5.3-1: Implementation of the Westminster Mall Specific Plan would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	Less Than Significant	<p>No mitigation is required. The following WMSP PDFs would be implemented:</p> <p>Section 5.2.9 Objective Building Design</p> <p>PDF-1 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.</p> <p>Section 5.2.12 Affordable Housing Requirement</p> <p>PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.</p> <p>Section 5.2.15 Open Space Requirements</p> <p>PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open and trails connecting activity centers, important views and destinations in the WMSP project area.</p> <p>Section 5.2.16 Landscape Design</p> <p>PDF-4 Projects in mixed use designations shall utilize at least 75 percent native California or drought-tolerant plant and tree species appropriate for climate zone region (per Section 4.106.3 of CALGreen 2019).</p> <p>PDF-5 Irrigation systems shall be designed to apply water slowly, allowing plants to be deep watered and reducing runoff.</p> <p>PDF-6 Low volume irrigation drip systems shall be used in all areas except turf irrigation and small ornamental planting.</p>	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>PDF-7 Each street tree shall be watered by at least two deep watering bubblers separate from all other irrigation.</p> <p>PDF-8 Drip irrigation systems shall be used with roof gardens to conserve water.</p> <p>PDF-9 Irrigation systems shall incorporate water conserving methods and water efficient technologies such as drip emitters, evapotranspiration controllers, and moisture sensors.</p> <p>Section 5.2.18 Lighting</p> <p>PDF-10 Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.</p> <p>Section 5.2.28 Parking Standards</p> <p>PDF-11 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.</p> <p>PDF-12 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.</p> <p>PDF-13 New and reconfigured surface parking lots shall provide a tree canopy with a goal of 50 percent or greater coverage at maturity, which may be offset by the substitution or mixing of solar panels</p> <p>Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment</p> <p>PDF-14 All projects with new construction or that will generate more than 50 peak hour trips will be required to:</p> <ul style="list-style-type: none"> The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy. 	

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements. A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include, but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly-accessible in order to be added to the district's pool of shared parking. <p>Section 7.3.6 Sustainability</p> <p>PDF-15 All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.</p>	
Impact 5.3-2: Implementation of the Westminster Mall Specific Plan would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	Less Than Significant	<p>No mitigation is required.</p> <p>PDF-1 through PDF-15 implemented.</p>	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.4 GREENHOUSE GAS EMISSIONS			
Impact 5.4-1: Implementation of the Westminster Mall Specific Plan would generate a substantial increase in magnitude of GHG emissions and would have a significant impact on the environment.	Potentially Significant	<p>AQ-1 Prior to discretionary approval by the City of Westminster for development projects within the Westminster Specific Plan, project applicants shall prepare and submit a technical assessment evaluating potential project regional and localized construction-related air quality impacts to the City of Westminster Community Development Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If regional or localized construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD-adopted thresholds of significance, the City of Westminster shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Community Development Department. Mitigation measures to reduce construction-related emissions could include, but are not limited to:</p> <ul style="list-style-type: none"> • Requiring fugitive-dust control measures that exceed South Coast AQMD Rule 403, such as: <ul style="list-style-type: none"> – Use of nontoxic soil stabilizers to reduce wind erosion. – Applying water every four hours to active soil-disturbing activities. – Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. • Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. • Ensuring that construction equipment is properly serviced and maintained to the manufacturer's standards. • Limiting nonessential idling of construction equipment to no more than five consecutive minutes. • Limiting onsite vehicle travel speeds on unpaved roads to 15 miles per hour. • Installing wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area. 	Significant and Unavoidable

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast AQMD's website at http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/super-compliant-manf-list.pdf?sfvrsn=71. <p>GHG-1 New development within the Westminster Mall Specific Plan shall implement the following voluntary provisions of the California Green Building Standards Code (CALGreen). The project applicant/developer(s) shall provide documentation (e.g., building plans) of implementation of the applicable voluntary measures to the City of Westminster Community Development Director or his/her designee prior to the issuance of building permits.</p> <p>Residential Structures with Three or Fewer Stories. For residential land uses with three or fewer stories, the project developer(s) shall</p> <ul style="list-style-type: none"> Design and build residential buildings to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Residential Voluntary Measures of California Green Building Standards Code Division A4.2, Energy Efficiency, as outlined under Section A4.203.1.2.2. Design and build residential projects to meet the Tier 2 requirements of the Residential Voluntary Measures of California Green Building Standards Code Division A4.3, Water Efficiency and Conservation, as outlined under Section A4.601.5.2 and comply with at least three elective measures selected from Division A4.3. Design and build condominium/townhouses dwellings that have an attached private garage to have a dedicated electric circuit to support electric vehicle charging as outlined in the Residential Voluntary Measures of the California Green Building Standards Code under Section A4.106.8.1. Design and build multi-family dwellings with 17 or more units to provide electric vehicle (EV) charging for 5 percent of the total number of parking spaces provided (but no less than 1) as outlined in the Residential Voluntary Measures of the California Green Building Standards Code under Section A4.106.8.2. <p>Nonresidential Structures and Residential Structures with Four or More Stories. For non-residential land uses and residential land uses that are four or more stories, the applicant/developer shall:</p> <ul style="list-style-type: none"> Design and build structures to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of California Green 	

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>Building Standards Code Division A5.2, Energy Efficiency, as outlined under Section A5.203.1.2.2.</p> <ul style="list-style-type: none"> • Use on-site renewable energy sources (e.g., solar) for at least 1 percent of the electric power as outlined in the Nonresidential Voluntary Measures of the California Green Building Standards Code under Section A5.211.1. • Design the proposed surface parking lots to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces shall equal to the Tier 2 Nonresidential Voluntary Measures of California's Green Building Standards Code Section A5.106.5.1.2. • Design the proposed surface parking lots to provide electric vehicle (EV) charging stations. At minimum, the number of EV charging stations shall equal to the Tier 2 Nonresidential Voluntary Measures of California's Green Building Standards Code Section A5.106.5.3.2. <p>GHG-2 For residential projects, all major appliances (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) provided/installed shall be Energy Star certified or of equivalent energy efficiency where applicable. Prior to the issuance of the certificate of occupancy, the City of Westminster shall verify implementation of this requirement.</p> <p>The following PDFs would be implemented:</p> <p>Section 5.2.9 Objective Building Design</p> <p>PDF-1 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.</p> <p>Section 5.2.12 Affordable Housing Requirement</p> <p>PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.</p>	

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		<p>Section 5.2.15 Open Space Requirements</p> <p>PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.</p> <p>Section 5.2.16 Landscape Design</p> <p>PDF-4 Projects in Mixed-Use designations shall utilize at least 75 percent native California or drought-tolerant plant and tree species appropriate for climate zone region (per Section 4.106.3 of CALGreen 2019).</p> <p>PDF-5 Irrigation systems shall be designed to apply water slowly, allowing plants to be deep watered and reducing runoff.</p> <p>PDF-6 Low volume irrigation drip systems shall be used in all areas except turf irrigation and small ornamental planting.</p> <p>PDF-7 Each street tree shall be watered by at least two deep watering bubblers separate from all other irrigation.</p> <p>PDF-8 Drip irrigation systems shall be used with roof gardens to conserve water.</p> <p>PDF-9 Irrigation systems shall incorporate water conserving methods and water efficient technologies such as drip emitters, evapotranspiration controllers, and moisture sensors.</p> <p>Section 5.2.18 Lighting</p> <p>PDF-10 Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.</p> <p>Section 5.2.28 Parking Standards</p> <p>PDF-11 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.</p> <p>PDF-12 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.</p>	
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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>PDF-13 New and reconfigured surface parking lots shall provide a tree canopy with a goal of 50 percent or greater coverage at maturity, which may be offset by the substitution or mixing of solar panels</p> <p>Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment</p> <p>PDF-14 All projects with new construction or that will generate more than 50 peak hour trips will be required to:</p> <ul style="list-style-type: none"> • The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy. • The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements. • A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include, but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly-accessible in order to be added to the district's pool of shared parking. <p>Section 7.3.6 Sustainability</p> <p>PDF-15 All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.</p>	
Impact 5.4-2: Implementation of the Westminster Mall Specific Plan would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	Less Than Significant	<p>No mitigation is required.</p> <p>PDF-1 through PDF-15 would be implemented.</p>	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.5 NOISE			
Impact 5.5-1: Construction activities would result in temporary noise increases in the vicinity of the Specific Plan that could exceed standards.	Potentially Significant	<p>N-1 Prior to issuance of demolition, grading and/or building permits, the project applicant shall incorporate the following practices into the construction contract agreement to be implemented by the construction contractor during the entire construction phase:</p> <ul style="list-style-type: none"> • Per Section 8.28.060 of the Westminster Municipal Code and 8.40.090 Huntington Beach Municipal Code, construction activity is limited to the hours of 7:00 AM to 8:00 PM on Monday through Saturday. Construction is not allowed on Sundays and federal holidays. If construction outside of these hours is necessary, construction noise shall be limited to the City of Huntington Beach or City of Westminster municipal code exterior noise standards based on the location of the receiving land use. • During the entire active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. • Require that impact tools (e.g., jack hammers and hoe rams) be hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. • Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. • Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors. • Construction traffic shall be limited—to the extent feasible—to approved haul routes established by the City. • At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the City. 	Significant and Unavoidable

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level, or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws. Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the noise standard after other measures have been considered, or occur at nighttime, or when the anticipated construction duration is greater than is typical (e.g., two years or more). <p>The following PDFs would be implemented:</p> <p>Section 5.2.30 Noise Attenuation</p> <p>PDF-1 Noise attenuation applies to any new development that includes residential or other noise sensitive uses. The City's General Plan Noise Element identifies two future noise contour levels on the Westminster Mall site, 70 dBA CNEL (closest to the freeway) and 65 dBA CNEL (transitioning midway in the property toward the single-family residential neighborhoods in Huntington Beach).</p> <p>PDF-2 Applicants for new noise-sensitive development (e.g., residential, hospitals, etc.) must demonstrate to the Director that all habitable rooms would meet the 45 dBA CNEL interior noise standard required by the State Title 24 before the City issues building permits. This can be accomplished with enhanced construction design or materials, such as upgraded dual-glazed windows and/or upgraded exterior wall assemblies.</p> <p>PDF-3 To ensure exterior noise compatibility, applicants proposing projects that fall within areas located within the 70 dBA CNEL contour lines must demonstrate that the noise levels for residential outdoor common areas and recreational areas are at or below 70 dBA CNEL to ensure compatibility with the ambient</p>	

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		noise levels. Noise reduction measures could include increased setback from the freeway, shielding with noise barriers, or placing outdoor noise-sensitive areas behind buildings. For noise attenuation purposes, outdoor common or recreation areas do not include parking and loading areas, ornamental landscaping, or walking/biking trails.	
Impact 5.5-2: Project implementation would result in long-term operation-related noise that would not exceed standards.	Less Than Significant	No mitigation is required. PDF-1 through PDF-3 would be implemented.	Less Than Significant
Impact 5.5-3: The project would create short-term groundborne vibration that could exceed standards.	Potentially Significant	N-2 The City shall require a vibration impact assessment for proposed projects under the Specific Plan if pile driving would be required within 100 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur which may include, but are not limited to, the use of vibratory pile driving or drilling piles as opposed to pile driving. If alternative methods are found to be not feasible, construction vibration monitoring may be required. PDF-1 through PDF-3 would be implemented.	Less Than Significant
5.6 POPULATION AND HOUSING			
Impact 5.6-1: The proposed project would directly result in population growth of approximately 8,373 residents and 2,990 employees in the project area.	Less Than Significant	The following PDFs would be implemented: Section 5.2.12 Affordable Housing Requirement PDF-1 Ten percent (10%) of all housing units within the WMSP must be income restricted.	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.7 PUBLIC SERVICES			
Impact 5.7-1: The proposed project could introduce new structures, 8,373 residents, and 2,990 employees into the Orange County Fire Authority service boundaries, thereby increasing the requirements for fire protection facilities and personnel.	Less Than Significant	No mitigation is required.	Less Than Significant
Impact 5.7-2: The proposed project would introduce new structures, 8,373 residents, and 2,990 employees into the Westminster Police Department service boundaries, thereby increasing the requirements for police protection facilities and personnel.	Less Than Significant	No mitigation is required.	Less Than Significant
Impact 5.7-3: The proposed project would generate new students who would impact the school enrollment capacities of Westminster School District and Huntington Beach Union School District.	Less Than Significant	No mitigation is required.	Less Than Significant
Impact 5.7-4: The proposed project would introduce 8,373 residents to the project site, which would increase the service needs for the Westminster Branch Library.	Less Than Significant	No mitigation is required.	Less Than Significant
5.8 RECREATION			
Impact 5.8-1: The proposed project would generate 8,373 residents that would increase the use of existing park and recreational facilities.	Less Than Significant	No mitigation is required. The following WMSP PDFs would be implemented: Section 5.2.15 Open Space Requirements	Less Than Significant

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Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>PDF-1 Public open spaces shall include flexible areas for public gatherings, such as lawn area or a paved plaza, at a scale that maintains intimacy, form, and character and contributes to a well-connected public realm.</p> <p>PDF-2 Public plazas shall be located at intersections of streets or adjacent to midblock pedestrian crossings and be prominently integrated with internal sidewalks and streets. Plazas at corners are encouraged to include outdoor dining space for adjacent restaurants.</p> <p>PDF-3 A public open space such as a corner plaza, public art, or architectural landmark form shall be provided at the intersection of Bolsa Avenue and Edwards Street to enhance the attractiveness of the Gateway.</p> <p>PDF-4 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.</p> <p>Section 7.2.6 Open Space</p> <p>PDF-5 Open spaces shall include a visual focal feature or overall aesthetic in design that coordinates buildings, signs, landscaping, and outdoor furniture, public art, and amenities to create a pleasant pedestrian environment.</p> <p>PDF-6 Public open space shall be oriented to maximize the visual and physical link from public sidewalks and pedestrian corridors.</p> <p>PDF-7 Open spaces should provide both shaded and sunlit areas during different times of the day. Shade is provided to reduce heat island effects and promote human comfort. Shade can be provided by trees, shading structures, trellises, awnings, canopies, or umbrellas integrated into the building or above open spaces.</p> <p>PDF-8 Private Open Space: Residential balconies shall be large enough to be occupied. See requirements for minimum sizes in Chapter 5, Development and Design Standards, of the WMSP.</p>	

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Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.8-2: Project implementation could result in environmental impacts to provide new and/or expanded recreational facilities.	Less Than Significant	No mitigation is required. PDF-1 through PDF-8 would be implemented.	Less Than Significant
5.9 TRANSPORTATION			
Impact 5.9-1: The proposed project is consistent with adopted programs, plans, ordinances, and policies, addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities in the City.	Less Than Significant	<p>No mitigation is required.</p> <p>The following PDFs would be implemented:</p> <p>Section 5.2.9 Objective Building Design</p> <p>PDF-1 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.</p> <p>Section 5.2.12 Affordable Housing Requirement</p> <p>PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.</p> <p>Section 5.2.15 Open Space Requirements</p> <p>PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.</p> <p>Section 5.2.28 Parking Standards</p> <p>PDF-4 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.</p> <p>PDF-5 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the</p>	Less Than Significant

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Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.	
Impact 5.9-2: Project-related trip generation in combination with existing and proposed cumulative development would not be consistent with CEQA Guidelines § 15064.3.	Potentially Significant	<p>No feasible mitigation measures.</p> <p>The following PDF would be implemented:</p> <p>Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment</p> <p>PDF-6 All projects with new construction or that will generate more than 50 peak hour trips will be required to:</p> <ul style="list-style-type: none"> • The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy. • The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements. • A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include, but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly-accessible in order to be added to the district's pool of shared parking. 	Significant and Unavoidable

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.10 UTILITIES AND SERVICE SYSTEMS			
Impact 5.10-1: Project-generated wastewater could be adequately treated by the wastewater service provider for the project.	Less Than Significant	No mitigation is required.	Less Than Significant
Impact 5.10-2: Water supply and delivery systems are adequate to meet project requirements.	Less Than Significant	No mitigation is required.	Less Than Significant
Impact 5.10-3: Existing and/or proposed storm drainage systems are adequate to serve the drainage requirements of the proposed project.	Less Than Significant	No mitigation is required. The following PDF would be implemented: Section 5.2.16 Landscape Design PDF-1 Grading and plan layout shall be designed to capture and slow water runoff.	Less Than Significant
Impact 5.10-4: Existing and/or proposed facilities would be able to accommodate project-generated solid waste.	Less Than Significant	No mitigation is required.	Less Than Significant

1. Executive Summary

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2. Introduction

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act (CEQA) requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects. This draft environmental impact report (DEIR) has been prepared to satisfy CEQA and the CEQA Guidelines. The environmental impact report (EIR) is the public document designed to provide decision makers and the public with an analysis of the environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental damage and to identify alternatives to the project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects.

The lead agency means “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment” (CEQA § 21067). The City of Westminster has the principal responsibility for approval of the Westminster Mall Specific Plan (WMSP) project. For this reason, the City of Westminster is the CEQA lead agency for this project and this EIR represents the independent judgement of the City.

The intent of the DEIR is to provide sufficient information on the potential environmental impacts of the proposed Westminster Mall Specific Plan project (proposed project, project, WMSP) to allow the City of Westminster to make an informed decision regarding approval of the project. Specific discretionary actions to be reviewed by the City are described in Section 3.4, *Intended Uses of the EIR*.

This DEIR has been prepared in accordance with requirements of the:

- California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code, §§ 21000 et seq.)
- State Guidelines for the Implementation of the CEQA of 1970 (CEQA Guidelines), as amended (California Code of Regulations, §§ 15000 et seq.)

The overall purpose of this DEIR is to inform the lead agency, responsible agencies, decision makers, and the general public about the environmental effects of the development and operation of the proposed Westminster Specific Mall project. This DEIR addresses effects that may be significant and adverse; evaluates alternatives to the project; and identifies mitigation measures to reduce or avoid adverse effects.

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2.1.1 Subsequent Environmental Analysis

Section 15183 of the CEQA Guidelines mandates that projects "...which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." It is the expectation of the City of Westminster that additional environmental analysis for projects within the Specific Plan will either be unnecessary or limited to project-specific analysis. Per Chapter 2, Purpose and Authority, of the Specific Plan, each development application must demonstrate consistency with this EIR, including substantial evidence to support the consistency findings.

2.2 NOTICE OF PREPARATION AND INITIAL STUDY

The City of Westminster determined that an EIR would be required for this project and issued a Notice of Preparation (NOP) and Initial Study on Wednesday, October 24, 2019 (see Appendix 2-1). A public scoping meeting was held on November 18, 2019. Comments received during the public review period of the NOP that ran from Wednesday, October 24, 2019, to Monday, November 25, 2019, and scoping meeting are included in Appendix 2-2.

The NOP process helps determine the scope of the environmental issues to be addressed in the DEIR. Based on this process and the initial study for the project, certain environmental categories were identified as having the potential to result in significant impacts. Issues considered Potentially Significant are addressed in this DEIR, but issues identified as Less Than Significant, or No Impact are not. Refer to the initial study in Appendix 2-1 for discussion of how these initial determinations were made.

Table 2-1 NOP and Scoping Meeting Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed In:
Agencies				
Governor's Office of Planning and Research	11/04/19	Not applicable	<ul style="list-style-type: none"> Courtesy notice with a reminder to comment in a timely manner 	Not required.
South Coast Air Quality Management District	11/19/19	Air Quality	<ul style="list-style-type: none"> Recommends guidance for air quality analysis using handbook and software Recommends calculating air quality impacts and comparing against localized significance thresholds Recommends identifying any potential adverse air quality impacts from all phases of the project Recommends considering air quality impacts to residents adjacent to project area Recommends a health risk assessment to disclose potential health risks to residents Recommends guidance regarding residences sited near a high-volume freeway or other 	5.2, Air Quality

2. Introduction

Table 2-1 NOP and Scoping Meeting Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed In:
			<p>source of air pollution</p> <ul style="list-style-type: none"> Offers potential mitigation measures in the event that the proposed project generates significant air quality impacts Offers health risk reduction strategies 	
Orange County Public Works	11/25/19	Utilities and Service Systems Hydrology and Water Quality Not applicable	<ul style="list-style-type: none"> States that Westminster Channel is a deficient flood control facility and not capable of conveying runoff from the 100-year storm event Recommends that floodplains are properly identified, and structures are located outside of 100-year floodplain Recommends that work within or adjacent to OCFCD right-of-way or flood control facilities be conducted to avoid adverse impacts Recommends that work is conducted after encroachment permit is obtained 	5.10, Utilities and Service Systems 8.7, Hydrology and Water Quality Not applicable
Orange County Transit District	11/25/19	Not applicable Transportation	<ul style="list-style-type: none"> Requests that the City work with OCTA regarding any bus stop reconstruction or relocation proposed for the project Requests that the adjacent MPAH facilities are included in the EIR: Edwards Street, Bolsa Avenue, and Goldenwest Street; requests that the right-of-way be preserved for the ultimate buildout of Bolsa Avenue. 	Part of City Standards. 5.9, Transportation
Caltrans	11/25/19	Not applicable Transportation	<ul style="list-style-type: none"> Recommends that Caltrans Guide for the Preparation of Traffic Impact Studies is used when analyzing traffic impacts on State transportation facilities Requests that a queue analysis for review and commit be submitted Requests a Traffic Management Plan be provided to address impacts on I-405 ramps during construction Requests that a fair share discussion be included in the environmental document; requests that responsibilities between the lead agency and Caltrans are defined for implementing mitigation measures and Cost Estimates for mitigation measures and financing plan Recommends that Caltrans District Traffic Operations branch be responsible for ramp metering review of the TIS Requests that coordination with I-405 Freeway Improvement Project due to project's proximity to I-405 Freeway Requests that the following Active 	Part of City Standards 5.9, Transportation

2. Introduction

Table 2-1 NOP and Scoping Meeting Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed In:
			<p>Transportation Planning Elements be included: Bicycle and Pedestrian Facilities; Secure Storage/Parking Facilities, Showers, and Wayfinding Signage; Complete Streets; Designated Freight Delivery Area</p> <ul style="list-style-type: none"> States that in the event of any activity in Caltrans right of way, an Encroachment Permit will be required Requests that Caltrans be informed of this project and any future developments that could potentially impact State transportation facilities 	
Companies				
Hospitality House	11/14/19	Not applicable	<ul style="list-style-type: none"> Sales request 	Not applicable
FS Consulting & Engineering	11/14/19	Not applicable	<ul style="list-style-type: none"> Sales request 	Not applicable
Macy's, Inc.	11/18/19	Not applicable Land Use and Planning	<ul style="list-style-type: none"> Supports the project Requests confirmation that EIR will study the impacts of potential demolition of all buildings, including associated health risks on nearby residential uses States concern that precise land use plan would limit usefulness of EIR and require additional CEQA evaluations States that land use plans must be flexible to accommodate fluctuating market demands/changes in housing laws Proposes that the City evaluate the potential for a maximum envelope of development of a menu of uses and encourages City to study potential residential uses within the site Proposes the EIR should study residential development located throughout the project site if the above-mentioned consideration is infeasible 	8.8 Land Use and Planning
Hotel and Leisure Advisors	11/19/19	Not applicable	<ul style="list-style-type: none"> Sales request 	Not applicable
DIGICOM	11/21/19	Not applicable	<ul style="list-style-type: none"> Sales request 	Not applicable
C.W. Driver	11/26/19	Not applicable	<ul style="list-style-type: none"> Sales request 	Not applicable
Public				
Peter Gillin	10/24/19	Not applicable	<ul style="list-style-type: none"> Supports the project 	Not required.
Tiona Todoruk	10/24/19	Aesthetics Transportation Hazards and Hazardous Materials Air Quality	<ul style="list-style-type: none"> States proposed building heights on Edward Street and within center of site are too tall Requests that a setback on development from existing residential developments be considered to prevent shadows and minimize impacts on privacy of adjacent residents 	<p>5.1, Aesthetics 5.9, Transportation 8.6, Hazards and Hazardous Materials 5.2, Air Quality 8.3, Biological Resources</p>

2. Introduction

Table 2-1 NOP and Scoping Meeting Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed In:
		Biological Resources Noise Utilities and System Services	<ul style="list-style-type: none"> States proposed development would cause traffic congestion and create safety hazard Introduction of hazardous materials associated with hotel and office buildings; states concern for local residents and school States proposed development would increase traffic and therefore exacerbate air quality issues; concerned about increased exposure to air contaminants States proposed project will increase light pollution; states concern for human health and migratory birds States proposed project will result in increased noise, especially during construction and impact residential area States proposed project will impact existing infrastructure and services, as well as access to transit and neighborhood parking 	5.5, Noise 5.10 Utilities and System Services
Anna Plewa	11/08/19	Transportation Land Use and Planning Alternatives	<ul style="list-style-type: none"> States opposition to the project (traffic congestion, development density) Requests that different types of services and amenities be considered (stores, restaurants, entertainment) 	5.9, Transportation 8.8, Land Use and Planning Alternatives
Daniel Gary	11/24/19	Not applicable Air Quality Noise Transportation Not applicable Public Services	<ul style="list-style-type: none"> Requests an electronic copy of the EIR when it is prepared via email Asks what the effects of the proposed project will be on air quality Asks what the mitigating factors would be to prevent noise from traveling south; asks what the 2020 standards are for noise pollution Requests that proposed project widens Bolsa Avenue by adding lanes on property to the north and adding lanes to the east Requests that a dedicated lot for carpooling remains Requests for a bi-city commission to represent Huntington Beach residents Requests for adequate police enforcement of the area Asks what the impacts are on Stacey and Clegg schools, as well as other Westminster and Huntington Beach schools 	Noted. 5.2, Air Quality 5.5, Noise 5.9, Transportation Not applicable 5.7, Public Services
Scoping Meeting Comments				
Anonymous	11/18/19	Not applicable Transportation	<ul style="list-style-type: none"> Supports the project States concern for traffic congestion and lack of space for parking 	Not required. 5.9, Transportation

2. Introduction

Table 2-1 NOP and Scoping Meeting Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed In:
Anonymous	11/18/19	Transportation	<ul style="list-style-type: none"> States concern for pedestrian crossing along Grand Avenue and foot traffic/accessibility to local junior high school 	5.9, Transportation
Anonymous	11/18/19	Transportation Public Services Public Services Utilities and Service Systems Noise Aesthetics	<ul style="list-style-type: none"> States concern for traffic impacts to mall residents and nearby Huntington Beach residents Recommends traffic calming measures to mitigate traffic impacts States concern for limited emergency services and school services Would like to see a variety of services to serve current and future residents States concern for water resources and wastewater infrastructure Recommends that solar solutions are explored Recommends that adequate solid waste services are provided Recommends that green building measures are incorporated into development Requests that EIR analyze noise and include mitigation Requests that EIR include light study; concerned that light impacts will occur from proposed building heights 	5.9, Transportation 5.7, Public Services 5.10 Utilities and System Services 5.5, Noise 5.1, Aesthetics

2.3 SCOPE OF THIS DEIR

The scope of the DEIR was determined based on the City's initial study, comments received in response to the NOP, and comments received at the scoping meeting conducted by the City. Pursuant to Sections 15126.2 and 15126.4 of the CEQA Guidelines, the DEIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

The information in Chapter 3, *Project Description*, establishes the basis for analyzing future, project-related environmental impacts. However, further environmental review by the City may be required as more detailed information and plans are submitted on a project-by-project basis.

2.3.1 Impacts Considered Less Than Significant

During preparation of the Initial Study, City of Westminster determined that 10 environmental impact categories were not significantly affected by or did not affect the proposed WMSP project. These categories are not discussed in detail in this DEIR.

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- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use Planning
- Mineral Resources
- Tribal Cultural Resources
- Wildfire

2.3.2 Potentially Significant Adverse Impacts

The City of Westminster determined that 10 environmental factors have potentially significant impacts if the proposed project is implemented.

- Aesthetics
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems

2.3.3 Unavoidable Significant Adverse Impacts

This DEIR identifies seven significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the proposed project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and/or potentially significant. The City must prepare a “statement of overriding considerations” before it can approve the project, attesting that the decision-making body has balanced the benefits of the proposed project against its unavoidable significant environmental effects and has determined that the benefits outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impacts that were found in the DEIR to be significant and unavoidable are:

- **Impact 5.2-1:** The Westminster Mall Specific Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the SoCAB and would conflict with the assumptions of the applicable AQMP.
- **Impact 5.2-2:** Construction activities associated with the Westminster Mall Specific Plan would generate short-term emissions that exceed South Coast AQMD’s threshold of criteria.

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- **Impact 5.2-3:** Long-term operation of the Westminster Mall Specific Plan would generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.
- **Impact 5.2-4:** Construction activities associated with the Westminster Mall Specific Plan could expose sensitive receptors to substantial pollutant concentrations.
- **Impact 5.4-1:** Implementation of the Westminster Mall Specific Plan would generate a substantial increase in magnitude of GHG emissions and would have a significant impact on the environment.
- **Impact 5.5-1:** Construction activities would result in temporary noise increases in the vicinity of the Specific Plan Area that could exceed standards.
- **Impact 5.9-2:** Project-related trip generation in combination with existing and proposed cumulative development would not be consistent with CEQA Guidelines §15064.3.

2.4 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document... [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR. All of the following documents are available at the City's Planning Department, 8200 Westminster Boulevard, Westminster, CA 92683, during regular business hours, or on the City's website: https://www.westminster-ca.gov/our_city/depts/cd/planning/default.asp.

- *City of Westminster General Plan*, PlaceWorks, September 2016
- *City of Westminster General Plan Update DEIR*, PlaceWorks, July 2016
- City of Westminster Municipal Code
- California Building Code
- NPDES Construction General Permit requirements (Order No. 2009-0009-DWQ)

2.5 MITIGATION MONITORING

Public Resources Code, Section 21081.6, requires that agencies adopt a monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR.

A draft Mitigation Monitoring Program for the WMSP is included as Appendix 2-3 to this Draft EIR and will be finalized by the City if the proposed Project is approved.

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2.6 AVAILABILITY

Notification of availability of EIR for review was distributed to public agencies and members of the public who expressed an interest in receiving the document. A list of all who received the Draft EIR is included as Appendix 2-4 to this EIR. An electronic copy of the EIR and associated Notice of Completion was sent to the California Office of Planning and Research (OPR) Clearinghouse for distribution pursuant to CEQA Guidelines 15087.

The EIR is available to the general public for review at various locations:

- City of Westminster – Planning Division
- Westminster Branch Library
- City’s webpage:
 - <https://www.westminster-ca.gov/departments/community-development/planning-division/planning-division-public-notice/ceqa-notice-of-exemption>
 - <https://www.westminster-ca.gov/departments/community-development/planning-division/specific-plans/westminster-mall-specific-plan>
- This DEIR is being circulated for public review for 45 days. Interested agencies and members of the public are invited to provide written comments on the DEIR to the City address shown on the title page of this document. Upon completion of the 45-day review period, the City of Westminster will review all written comments received and prepare written responses for each. A Final EIR (FEIR) will incorporate the received comments, responses to the comments, and any changes to the DEIR that result from comments. The FEIR will be presented to the City of Westminster for potential certification as the environmental document for the project. All persons who comment on the DEIR will be notified of the availability of the FEIR and the date of the public hearing before the City.

2.7 STATEMENT OF LEGAL AUTHORITY

This EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

Pursuant to CEQA Statute 21067, and CEQA Guidelines Article 4 and Section 15367, the City of Westminster is the Lead Agency under whose authority this EIR has been prepared. “Lead Agency” refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the City of Westminster has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the City’s independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR

2. Introduction

are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City of Westminster will have the legal authority under CEQA – and in conjunction with discretionary powers granted to the City by other laws – to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment;
- Disapprove the project, if necessary, in order to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed; or
- Approve the project even though the project would cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that: 1) there is no feasible way to lessen the effect or avoid the significant effect; and 2) expected benefits from the project will outweigh significant environmental impacts of the project.

This EIR fulfills the CEQA environmental review requirements for the proposed project and all other governmental discretionary and ministerial actions related to the project.

2.8 RESPONSIBLE AND TRUSTEE AGENCIES

The California Public Resource Code (Section 21104) requires that the Lead Agency consult with and request comments on the EIR by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency that have discretionary approval power over the project.” A “Trustee Agency” is defined in CEQA Guidelines Section 15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.” The Project would require approval from the following Trustee and Responsible Agencies:

- **The Santa Ana Regional Water Quality Control Board (RWQCB)** is a Trustee Agency for the project that is responsible for the protection of California’s water resources and water quality. The Santa Ana RWQCB is responsible for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to ensure that during and after project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality.
- **The California Department of Fish and Wildlife (CDFW)** is a Trustee Agency for the project as the CDFW may need to be consulted should the pre-construction determine that migratory birds are nesting in the ornamental trees on the project site.

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- **The Orange County Flood Control District (OCFCD)** is a Responsible Agency pertaining to the approval of the project's proposed drainage improvements.
- **The Orange County Fire Authority (OCFA)** is a Responsible Agency pertaining to the approval of fire hydrant locations and fire protection features for the project.
- **The Orange County Sanitation District (OCSD)** is a Responsible Agency pertaining to the approval of wastewater facilities for the project.
- **The Midway City Sanitary District (MCSD)** is a Responsible Agency pertaining to the approval of wastewater facilities for the project.
- **The California Department of Transportation (CALTRANS)** is a Responsible Agency pertaining to work on or adjacent to Interstate 405 which forms the western boundary of the project site. CALTRANS also has jurisdiction over some types of signage visible from the interstate.

While there are no other Trustee Agencies or Responsible Agencies identified for the project, this EIR may be used by any Trustee Agency or Responsible Agency, as part of their decision-making processes in relation to the proposed Project.

2. Introduction

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3. Project Description

3.1 PROJECT LOCATION

The Westminster Mall, at 1025 Westminster Mall, in the City of Westminster, Orange County, encompasses approximately 100 acres in the northwest portion of the County. The City is bordered by the Cities of Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, and Seal Beach, as shown in Figure ES-1, *Regional Location*, and Figure ES-1a, *Regional Topographic Map*.

The project site is bounded by Interstate 405 (I-405) to the north and east, Edwards Street to the west, Bolsa Street to the south, and Goldenwest Street to the east. Figure ES-2, *Local Vicinity*, shows the location of the site within the local context of Orange County. Other nearby freeways include State Route 22 (SR-22) approximately 1.6 miles north of the site and SR-39 approximately one mile to the east of the site.

3.2 STATEMENT OF KEY PROJECT OBJECTIVES

The following key project objectives are from the City's General Plan and the WMSP. The key objectives are intended aid decision makers in their review of the project and evaluate project alternatives.

1. **Gateway to Westminster.** Use signage, landscaping, or the design of new development to clearly delineate the entrance to Westminster and serve as a landmark in North Orange County along the Interstate 405.
2. **Greater Mix of Land Uses.** Create a land plan that encourages a greater mix of uses and appeals to a diverse population and accommodates future growth for the City. Support a range of development options that respond to changing market conditions and bolster the local economy.
3. **Housing Diversity & Affordability.** Provide a diversity of housing types and range of affordability when new residential uses are proposed in the Plan.
4. **Balance New Development with Existing Roadway Capacity.** Any proposed development must be able to be served by the capacity of the Edwards Street and Bolsa Avenue (no additional travel lanes).
5. **Building Form/Architectural Design.** Provide clear standards and guidelines to encourage future development that respects the surrounding residential neighborhoods, enhances views, and creates a sense of place through thoughtful building placement, form and architectural design.
6. **View Enhancement & Protection.** Minimize the effects of new buildings on existing views from neighboring residential uses and generate view opportunities adjacent to the freeway through control of building placement and/or height.

3. Project Description

7. **New development.** Encourage commercial development that achieves these objectives:

- Create an effective concentration of land use that will remain competitive with future surrounding developments.
- Provide high sales tax generating, quality retail and anchor tenants that will generate high sales tax by attracting customers from beyond Westminster and reducing the outflow of local consumer spending.
- Avoid small convenience-oriented strip centers.
- Provide functional design and site configuration.

3.3 PROJECT CHARACTERISTICS

“Project,” as defined by the CEQA Guidelines, means:

... the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: (1)...enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700. (14 Cal. Code of Reg. § 15378[a])

3.3.1 Project Background

In 2016, the City of Westminster prepared a General Plan Update DEIR to analyze and address the environmental effects associated with the implementation of the General Plan. Table 3-1, *Proposed Land Use Development Assumptions for the Proposed Westminster Mall Specific Plan and General Plan* shows the potential buildout for the proposed WMSP and the buildout assumed in the General Plan for the project site. The figures in Table 3-1 are buildout assumptions used for the environmental analysis as no development project is proposed. The Specific Plan allows, but does not require, buildout as shown in Table 3-1. The *EIR evaluates* a proposed project that would allow for the addition of up to 2,176 dwelling units to the 824 allowed by the existing General Plan, which could result in an increase of up to 7,398 residents on the site.

In addition to the increase in residential units, the proposed project includes the provision of a 425-room hotel that is not currently listed in the mixed-use land uses for the project site.

The proposed project will reduce the amount of non-residential space (retail and office) from approximately 1,360,000 square feet to a total of 1,200,000 square feet, a reduction of approximately 196,070 square feet. This reduction in non-residential square feet would result in approximately 500 employees than projected in the General Plan Update DEIR.

3. Project Description

Table 3-1 Land Use Development Assumptions for the Proposed Westminster Mall Specific Plan

Land Use Designation	Acres	Proposed DU	Existing Square Footage	Proposed Square Footage	Proposed Hotel Rooms	Proposed Parking	Proposed Employment	Existing Population	Proposed Population
General Plan Assumed Buildout									
Mixed Use	92	824	1,360,000	1,396,070	0	-	3,490	0	2,676
Proposed Specific Plan Assumed Buildout									
Mixed Use	91.97	3,000	1,360,000	1,200,000	425	11,411	2,990	-	8,373
Retail			1,292,000	600,000		2,000	1,200		
Entertainment Retail				210,000		840	420		
Restaurant			68,000	210,000		2,100	600		
Office				180,000		600	600		
Hotel				-	425	255	170		
3-Story Rowtown		300				675		0	942
4-6 Story Wrap/ Mini Podium		1,200				2,196		0	3,336
8-10 Story Podium		1,500				2,745		0	4,095
Open Space ¹								17.45	
ROW	6.1								
Easement	3.9								
Navy Railway (Westminster Nature Activity Trail)	0.9							0	
Total	102.82	3,000	1,360,000	1,200,000	425	11,411	2,990	0	8,373
Net Change	-	2,176	-	-196,070	425	-	-500	0	5,697

Notes:

¹ Open space is presented in acres

Refer to Appendix 3-2, WMSP Buildout, and Appendix 3-3, WMSP Household Size per Unit Type

3. Project Description

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3. Project Description

3.3.2 Description of the Project

The proposed project includes the following City actions:

- **General Plan Amendment (#):** An amendment to the City of Westminster General Plan to increase the number of allowable dwelling units from the 824 dwelling units assumed in the General Plan to a range of 2,000 to 3,000 dwelling units (for the purposes of this EIR, a maximum of 3,000 dwelling units is analyzed, an increase from 2,676 residents to a maximum of 8,373 residents, an increase from 1,396,070 nonresidential square feet to 1,433,750 square feet (1,200,000 square feet of nonresidential square footage and 425 hotel rooms, and an anticipated decrease of 500 jobs from 3,490 jobs to 2,990 jobs.
- **Specific Plan Adoption (#):** Adopt the Westminster Mall Specific Plan. The WMSP will be adopted by ordinance and will include development standards, architectural guidelines, and development review process for future projects within the Specific Plan area.
- **Development Agreement:** The City may enter into one or more Development Agreements with landowners within the Specific Plan area. The terms and extent of the Development Agreement would be determined at the time of the proposed project and may include financing, shared access, zoning changes, design amendments, or other project-related actions.

Westminster Mall Specific Plan

The proposed WMSP (Appendix 3-1) includes development standards and guidelines for mixed-use commercial, professional office, hotel, and residential development (which would vary in housing type and affordability) as shown on Figure 3-1, *Land Use Concept*. The development standards and guidelines in the proposed WMSP address: permitted and conditional land uses, building heights (that vary by location on the site and could include density bonuses), objective design standards, edge treatments, setbacks, aesthetic design features, open space requirements, circulation, and landscaping. The development standards and guidelines would apply to future development within the WMSP area. As no entitlement for development is included in the proposed project, subsequent projects must apply for development consistent with the Specific Plan. The intent of this EIR is that subsequent projects will be reviewed for consistency with the WMSP and this EIR and if found consistent, no subsequent CEQA analysis will be required.

Development Standards and Design Guidelines

The Specific Plan includes development and design standards and design standards and guidelines in Chapters 5 and 7 of the Specific Plan, respectively. The development standards regulate new development and uses to ensure all proposed projects in the WMSP area support the Westminster Mall vision and objectives, detailed in Chapter 1 of the WMSP (see Chapter 1, Introduction, of the WMSP).

The development standards in the WMSP supersede all provisions, standards, and requirements of the Westminster Municipal Code zoning regulations, except in those instances where the Specific Plan development standards remain silent. The Specific Plan also the Community Development Director to make a determination if the Specific Plan is silent on a development standard. The development standards include,

3. Project Description

but are not limited to, regulations for building setbacks; the public realm; the vehicular, pedestrian, and frontage zones of Bolsa Avenue, Edwards Street, Primary Internal Circulation Street, Internal Main Street, Residential Street; paseos; building form and frontages; block structure; building height and floor height (see Table 5.2 Building Floor Height Requirements of the WMSP and Figure 3-2, *Maximum Building Height*); affordable housing; residential unit size and mix; open space; landscaping and lighting; streetscape and parkway.

The design guidelines and standards provide guidelines and standards provided in Chapter 5, Development and Design Standards, and Chapter 7, Design Standards and Guidelines, of the WMSP, include standards and guidelines for open space, edges, public art, and access, as well as building design which include massing, facades and frontages, architectural details, corner treatments, and parking structures.

Project Design Features

A full list of the project design features (PDF) can be found in Chapters 5 and 7 of the WMSP (see Appendix 3-1). The proposed project includes several PDFs that help reduce environmental impacts. These features are discussed in each section as part of the analysis and will be included as part of the mitigation monitoring, and reporting program (MMRP). The features include, but are not limited to:

Section 5.2.1 Building Setbacks

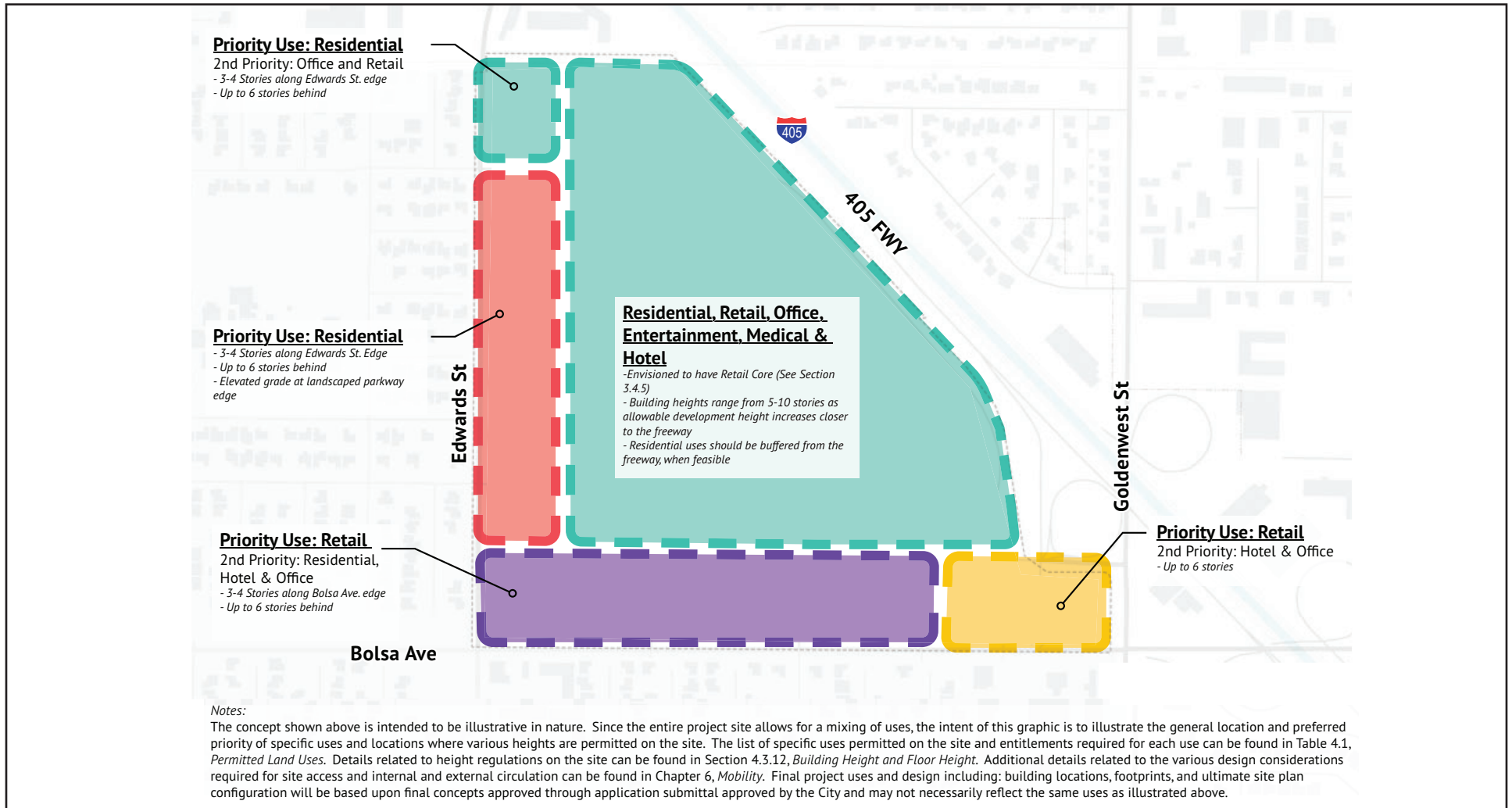
- Building setback requirements from:
 - Freeway, Freeway Off-Ramp – Minimum: 60 feet; Maximum: none
 - Bolsa Avenue – Minimum: 132 feet; Maximum: 142 feet
 - Edwards Street – Minimum: 72 Feet; Maximum: 82 feet
 - Goldenwest Street – 60 feet; to clear drainage easement
 - Primary Internal Circulation Street – Minimum: 50 feet; Maximum: 60 feet
 - Internal Main Street – Minimum: 46 feet; Maximum: 56 feet
 - Internal Residential Street – Minimum: 40 feet; Maximum: 50 feet
 - Internal Paseo – Minimum: 0 feet; Maximum: 10 feet
 - Building to Building: Setbacks shall comply with Building Code and emergency access requirements

Section 5.2.9 Objective Building Design

- Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.

3. Project Description

Figure 3-1 - Land Use Concept

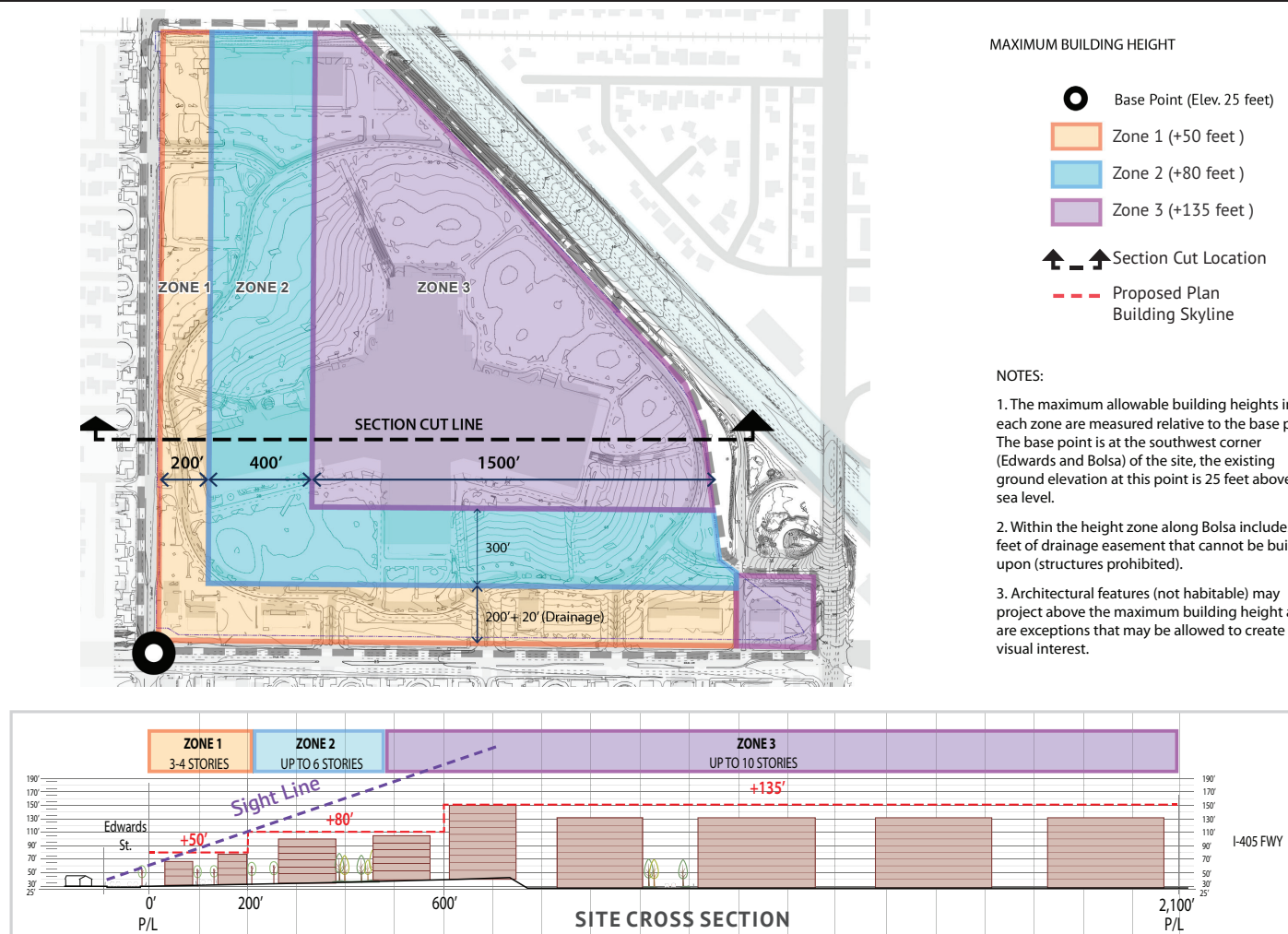


3. Project Description

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3. Project Description

Figure 3-2 - Maximum Building Height



Note: Illustrative only; to be interpreted as conceptual, as one possible design, and not considered definitive.

Source: PlaceWorks, 2022

0 750
Scale (Feet)



3. Project Description

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3. Project Description

Section 5.2.11 Building Height and Floor Height

- Building Height:
 - Zone 1 – maximum of 50 feet above the base point
 - Zone 2 – maximum of 80 feet above the base point
 - Zone 3 – maximum of 135 feet above the base point
- Building Floor Height:
 - Non-Residential Ground Floor – Minimum: 15 feet
 - Residential Ground Floor – Minimum: 12 feet
 - Upper Floor Non-Residential – Minimum: 10 feet
 - Upper Floor Residential – Minimum: 9 feet

Section 5.2.12 Affordable Housing Requirement

- PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.

Section 5.2.15 Open Space Requirements

- Open Space Minimum Requirements:
 - Cultural Park/Urban Plaza – 3 acres
 - Mixed-Use Neighborhood Park – 2.5 acres
 - Westminster Nature Activity Trail – 1 acre
 - Internal Community Paseo – 1.5 acres
 - Bolsa Promenade – 1.5 acres
 - Linear Park – 20,000 square feet
 - Any Development – 10 percent of project area
 - Residential Uses – 100 square feet per unit as Private, Private Common Open Space or Common Open Space
- Public open spaces shall include flexible areas for public gatherings, such as lawn area or a paved plaza, at a scale that maintains intimacy, form, and character and contributes to a well-connected public realm.
- Public plazas shall be located at intersections of streets or adjacent to midblock pedestrian crossings and be prominently integrated with internal sidewalks and streets. Plazas at corners are encouraged to include outdoor dining space for adjacent restaurants.
- A public open space such as a corner plaza, public art, or architectural landmark form shall be provided at the intersection of Bolsa Avenue and Edwards Street to enhance the attractiveness of the Gateway.
- Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in

3. Project Description

adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.

Section 5.2.16 Landscape Design

- Projects in mixed use designations shall utilize at least 75 percent native California or drought-tolerant plant and tree species appropriate for climate zone region (per Section 4.106.3 of CALGreen 2019).
- Irrigation systems shall be designed to apply water slowly, allowing plants to be deep watered and reducing runoff.
- Low volume irrigation drip systems shall be used in all areas except turf irrigation and small ornamental planting.
- Each street tree shall be watered by at least two deep watering bubblers separate from all other irrigation.
- Drip irrigation systems shall be used with roof gardens to conserve water.
- Irrigation systems shall incorporate water conserving methods and water efficient technologies such as drip emitters, evapotranspiration controllers, and moisture sensors.
- Grading and plan layout shall be designed to capture and slow water runoff.

Section 5.2.18 Lighting

- Lighting shall be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, building entrances and pedestrian parkways.
- Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.
- Pedestrian-scale decorative street lighting shall be a maximum spacing of 80 feet on-center. Light source should be located 12-14 feet above finished grade.

Section 5.2.27 Parking Standards

- Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.
- Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.
- New and reconfigured surface parking lots shall provide a tree canopy with a goal of 50 percent or greater coverage at maturity, which may be offset by the substitution or mixing of solar panels

Section 5.2.28 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment

3. Project Description

- All projects with new construction or that will generate more than 50 peak hour trips will be required to:
 - The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy.
 - The applicant shall submit for the approval of the City Traffic Engineer a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements.
 - A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly accessible in order to be added to the district's pool of shared parking.

Section 5.2.29 Noise Attenuation

- Noise attenuation applies to any new development that includes residential or other noise sensitive uses. The City's General Plan Noise Element identifies two future noise contour levels on the Westminster Mall site, 70 dBA CNEL (closest to the freeway) and 65 dBA CNEL (transitioning midway in the property toward the single-family residential neighborhoods in Huntington Beach).
- Applicants for new noise-sensitive development (e.g., residential, hospitals, etc.) must demonstrate to the Community Development Director that all habitable rooms would meet the 45 dBA CNEL interior noise standard required by the State Title 24 before the City issues building permits. This can be accomplished with enhanced construction design or materials, such as upgraded dual-glazed windows and/or upgraded exterior wall assemblies.
- To ensure exterior noise compatibility, applicants proposing projects that fall within areas located within the 70 dBA CNEL contour lines must demonstrate that the noise levels for residential outdoor common areas and recreational areas are at or below 70 dBA CNEL to ensure compatibility with the ambient noise levels. Noise reduction measures could include increased setback from the freeway, shielding with noise barriers, or placing outdoor noise-sensitive areas behind buildings. For noise attenuation purposes, outdoor common or recreation areas do not include parking and loading areas, ornamental landscaping, or walking/biking trails.

Section 7.2.1 Site Access

- The number of site access points for vehicles should be minimized, and shall be consistent with the provisions identified in Chapter 6, Mobility, of the WMSP. Curb cuts should be located and scaled to minimize pedestrian and vehicular conflicts and reduce impacts to traffic flow on primary streets.

3. Project Description

- Drop-off and pick-up zones should be located along the curb or within parking facilities to promote sidewalk/street wall continuity and reduce conflicts with pedestrians. Hotel lobby drop-off areas shall be located within the project site.

Section 7.2.2 Parking

- Accessible, secure and well-signed bicycle parking shall be provided at convenient and visible locations throughout the development.

Section 7.2.3 Building Placement and Orientation

- Buildings should be oriented for energy efficiency – to capture daylighting, minimize heat gain, take advantage of prevailing breezes for natural ventilation.

Section 7.2.6 Open Space

- Open spaces shall include a visual focal feature or overall aesthetic in design that coordinates buildings, signs, landscaping, and outdoor furniture, public art, and amenities to create a pleasant pedestrian environment.
- Public open space shall be oriented to maximize the visual and physical link from public sidewalks and pedestrian corridors.
- Open spaces should provide both shaded and sunlit areas during different times of the day. Shade is provided to reduce heat island effects and promote human comfort. Shade can be provided by trees, shading structures, trellises, awnings, canopies, or umbrellas integrated into the building or above open spaces.
- Private Open Space: Residential balconies shall be large enough to be occupied. See requirements for minimum sizes in Chapter 5, Development and Design Standards, of the WMSP.

Section 7.2.9 Lighting

- Low-contrast lighting, low-voltage fixtures, and energy-efficient bulbs, such as light emitting diode (LED) bulbs should be used for outdoor lighting.
- Uplighting of building elements and trees should use the lowest wattage possible to minimize impacts to the night sky. Light sources for wall washing and tree lighting should be hidden.
- Exterior lighting should be designed and located so as not to project off-site or into adjacent or onsite residential areas. Exposed bulbs should not be used. Cut-off lighting is preferred.
- Parking areas should be designed using many small-scale lights versus fewer, excessively tall or bright lights.
- Solar-powered fixtures are encouraged for all lighting when it does not conflict with security concerns.

Section 7.3.7 Sustainability

3. Project Description

- All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.

Utility Infrastructure

The proposed project would allow for an increase of development within the project site which would increase the demand of potable water and sewer flows over existing conditions. The project site is fully developed and covered with building, landscaping, or parking. The proposed project is anticipated to result in a decrease of impervious cover from 90 percent to 80-85 percent.

All new storm drains would be appropriately located and sized to convey flows respective to their tributary area for the design storm required by the City and County requirements. Infrastructure would connect to either the 66-inch City of Westminster line on Edwards Street or the Westminster Channel and discharge to Anaheim Bay-Huntington Harbor as under existing conditions.

The existing waterlines within the project will require relocation and upsizing, based on demand scenarios. In addition, the existing 10-inch and 12-inch waterlines located within the railroad right-of-way to the north of the project site would require relocation and upsizing. Once the proposed land use is finalized for the Specific Plan, the City will run their hydraulic model to determine any deficiencies within City water lines serving the property.

Circulation

Access to the project site would be provided through the I-405 offramp and driveways along Bolsa Avenue, Edwards Street, and Goldenwest Street. A new pedestrian and bicycle trail and gateway would be located at the northwestern corner of the site, north of the mall property in the Navy Railway easement (Westminster Nature Activity Trail) (see Figure 6.18, Bikeway and Pedestrian Improvements, of Chapter 6, Mobility, of the WMSP). No new travel lanes are proposed along Edwards Street or Bolsa Avenue although turn lanes, signal timing, and other intersection improvements may be part of future development.

3.4 INTENDED USES OF THE EIR

This Draft EIR addresses various actions by the City and others to adopt and implement the proposed project. It is the intent of this City in certifying this DEIR to eliminate, or streamline future environmental analysis consistent with Section 15183 of the CEQA Guidelines. The anticipated approvals required for this project are shown in Table 3-2, *Lead and Responsible Agencies*.

3. Project Description

Table 3-2 Lead and Responsible Agencies

Lead Agency	Action
City of Westminster	Approval of General Plan Amendment
	Approval of Specific Plan
	Adoption of MMRP and Findings of Fact, and Approval of Project
	Approval of Development Agreement
	Approval of encroachment permit(s)
	Approval of Administrative Uses Consistent with the Specific Plan
	Conditional Uses Consistent with the Specific Plan
	Subdivision, Parcel Map, Condominium, and Lot Line Adjustment
Responsible Agencies	Action
Orange County Flood Control District	Approval of Drainage
South Coast Air Quality Management District	Approval of construction permits
City of Westminster Water Division	Approval of Water Connections
Orange County Fire Authority	Approval of fire hydrant locations and fire protection features
Westminster Police Department	Approval of public safety features
Orange County Sanitation District	Approval of wastewater facilities
Midway Sanitation District	Approval of wastewater facilities
CALTRANS	Approval for work on or adjacent to I-405 and signage

4. Environmental Setting

4.1 INTRODUCTION

This section provides a “description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, ... from both a local and a regional perspective” (Guidelines § 15125[a]), pursuant to provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The environmental setting provides the baseline physical conditions from which the lead agency will determine the significance of environmental impacts resulting from the proposed project.

4.2 REGIONAL ENVIRONMENTAL SETTING

4.2.1 Regional Location

The City of Westminster is in the northwest portion of Orange County, and is bordered by the cities of Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, and Seal Beach. The project site is bounded by Interstate 405 (I-405) to the north and east. Other nearby freeways include State Route 22 (SR-22) approximately 1.6 miles north of the site and State Route 39 (SR-39) approximately one mile to the east of the site. Local access is provided by Edwards Street to the west, Bolsa Avenue to the south, and Goldenwest Street to the east (See Figure 4-1, *Regional Location*, and Figure 4-1a, *Regional Topographic Map*).

4.2.2 Regional Planning Considerations

SCAG Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized metropolitan planning organization for this region, which encompasses over 380,000 square miles. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs.

The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Connect SoCal Plan was adopted on September 3, 2020. Connect SoCal embodies a collective vision for the region’s future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the member counties. Connect SoCal is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. It builds upon and expands land use and transportation strategies established over several planning

4. Environmental Setting

cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for residents of southern Californians. Connect SoCal outlines over 4,000 transportation projects through 2045, such as highway improvements, railroad grade separations, bicycle lanes, new transit hubs, and replacement bridges. In addition, Connect SoCal is supported by a combination of transportation and land use strategies that outline how the region can achieve California's greenhouse gas emission reduction goals and federal Clean Air Act requirements. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries, and more efficient use of resources.

The SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas (GHG) emissions from transportation (excluding goods movement). The SCS is meant to provide growth strategies that will achieve the regional GHG emissions reduction targets identified by the California Air Resources Board. However, the SCS does not require that local general plans, specific plans, or zoning be consistent with the SCS; instead, it provides incentives to governments and developers for consistency.

South Coast Air Basin Air Quality Management Plan

The project site is in the South Coast Air Basin (SoCAB), which is managed by the South Coast Air Quality Management District (SCAQMD). Pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and state law, and standards are detailed in the SoCAB Air Quality Management Plan (AQMP). Air pollutants for which ambient air quality standards (AAQS) have been developed are known as criteria air pollutants—ozone (O₃), carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_x), sulfur dioxide, coarse inhalable particulate matter (PM₁₀), fine inhalable particulate matter (PM_{2.5}), and lead. VOC and NO_x are criteria pollutant precursors and go on to form secondary criteria pollutants, such as O₃, through chemical and photochemical reactions in the atmosphere. Air basins are classified as attainment/nonattainment areas for particular pollutants depending on whether they meet AAQS for that pollutant. Based on the SoCAB AQMP, the SoCAB is designated nonattainment for O₃, PM_{2.5}, PM₁₀, and lead (Los Angeles County only) under the California and National AAQS and nonattainment for NO₂ under the California AAQS (CARB 2022). The proposed project's consistency with the applicable AAQS is discussed in Section 5.2, *Air Quality*.

Greenhouse Gas Emissions Reduction Legislation

Current State of California guidance and goals for reductions in GHG emissions are generally embodied in Executive Order S-03-05; Assembly Bill 32 (AB 32), the Global Warming Solutions Act (2008); Executive Order B-15-30 and Senate Bill 32 (SB 32); SB 375; and Executive Order B-5518 and SB 100.

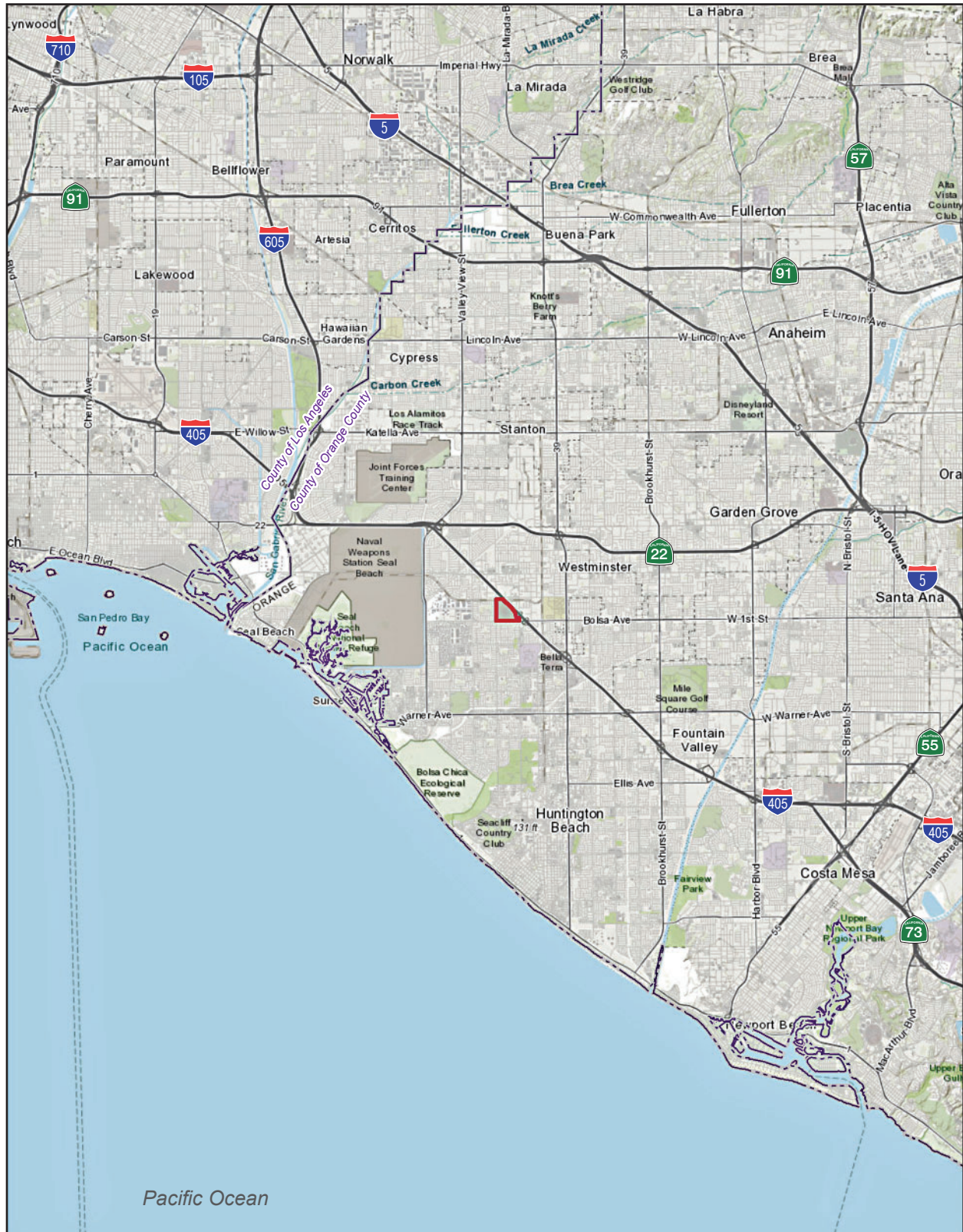
A detailed map of Orange County, California, and its surrounding areas. The map shows major highways including Interstate 5 (I-5), Interstate 10 (I-10), Interstate 15 (I-15), Interstate 405 (I-405), and State Routes 91, 19, 42, 72, 90, 57, 39, 22, 55, and 73. Numerous cities and towns are labeled, such as South Gate, Lynwood, Compton, Bellflower, Lakewood, Long Beach, Signal Hill, Hawaiian Gardens, Cypress, Los Alamitos, Seal Beach, Westminster, Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, Costa Mesa, Newport Beach, and Fullerton. The map also shows the Pacific Ocean to the south and San Pedro Bay to the west. A red triangle is located in the western part of Orange County, near the border with Los Angeles County, marking the location of Westminster.

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4. Environmental Setting

Figure 4-1a - Regional Topographic Map



Westminister Mall Specific Plan

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Scale (Miles)



Source: ESRI, 2020

PlaceWorks

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4. Environmental Setting

Executive Order S-03-05, signed June 1, 2005, set the following GHG reduction goals for the State of California:

- 2000 levels by 2010
- 1990 levels by 2020
- 80 percent below 1990 levels by 2050

AB 32 was passed by the state legislature on August 31, 2006, to place the state on a course toward reducing its contribution of GHG emissions. AB 32 established a legislative target for the year 2020 goal outlined in Executive Order S-03-05. CARB prepared its first Scoping Plan in 2008 outlining the State's plan for achieving the 2020 targets of AB 32 (CARB 2008).

In 2008, SB 375 was adopted to connect passenger vehicle GHG emissions reductions targets for the transportation sector to local land use decisions that affect travel behavior. Its intent is to reduce GHG emissions from light-duty trucks and automobiles by aligning regional long-range transportation plans, investments, and housing allocations to local land use planning to reduce vehicle miles traveled (VMT) and vehicle trips.

In September 2016, Governor Brown signed SB 32, making the Executive Order B-15-30 goal for year 2030 of a 40 percent reduction below 1990 levels by 2030 into a statewide mandated legislative target. CARB issued an update to its Scoping Plan in 2017, which sets forth programs for meeting the SB 32 reduction target (CARB 2017).

Executive Order B-55-18 sets a goal for the state to achieve carbon neutrality no later than 2045 and to achieve and maintain net negative emissions thereafter. SB 100 would help the state reach the goal set by Executive Order B-55-18 by requiring that the state's electricity suppliers have a source mix that consists of at least 60 percent renewable/zero carbon sources in 2030 and 100 percent renewable/zero carbon sources in 2045.

The project's ability to meet these regional GHG emissions reduction target goals is analyzed in Section 5.4, *Greenhouse Gas Emissions*.

Senate Bill 743

On September 27, 2013, SB 743 was signed into law. SB 743 started a process that could fundamentally change transportation impact analysis as part of CEQA compliance. The legislature found that with the adoption of the SB 375, the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of GHG emissions, as required by the California Global Warming Solutions Act of 2006 (AB 32).

SB 743 eliminates auto delay, level of service, and other similar measures of vehicular capacity or traffic congestion as the sole basis for determining significant impacts under CEQA. As part of the new CEQA Guidelines, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (Public Resources Code Section 21099[b][1]).

Pursuant to SB 743, the Natural Resources Agency adopted revisions to the CEQA Guidelines to implement SB 743 on December 28, 2018. The revised CEQA Guidelines establish new criteria for determining the

4. Environmental Setting

significance of transportation impacts. Under the revised Guidelines, effective July 1, 2020, VMT-related metric(s) that evaluate the significance of transportation-related impacts must be used under CEQA for development projects, land use plans, and transportation infrastructure projects. Local Environmental Setting

4.2.3 Location and Land Use

Project Location

The Westminster Mall (1025 Westminster Mall, City of Westminster, California) encompasses approximately 100 acres in northwest Orange County. The City of Westminster is bordered by the cities of Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, and Seal Beach.

The site is bounded by Interstate 405 (I-405) to the north and east, Edwards Street to the west, Bolsa Street to the south, and Goldenwest Street to the east. Figure 4-1 and Figure 4-2, *Local Vicinity*, show the location of the site within the regional and local contexts of Orange County. Other nearby freeways include State Route 22 (SR-22) approximately 1.6 miles north of the site and State Route 39 (SR-39) approximately one mile to the east of the site.

Existing Land Use

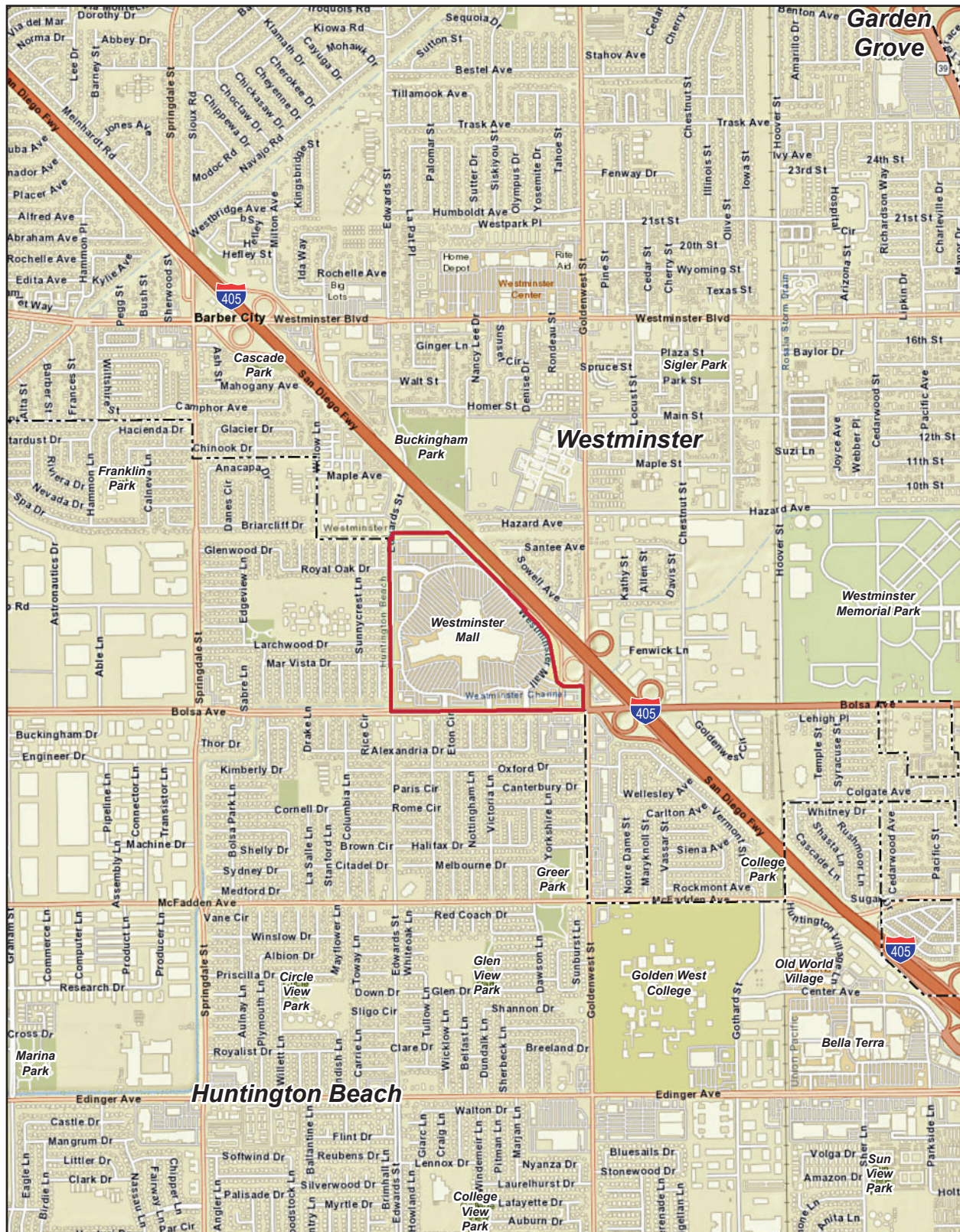
Project Site

An aerial photograph of Westminster Mall is shown on Figure 4-3, *Aerial Photograph*. The existing mall is approximately 1,360,000 square feet on a 100-acre site which is owned by several property owners. The project site consists of central retail with major department stores (“anchors”), including JC Penney to the north, Sears to the east, Target to the south, and Macy’s to the west of the central retail portion of the site. The northwestern corner of the project site includes Best Buy, and Babies R Us to the south of Best Buy. The mall site can be accessed from four driveways on Bolsa Avenue, one driveway on Goldenwest Street, and two driveways on Edwards Street. I-405 will undergo expansion in the future, with improvements to bridges and on/off ramps at Bolsa Avenue and Goldenwest Street, providing easier access to the Mall from the I-405 (Westminster 2019b). Mall parking is provided via a surrounding surface lot. Figure 4-4a and Figure 4-4b, *Site Photographs from Surrounding Roadways*, show the project site from the surrounding roadways. Figure 4-5a, Figure 4-5b, and Figure 4-5c, *Site Photos*, shows the existing conditions of the site.

The Westminster Mall has a Tesla Supercharger station that provides twenty-four Superchargers, available twenty-four hours a day, seven days a week. Superchargers are typically installed in urban areas where residents and visitors can charge their vehicles in approximately 30 minutes and are typically placed at convenient locations like grocery stores, downtown districts, and shopping centers to allow users an opportunity to multi-task. The Orange County Transit Authority (OCTA) currently operates Routes 64 and 64x, providing transit services from the WMSP site to the Tustin area along Bolsa Avenue (Bolsa-Victoria stop). Another bus stop is located on the Mall side of northbound Edwards Street (Edwards-Mar Vista stop). The Specific Plan does not propose any changes to the existing transit routes provided by OCTA. However, future redevelopment of the WMSP area must take into consideration the current location of the stops and relocate as appropriate if necessary.

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Figure 4-2 - Local Vicinity



— Westminster Mall Specific Plan

- - - City Boundary

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Scale (Feet)

Source: ESRI, 2019



PlaceWorks

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Figure 4-3 - Aerial Photograph



----- Westminister Mall Specific Plan

==== City Boundary

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Scale (Feet)



Source: Nearmap, 2020

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Figure 4-4a - Site Photographs from Surrounding Roadways



View of Westminster Mall (Target and Outback Steakhouse) from Bolsa Avenue looking north.



View of Westminster Mall (Best Buy and Babies 'R' Us) from Edwards Avenue looking east.

Source: PlaceWorks, 2020

4. Environmental Setting

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Figure 4-4b - Site Photographs from Surrounding Roadways



View of Westminster Mall (Chase Bank) from Golden West Street looking southwest.



View of Westminster Mall from 405 Freeway looking south.

Source: PlaceWorks, 2020

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Figure 4-5a - Site Photographs



View of Westminister Mall from mall parking lot looking northwest.



View of Westminister Mall sign from mall parking lot looking northwest. The 405 Freeway is to the right.

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Figure 4-5b - Site Photographs



View of Westminster Mall from mall parking lot looking west.



View of Westminster Mall from mall parking lot looking south.

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Figure 4-5c - Site Photographs



View of Westminster Mall from mall parking lot looking north.

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Moreover, on January 4, 2018, Sears (east side, former anchor) identified that, as part of a plan to close 103 stores nationwide, the Sears department store would be closing. Additionally, in January 2018, Babies R Us (northwest side, anchor) announced it would close all stores nationwide, and is currently occupied by another retailer. The project site is designated Mixed Use Westminster Mall in the City of Westminster General Plan, and zoned C-2 General Business. The Mall is comprised of several parcels. Table 4-1, *Westminster Mall Assessor's Parcel Numbers*, identifies the Assessor's Parcel Numbers (APNs) for the site.

Table 4-1 Westminster Mall Assessor's Parcel Numbers

APN	Acres
195-373-08	0.3 acres
195-373-09	14.13 acres
195-373-10	11.61 acres
195-373-11	6.16 acres
195-373-15	3.57 acres
195-373-16	11.27 acres
195-373-17	30.54 acres
195-373-18	0.45 acres
195-373-19	0.6 acres
195-373-20	1.62 acres
195-373-22	0.59 acres
195-373-25	1.62 acres
195-373-26	1.19 acres
195-373-27	1.23 acres
195-461-02	0.98 acres
195-462-01	8.12 acres
195-462-02	0.48 acres
Total Acreage	94.46 acres

Surrounding Land Use

Surrounding Land Uses

The project site is located west of Interstate 405 (I-405) and is bounded by I-405 to the north and east, Goldenwest Street to the east, Bolsa Avenue to the south, and Edwards Street to the west. The project site is surrounded by residential, industrial, and school uses. To the north of the project site is US Storage Centers, and Westminster High School and single-family residences are located north of I-405; to the west of the project site is Clegg Elementary School and single-family residences; to the south of the site are commercial uses and

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single-family homes; and east of the project site are industrial and residential uses. Figure 4-6a, Figure 4-6b, and Figure 4-6c, *Surrounding Uses*, shows the uses surrounding the project site.

4.2.4 Environmental Resources and Infrastructure

Aesthetics

The project site is currently developed as Westminster Mall, which includes the associated retail and parking structures, and parking lot. Refer to Section 5.1, *Aesthetics*, of this DEIR, for more information on the existing visual quality of the site.

Air Quality

The SoCAB, which is managed by SCAQMD, is designated as nonattainment for O₃, PM_{2.5}, under the California and National AAQS, nonattainment for PM₁₀ under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS (CARB 2022). A discussion of regional air quality considerations is described above in Section 4.2.2. Existing air quality conditions in the City are analyzed in Section 5.2, *Air Quality*, of this DEIR.

Cultural Resources

The project site is currently developed and is not listed as a state or national historic resource. According to page 5.3-8 in Chapter 5.3 of the General Plan Update DEIR, there were five prehistoric sites recorded in the City which have all been destroyed by urban development (Westminster 2016b). Refer to Section 5.3, *Cultural and Paleontological Resources*, of this DEIR, for more information on historical, archaeological, and paleontological resources. Refer to Chapter 8, *Impacts Found Not to be Significant*, of this DEIR which indicates that there is no substantial evidence that tribal cultural resources are present onsite as the site has been graded, paved, and is developed.

Energy

The project site is currently developed and utilizes various forms of energy throughout its operation as a mall (electricity, natural gas, and transportation). Refer to Section 5.3, *Energy*, for a discussion of energy use and requirements in California. The Westminster Mall has a Tesla Supercharger station that provides twenty-four Superchargers, available twenty-four hours a day, seven days a week. Superchargers are typically installed in urban areas where residents and visitors can charge their vehicles in approximately 30 minutes and are typically placed at convenient locations like grocery stores, downtown districts, and shopping centers to allow users an opportunity to multi-task.

Greenhouse Gas Emissions

Global climate change is not confined to a particular project area, and even very large projects do not generate enough greenhouse gas emissions on its own to influence global climate change significantly. A discussion of regional GHG considerations are described above in Section 4.2.2. Refer to Section 5.4, *Greenhouse Gas Emissions*, of this DEIR, for a discussion of existing GHG emissions in California.

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Figure 4-6a - Surrounding Uses



View of Self Storage business from Best Buy rear parking lot looking north.



View of surrounding businesses from Bolsa Avenue looking southwest.

Source: PlaceWorks, 2020

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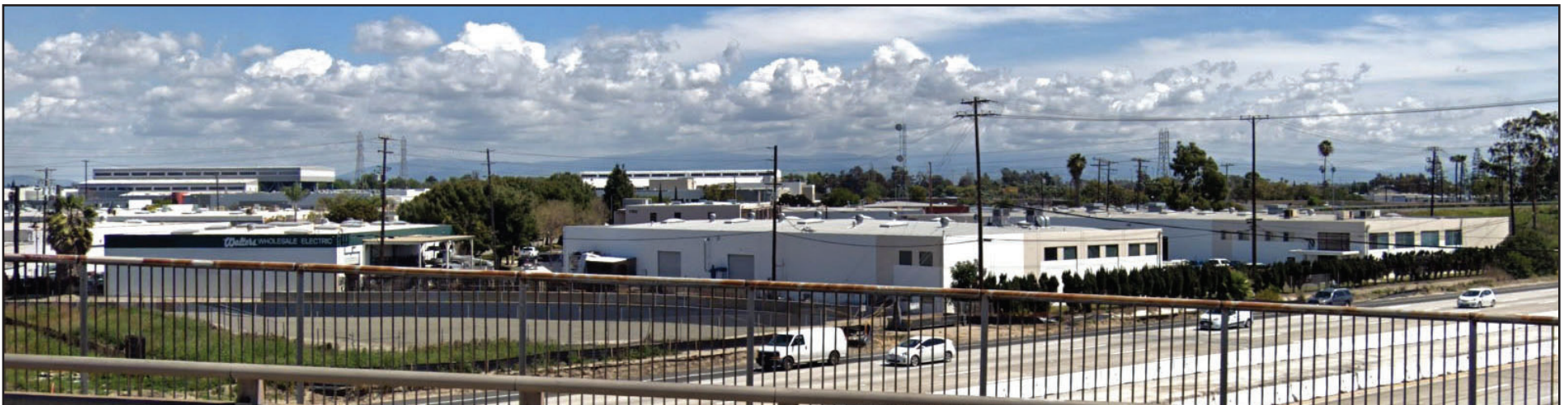
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4. Environmental Setting

Figure 4-6b - Surrounding Uses



View of surrounding residential neighborhood from Bolsa Avenue looking south.



View of surrounding businesses and 405 Freeway from Golden West Street bridge looking east.

Source: PlaceWorks, 2020

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Figure 4-6c - Surrounding Uses



View of surrounding residential neighborhood from Edwards Street looking northwest.

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Noise

The project site is currently developed, and the noise environment surrounding the project site is influenced by the onsite operations and activities, surrounding roadway sources, and nearby residential, industrial, and school uses. Refer to Section 5.5, *Noise*, of the DEIR, for additional information concerning the existing noise environment.

Population and Housing

The proposed project currently operates as a mall; there are no residential uses onsite. Future development under the proposed project would occur within the boundaries of the project site, and would not displace existing people or housing. The General Plan estimated that the WMSP would result in 824 dwelling units and 1,396,070 square feet of retail, which would result in 2,676 residents and 3,490 employees, respectively. Refer to Section 5.6, *Population and Housing*, for further information on population and housing.

Public Services

Police services in Westminster are provided by the City of Westminster Police Department. The Orange County Fire Authority provides fire service through a contract with the City. The project site is within the Westminster School District (K-8) and Huntington Beach Union High School District (9-12) boundaries. The Westminster Branch Library, which is part of the Orange County Public Library community library network, provides library services in Westminster. Refer to Section 5.7, *Public Services*, of this DEIR for additional information on public services.

Recreation

The proposed project would include open space areas throughout the project site. Refer to Section 5.8, *Recreation*, of this DEIR for information on recreational facilities.

Transportation

Regional access to the project site is provided by I-405, which runs north-south and is approximately 75 feet northeast. Other nearby freeways include State Route 22 (SR-22), which runs east-west and is approximately 1.6 miles north of the project site, and State Route 39 (SR-39), which runs north-south and is approximately one mile to the east of the project site. Vehicular access to the mall would continue from the existing driveways. The site used to be a busy Mall which generated a lot of traffic; however, now fewer retailers and a shift in shopping habits have reduced the number of trips to the Mall. Refer to Section 5.9, *Transportation*, of this DEIR for additional information concerning existing transportation and traffic conditions.

Utilities and Service Systems

The project site is currently developed and has utility connections and tie-ins onsite. Water and wastewater is treated by the Orange County Sanitation District and Midway City Sanitation District. The City relies on a combination of imported water and local groundwater to meet its water needs; the City works with Metropolitan Water District (MWD), the Municipal Water District of Orange County (MWDOC), and Orange

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County Water District (OCWD). Solid waste is transported to the Bowerman Landfill. Refer to Section 5.10, *Utilities and Service Systems*, of this DEIR for additional information concerning existing transportation and traffic conditions.

4.2.5 Local Planning Considerations

Westminster Mall Specific Plan

Chapter 8, Administration and Implementation, of the Westminster Mall Specific Plan, outlines the process for implementing and streamlining subsequent project approvals. This includes the:

- Review and Approval Process (i.e., pre-application meeting, approval authority, etc.)
- WMSP Trip Budget (to ensure that new vehicle trips can be accommodated within the right-of-way of Edwards Street and Bolsa Avenue)
- Retail Preservation Policy (to ensure the WMSP includes substantial retail offerings by maintain existing or providing new space)
- Environmental Clearance (all subsequent development projects that are within the scope of this EIR may be approved following a streamlined environmental review process)
- Specific Plan Cost Recovery (a City may impose a specific plan fee upon persons seeking governmental approvals which are required to be consistent with the specific plan)
- Implementation (facilitate ongoing collaboration between the City and private property interests, encourage property assembly between property owners to facilitate larger-scale development, establish a trip budget tracking system, and ensure that all development within the WMSP complies with mitigation measures specified in the EIR)
- Funding (funding both the one-time and on-going costs of providing the public infrastructure, improvement, and services needed to implement the Specific Plan)
- WMSP Phasing (implementation would occur over an extended period and would be driven by a variety of factors including demand for housing and commercial uses, construction costs, other development in the region, and available funding)

Chapter 9 of the WMSP also includes the following funding policies and implementation actions, in more detail, which would govern the funding of private and public improvements, infrastructure, and public facilities for the Specific Plan:

- **Funding Policy 1:** The land uses within the Specific Plan shall pay the full costs of capital facilities, infrastructure improvements, maintenance and public services, and other requirements needed to support and serve the Plan Area and mitigate the impact of development on other parts of the City.
 - Immediate Action 1.1: Establish initial phasing assumptions

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- Immediate Action 1.2: Establish Area Development Impact Fee Program
 - Immediate Action 1.3: Establish Affordable Housing In-Lieu Fee Program
 - Immediate Action 1.4: Establish Public Right of Way and Public Access Area Maintenance Agreement(s)
 - Immediate Action 1.5: Establish Public Safety Services Funding Agreements
 - Immediate Action 1.6: Establish Sales Tax Reporting and Collection Requirements
- **Funding Policy 2:** The Specific Plan shall expand infrastructure improvements and services in a phased manner such that adequate capacity is provided as development occurs.
- Immediate Action 2.1: Establish Phasing Requirements.
 - Immediate Action 2.2: Identify Required Land and Facility Dedications, Easements, and Use Restrictions.
- **Funding Policy 3:** The cost of public infrastructure, amenities envisioned for the Specific Plan (including land as well as maintenance) shall be allocated among land uses (i.e., property owners, developers, and tenants) in a manner that is fair and equitable, to the extent possible
- Immediate Action 3.1: Establish Multi-Owner Equitable Reimbursement Obligation Program
 - Immediate Action 3.2: Advance Other Equitable Cost Sharing Measures
 - Immediate Action 3.3: Consider Creative and Flexible Financing Solutions

General Plan and Zoning

The General Plan land use designation of the site is Mixed Use Westminster Mall, which allows up to 40 dwelling units per acre (du/ac) and a maximum floor-to-area ratio (FAR) of 1.0. Page 2-15 of the Westminster General Plan states that the WMSP site could accommodate residential projects at “densities greater than 40du/ac, ... however, a general plan amendment would be required,” the preferred land use mix is 70 percent retail and 30 percent residential (Westminster 2016a). The site is zoned C-2 (General Business) which permits retail and office uses; hotels with a Conditional Use Permit, and mixed-use residential with a Planned Development and Comprehensive Plan. Figure 4-7, *Zoning*, shows the existing zoning designation for the project site and surroundings.

4.3 ASSUMPTIONS REGARDING CUMULATIVE IMPACTS

Section 15130 of the CEQA Guidelines states that cumulative impacts shall be discussed where they are significant. The Guidelines further state that this discussion shall reflect the level and severity of the impact and the likelihood of occurrence, but not in as great a level of detail as that necessary for the project alone. Section 15355 of the Guidelines defines cumulative impacts to be “...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” Cumulative impacts represent the change caused by the incremental impact of a project when added to other proposed or committed projects in the vicinity.

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The CEQA Guidelines (Section 15130 [b][1]) state that the information utilized in an analysis of cumulative impacts should come from one of two sources:

- A. A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- B. A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative impact analyses in this EIR uses a combination of method A and B. Generally, the growth projections that are identified in City of Westminster General Plan have been utilized for the general plan forecast year conditions. Table 4-2, *Related Cumulative Projects in the City of Westminster*, provides a list of cumulative projects within the City. Table 4-3, *Proposed Land Uses and Buildout of the General Plan*, shows the growth projections of the General Plan.

Table 4-2 Related Cumulative Projects in the City of Westminster

Project/Applicant Name	Location	Project Type/Size
City of Westminster		
Bolsa Row	Five-acre site at southeast corner of Brookhurst Street and Bolsa Avenue	Mixed-use development on five-acre site, including 200 apartment units, 148 hotel rooms, and 42,482 gross commercial floor area
Della Rosa	14800 Beach Boulevard	0.6-acre site, developed with 50 affordable residential units
Westminster Crossings	Southeast corner of Locust Street and Westminster Boulevard	65 affordable apartment units with ground floor support services (involves demolition of prior commercial building)
Greenfield Apartments	14041, 14051, and 14061 Locus Street	50 apartment units (density bonus granted)
N/A	13800 to 13812 Milton Avenue	24 apartment units (with affordable housing density bonus)
N/A	7231 Westminster Boulevard	2,777 square feet, two-story office/retail building
N/A	7201 21st Street	Demolish six residential units and construct 12 townhome condominiums
N/A	14092 Edwards	Demolish single-family residential and construct 12 condominium units
N/A	7311 Texas Street	Four new condominium units on vacant land
N/A	7121 Main Street	Demolish existing single-family residential and construct 4 condominium units
N/A	7671 14 th St	4 rental units
N/A	7171 Wyoming St	4 unit
N/A	7261 Wyoming St	3 unit
N/A	7305-07 Maple St	2 unit

Source: Westminster Community Development Department

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Table 4-3 Proposed Land Uses and Buildout of the General Plan

Proposed Land Use Designation	Acres ¹	Assumed Density (du/ac) ²	Assumed Intensity (FAR) ²	Units	Population ^{3,4}	Nonresidential Building Space (square feet)	Employees ⁵
City of Westminster							
Residential – Low (4–7 du/ac)	2,146	7	—	15,020	48,769	—	—
Residential – Medium (8–14 du/ac)	456	12	—	5,467	17,751	—	—
Residential – High (15–25 du/ac)	346	22	—	7,611	24,711	—	—
Neighborhood Commercial	109	—	0.33	—	—	1,588,574	3,177
Regional Commercial	272	—	0.40	—	—	4,800,417	12,001
Industrial	171	—	0.50	—	—	3,732,079	3,732
Urban Industrial	16	—	0.45	—	—	701,943	1,170
Mixed-Use Civic Center ⁶	87	36	0.60	628	2,038	1,823,119	3,646
Mixed-Use Corridor ⁶	45	30	0.40	407	1,321	551,201	1,102
Mixed-Use Little Saigon ⁶	180	36	0.60	1,944	6,311	3,292,670	8,232
Mixed-Use Northwest District ⁶	88	24	0.35	1,060	3,440	673,075	1,346
Mixed-Use Westminster Boulevard/Downtown ⁶	79	24	0.35	951	3,088	604,110	1,510
Mixed-Use Westminster Mall ⁶	92	30	0.50	824	2,676	1,396,070	3,490
Park/Open Space	119	—	—	—	—	—	—
Public/Semi Public	452	—	—	—	—	—	—
Public Utility Corridor	50	—	—	—	—	—	—
Flood Control Channel	110	—	—	—	—	—	—
Railroad ROW	25	—	—	—	—	—	—
Street ROW	1,595	—	—	—	—	—	—
Subtotal	6,440	—	—	33,910	110,105	18,707,864	38,596
Sphere of Influence							
Residential – Low (4–7 du/ac)	188	7	—	1,313	4,264	—	—
Residential – Medium (8–14 du/ac)	56	12	—	674	2,187	—	—
Residential – High (15–25 du/ac)	27	22	—	587	1,906	—	—
Neighborhood Commercial	1	—	0.33	—	—	18,761	38
Regional Commercial	3	—	0.40	—	—	55,233	138
Urban Industrial	19	16	—	—	—	381,398	636
Park/Open Space	1	—	—	—	—	—	—
Street ROW	100	—	—	—	—	—	—
Subtotal	396	—	—	2,574	8,358	455,392	811
Total (City and SOI)⁷	6,836	—	—	36,484	118,463	19,163,257	39,407
Existing Conditions	6,836	—	—	29,672	92,167	12,744,948	23,237
Difference	—	—	—	6,812	26,296	6,418,309	16,170

Source: Westminster 2016b

Notes: FAR = Floor Area Ratio; ROW = Right of Way

¹ Acres are given as adjusted gross acreages, which do not include the rights-of-way for major roadways, flood control facilities, or railroads.

² Density/intensity includes both residential density, expressed as dwelling units per acre, and nonresidential intensity, expressed as floor-area-ratio (FAR), which is the amount of building square feet in relation to the size of the lot. Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the general plan. Accordingly, the projections in this General Plan Update do not assume buildout at the maximum density or intensity and are adjusted downward to account for variations in development.

³ Estimates of population by land use designation are based on reasonable person-per-household factors identified by the 2013 5-Year American Community Survey.

⁴ A 4.5% vacancy rate was assumed for population based on the 2013 5-Year American Community Survey.

⁵ Estimates of jobs by land use designation are based on employment generation rates derived from the Longitudinal Employer-Household Dynamics (2013) Report.

4. Environmental Setting

Table 4-3 Proposed Land Uses and Buildout of the General Plan

Proposed Land Use Designation	Acres ¹	Assumed Density (du/ac) ²	Assumed Intensity (FAR) ²	Units	Population ^{3,4}	Nonresidential Building Space (square feet)	Employees ⁵
⁶ Assumptions for the mix of land uses in each Mixed-Use designation that will be analyzed in the environmental impact report are listed in Table 3-2, below. While this mix should be used as a guideline for development, the ultimate composition of the Mixed-Use area may vary in response to market conditions. ⁷ Westminster's General Plan Update projections refer to realistic long-term development expected under its land use plan over the next 30 to 40 years. The projections detailed on this sheet represent a likely amount of development over the long term based on average levels of density and intensity as properties transition over time.							

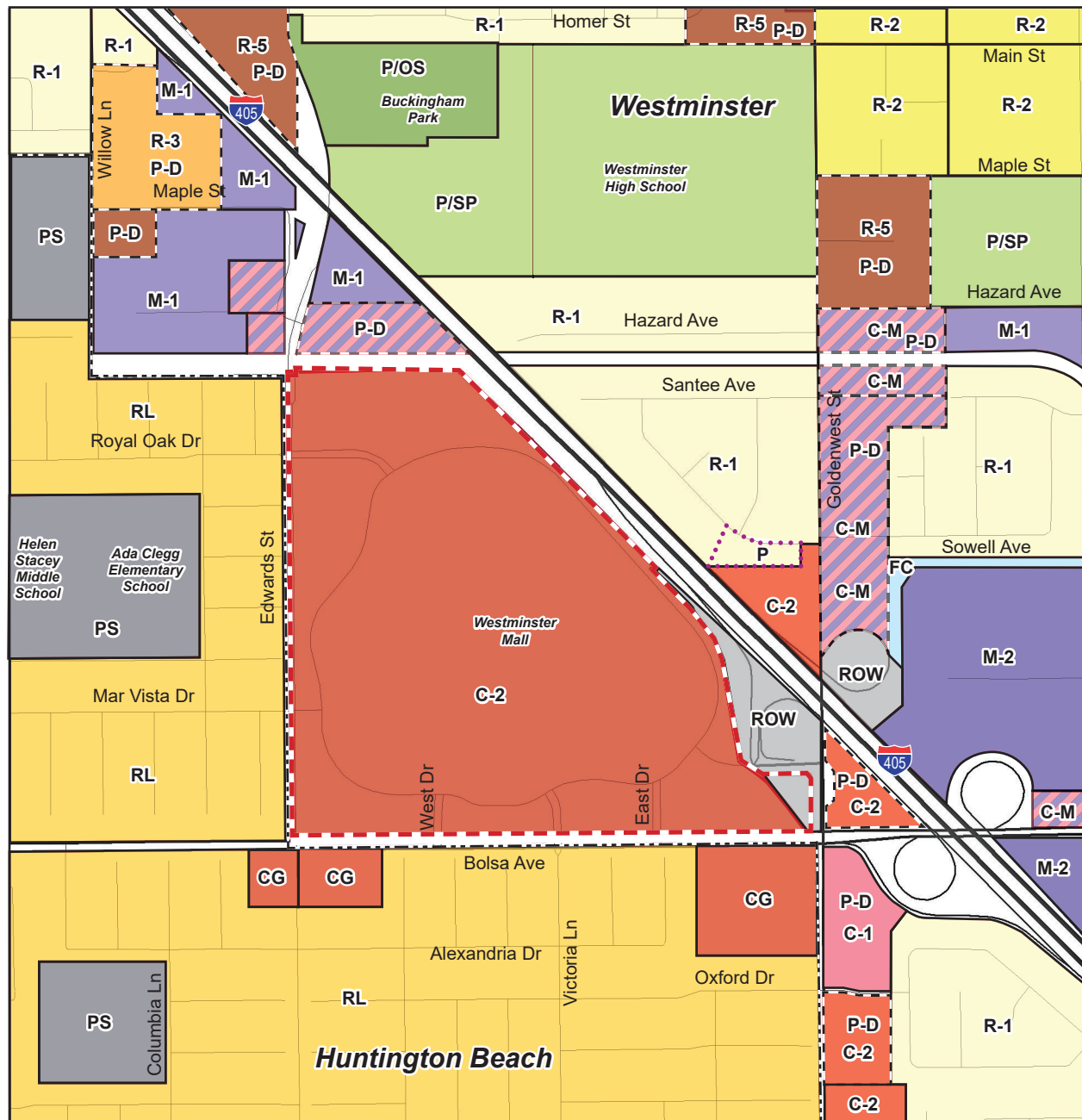
Depending on the environmental category, the cumulative impact analysis may use either source A or B. Some impacts are site specific, such as cultural resources, and others may have impacts outside the city boundaries, such as regional air quality. Please refer to Chapter 5, *Environmental Analysis*, of this DEIR for a discussion of the cumulative impacts associated with development and growth in the City and region for each environmental resource area.

Cumulative impact analyses for several topical sections are also based on the most appropriate geographic boundary for the respective impact. Several potential cumulative impacts that encompass regional boundaries (e.g., air quality and traffic) have been addressed in the context of various regional plans and defined significance thresholds. Climate change is a global issue, and the cumulative impacts analysis has been addressed in the context of state regulations and regional plans designed to address the global cumulative impact. The following is a summary of the approach and extent of cumulative impacts, which are further detailed in each environmental topical section:

- **Aesthetics.** The geographic context for the analysis of cumulative aesthetics and visual resources impacts include developments in the City of Westminster. The proposed project's physical impacts are localized and would take place within the footprint of the Westminster Mall site.
- **Air Quality.** Air quality impacts include regional (cumulative) impacts and localized impacts. For cumulative impacts, the analysis is based on the regional boundaries of the SoCAB.
- **Energy.** While energy impacts are site specific, they contribute to the consumption and demand for energy in the region and are compared to regional totals.
- **Greenhouse Gas (GHG) Emissions.** GHG emissions impacts are not site-specific impacts but cumulative impacts. Therefore, the project-level analysis in Section 5.4 also provides the analysis to determine whether the project would make a cumulatively considerable contribution to significant cumulative GHG emissions impact.
- **Noise.** Cumulative traffic noise impacts are based on the traffic study, which considers the regional growth based on citywide and regional projections. Cumulative construction impacts are based on nearby projects that may have concurrent construction schedules. Cumulative operational impacts are based on existing development combined with the project and reasonably foreseeable nearby future development.
- **Population and Housing.** Cumulative impacts are based on regional demographic projections in regional plans (e.g., SCAG's RTP/SCS).

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Figure 4-7 - Zoning



--- Westminister Mall Specific Plan

--- City Boundary

Westminister Zoning

R-1	Single Family Residence
R-2	Multiple Units 18-12/ac
R-3	Multiple Units 13-14/ac
R-4	Multiple Units 15-18/ac
R-5	Multiple Units 19-24/ac
M-1	M-1 Light Industrial
M-2	M-2 Medium Industrial
P	Parking Overlay

C-1	C-1 Local Business
C-M	C-M Commercial-Industrial
C-2	General Business
P/OS	Park/Open Space
P/SP	Public/Semi-Public
FC	Flood Control
ROW	Right of Way
P-D	Planned Development Overlay

Huntington Beach Zoning

RL	Residential Low Density
CG	Commercial General
PS	Public-Semipublic

0 1,000
Scale (Feet)



Source: City of Westminister, 2015; City of Huntington Beach, 2019

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- **Public Services.** Cumulative impacts are based on potential related development within each service provider's boundaries—Orange County Fire Authority (OCFA), Westminster Police Department, Westminster School District, Huntington Beach Union High School District, and Westminster Public Library.
- **Recreation.** Cumulative impacts are based on the potential related development within the proximity to recreational facilities.
- **Transportation.** The traffic study considers the project's cumulative contribution to traffic and transportation issues in project vicinity. The cumulative traffic analysis is based on a regional transportation demand model and incorporates regional growth projections identified by SCAG and the Orange County Transportation Authority (OCTA). The cumulative analysis of transit, bicycle, and pedestrian transportation impacts is based on City plans and policies. For the opening year analysis, the traffic analysis includes background traffic growth using an ambient traffic growth factor (1 percent per year) to account for regular growth in traffic volumes due to the development of projects outside the study area as well as traffic growth from other known development projects (related projects) in the City of Westminster (see Table 4-2).
- **Utilities and Service Systems.** Cumulative impacts related to utilities are based on the utility companies' service boundaries.

4.4 REFERENCES

California Air Resources Board (CARB). 2008, December. Climate Change Scoping Plan, a Framework for Change. <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2008-scoping-plan-documents>.

———. 2017, November. California's 2017 Climate Change Scoping Plan: The Strategy for Achieving California's 2030 Greenhouse Gas Target. <https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/revised2017spu.pdf>

———. 2022. Area Designations Maps/State and National. <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>

Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Database. Accessed July 30, 2019. <https://www.envirostor.dtsc.ca.gov/public/>.

Southern California Association of Governments (SCAG). 2020, September 3. 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy – Connect SoCal. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176.

State Water Resources Control Board (SWRCB). 2015. GeoTracker. Database. Accessed May 16, 2018. <https://geotracker.waterboards.ca.gov/>.

4. Environmental Setting

Westminster, City of. 2016a, September. Adopted General Plan. <https://www.westminster-ca.gov/home/showpublisheddocument/522/637422753110100000>

_____. 2016b. Draft Environmental Impact Report for the Westminster General Plan Update.

_____. 2019b. Westminster Mall Specific Plan Traffic Meeting FAQs. <https://www.westminster-ca.gov/home/showpublisheddocument/1564/637422794725400000>

_____. 2019c. July. Westminster Municipal Code Section 17.220 Commercial Zoning Districts. <https://qcode.us/codes/westminster/>

5. Environmental Analysis

Chapter 5 examines the environmental setting of the proposed project, analyzes its effects and the significance of its impacts recommends mitigation measures to reduce or avoid impacts, and determines the significance of the impact when compared to the thresholds of significance established by the City. This chapter has a separate section for each environmental issue area that was determined to need further study in the EIR.

This scope was determined in the initial study and notice of preparation (NOP), which were published Thursday, October 24, 2019 (see Appendix 2-1), and through public and agency comments received during the NOP comment period from Thursday, October 24, 2019, to Monday, November 25, 2019, and scoping meeting held on November 18, 2019 (see Appendix 2-2). Environmental issues and their corresponding sections are:

- 5.1 Aesthetics
- 5.2 Air Quality
- 5.3 Energy
- 5.4 Greenhouse Gas Emissions
- 5.5 Noise
- 5.6 Population and Housing
- 5.7 Public Services
- 5.8 Recreation
- 5.9 Transportation
- 5.10 Utilities and Service Systems

Sections 5.1 through 5.10 provide a detailed discussion of the environmental setting, impacts associated with the proposed project, and mitigation measures designed to reduce significant impacts where required and when feasible. The residual impacts following the implementation of any mitigation measure are also discussed. A discussion of issue areas determined not to be significant is included in Chapter 8 of this EIR.

Organization of Environmental Analysis

To assist the reader with comparing information between environmental issues, each section is organized under nine major headings:

- Environmental Setting
- Thresholds of Significance
- Plans, Programs, and Policies
- Environmental Impacts
- Cumulative Impacts

5. Environmental Analysis

- Level of Significance Before Mitigation
- Mitigation Measures
- Level of Significance After Mitigation
- References

In addition, Chapter 1, *Executive Summary*, has Table 1-1, that summarizes all impacts by environmental issue.

Terminology Used in This Draft EIR

The level of significance is identified for each impact in this DEIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines:

- **No impact.** The project would not change the environment.
- **Less than significant.** The project would not cause any substantial, adverse change in the environment.
- **Less than significant with mitigation incorporated.** The EIR includes mitigation measures that avoid substantial adverse impacts on the environment.
- **Significant and unavoidable.** The project would cause a substantial adverse effect on the environment, and either the mitigation proposed would not reduce the impact to less than significant, or no feasible mitigation measures are available to reduce the impact to a less than significant level.

5. Environmental Analysis

5.1 AESTHETICS

This section of the draft environmental impact report (DEIR) evaluates the potential for implementation of the Westminster Mall Specific Plan ('WMSP' or 'Specific Plan') to result in visual impacts in the City of Westminster.

The assessment of aesthetic impacts is subjective by nature. Aesthetics generally refer to the identification of visual resources and the quality of what can be seen, as well as an overall perception of the environment. This analysis attempts to identify and objectively examine factors that contribute to the perception of aesthetic impacts. Potential aesthetic impacts can be evaluated by considering proposed grade separations, landform alteration, building setbacks, scale, massing, and landscaping features associated with the design of the proposed project.

5.1.1 Environmental Setting

5.1.1.1 REGULATORY BACKGROUND

Local

City of Westminster Municipal Code

Title 17, *Land Use*, of the City of Westminster Municipal Code includes the following chapters which determine development standards in the City:

- **Chapter 17.200, *Establishment of Zoning Districts and Adoption of Zoning Map*.** This chapter establishes the zoning districts applied to property within the City, determines how the zoning districts are applied on the zoning map, and provides general permit requirements for development and land uses;
- **Chapter 17.300, *General Property Development and Land Use Standards*.** The provisions of this chapter address standards for site planning, project design, and operation and are intended to ensure that all development produces an environment of stable and desirable character that is harmonious with existing and future development, protects the use and enjoyment of neighboring properties, and is consistent with the General Plan;
- **Chapter 17.400, *Standards for Specific Land Uses and Accessory Uses*.** This chapter provides site planning and development standards for uses that are allowed by Article 2, *Zoning Districts, Permitted Land Uses, and Zone-Specific Standards*, in individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts; and
- **Chapter 17.565, *Specific Plans*.** This section provides procedures for preparing, processing, reviewing, adopting, and amending a Specific Plan. A Specific Plan can be used to systematically implement the General Plan for any part of the City.

5. Environmental Analysis

AESTHETICS

City of Westminster General Plan

The Community Design Element of the City of Westminster General Plan provides the following policies pertaining to aesthetics and visual quality (Westminster 2016):

- **CD-1.1 – Design Features.** Enhance the City’s identity through the use of attractive high-quality gateways, city entry signs and design features, cohesive street signs, and other design features at public gathering spaces and other areas, where appropriate.
- **CD-1.2 – Sense of Place.** Support the enhancement and preservation of neighborhoods that exhibit a special sense of place and quality of design.
- **CD-1.4 – Design Quality.** Support development of the built environment that enhances and improves community image through the use of high-quality architectural features, design elements and natural materials.
- **CD-1.5 – Property Maintenance.** Improve efforts to enforce Municipal Code and instill community pride in the appearance and image of the City.
- **CD-1.6 – Streetscapes.** Promote drought tolerant landscaping, tree planting, and tree preservation along Westminster’s streets as a means of improving aesthetics, making neighborhoods more pedestrian-friendly, providing environmental and economic benefits.
- **CD-1.7 – Gathering Spaces.** Promote lot consolidation and assemblage for redevelopment of small, underutilized, and blighted properties in mixed-use areas to create lot sizes that would allow for incorporation of public plazas and other gathering spaces in project design.
- **CD-2.1 – Special Site Features.** Preserve positive characteristics and unique features of a site during the design and development of a new project; the relationship to scale and character of adjacent uses should be considered.
- **CD-2.2 – Public and Private Facilities.** Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes but is not limited to: appropriate placement of facilities; undergrounding of utilities, where possible; and aesthetic design (e.g., cell tower stealthing).
- **CD-2.3 – Older Neighborhoods and Businesses.** Develop or participate in programs to rehabilitate older residential neighborhoods and commercial centers to prevent blight and maintain the quality of the built environment.
- **CD-2.4 – Parking in Mixed-Use Areas.** Design parking lots and structures in mixed-use areas to be functionally and visually integrated into and connected with new projects or adjacent buildings; off-street parking lots should not dominate the street scene or should be screened by enhanced landscaping to minimize the view.

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- **CD-2.5 – Gathering Spaces in Mixed-Use Areas.** Integrate plaza or gathering spaces in new mixed-use developments, and explore ways to creatively integrate outdoor dining, seating, or other activity-generating features into project design.
- **CD-2.6 – Public Art.** Consider including public art that reflects the diversity of the City at key gateways, major projects, and public gathering places.
- **CD-2.7 – CPTED.** Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.
- **CD-2.8 – Vehicular Access Points.** Minimize new driveways and consolidate access points to improve site design, traffic flow and safety of vehicles and pedestrians in new and existing developments.
- **CD-2.9 – Building Design and Materials.** Employ design strategies and building materials that evoke a sense of quality and permanence.
- **CD-2.10 – Building Massing.** Provide special building-form elements, such as towers and archways, and other building features to help distinguish activity nodes and establish landmarks in the community.
- **CD-2.11 – Architectural Styles.** Use different but complementary forms of architectural styles and designs that incorporate representative characteristics of a given area. Old English architecture should be limited to the Civic Center area.
- **CD-2.12 – Architectural Features.** Use architectural design features (window, columns, offset roof planes, etc.) to vertically and horizontally articulate elevations.
- **CD-2.13 – Wall Treatments.** Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank monotonous walls or fences.
- **CD-2.14 – Property and Landscape Maintenance.** Require property owners to maintain structures and landscaping to high standards of design, health, and safety on all sides of buildings.
- **CD-2.15 – Variations in Wall Plane.** Avoid use of long, blank walls by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.
- **CD-2.16 – Landscaping.** Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.
- **CD-2.17 – Residential Buffers.** Require setbacks and other design elements to buffer residential units to the extent possible from the impacts of abutting roadway, mixed use, commercial, and industrial uses.
- **CD-2.18 – Walls and Fences.** Design walls and fences that are stylistically well integrated with adjacent structures and terrain, and use landscaping and vegetation to soften their appearance.

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5.1.1.2 EXISTING CONDITIONS

Visual Character

The WMSP site is in an urbanized area in the City of Westminster and developed as a retail mall on approximately 100 acres. (See Figure 4-3, *Aerial Photograph*) The project site is adjacent to I-405 to the north and east, Edwards Street to the west, Bolsa Avenue to the south, and short section of Goldenwest Street to the south and east. Edwards Street forms the eastern boundary of the project site and is developed as an arterial roadway with two travel lanes in each direction and a center turn lane at intersections. There is a noise wall, sidewalk and landscaping on the eastern side of the street between the single-family homes and Edwards Street. South of the project site Bolsa Avenue is developed with two lanes in each direction with single story commercial buildings at the corner of Bolsa Avenue and Edwards Street, and single story residential between Edwards Street and I-405. The south side of Bolsa Avenue, east of the existing commercial development, there is sidewalk, a soundwall, and overhead utility lines (see Figures 4-6a through 4-6c, *Surrounding Uses*).

The Westminster Mall encompasses 1.3 million square feet of retail space, consisting of a central retail core with major department stores. There are scattered ornamental trees and vegetation throughout the parking lot on the site and along the periphery. The site is fully developed and has no areas of natural vegetation or open space.

The site is visually distinct from residential uses to the north and south, as well as schools to the west and north. However, the project site's character is not dissimilar from commercial buildings and large paved areas to the east, as well as industrial and commercial buildings to the west.

Visual Resources

The project site is fully developed with the existing Westminster Mall; no visual resources are present on the project site.

Landform

The regional topography is generally flat and gently slopes from the base of the surrounding mountain ranges to sea level as land meets the Pacific Ocean. The project site is flat, with a downward slope from northwest to southwest and an elevational change of approximately 8 feet, from 26 feet to 18 feet above sea level. The most notable topographical shift from the project site is the slope up to I-405 from driveway and parking lot along the northeast of the site boundary.

Scenic Vistas and Corridors

The City's physical setting in the Santa Ana River Basin region and relatively flat topography provide scenic views of the San Gabriel and Santa Ana Mountains, however, these vistas are often obscured by weather and poor air quality. Bolsa Avenue, which bounds the southern portion of the site, is considered a primary scenic corridor according to the General Plan DEIR. However, due to the highly urbanized setting of area surrounding the project site, along Bolsa Avenue, views of the horizon are obscured. There are no state-

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designated highways, nor are the highways in the City considered eligible for that distinction by the California Scenic Highway Program.

5.1.2 Thresholds of Significance

Appendix G of the CEQA Guidelines states that, “except as provided in Public Resources Code Section 21099,” a project would normally have a significant effect on the environment if the project would:

- AE-1 Have a substantial adverse effect on a scenic vista.
- AE-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- AE-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality.
- AE-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Initial Study, included as Appendix A, substantiates that the proposed project impacts associated with Threshold AE-1 and AE-2 are less than significant, therefore these impacts will not be addressed in the following analysis.

5.1.3 Plans, Programs, and Policies

All development within the WMSP area will be required to conform with Chapter 5, Development and Design Standards, and Chapter 7, Design Guidelines. (See Appendix 3-1), including the following Project Design Features (PDFs):

Section 5.2.1 Building Setbacks

- **PDF-1.** Building setback requirements from:
 - Freeway, Freeway Off-Ramp – Minimum: 60 feet; Maximum: none
 - Bolsa Avenue – Minimum: 132 feet; Maximum: 142 feet
 - Edwards Street – Minimum: 72 Feet; Maximum: 82 feet
 - Goldenwest Street – 60 feet; to clear drainage easement
 - Primary Internal Circulation Street – Minimum: 50 feet; Maximum: 60 feet
 - Internal Main Street – Minimum: 46 feet; Maximum: 56 feet
 - Internal Residential Street – Minimum: 40 feet; Maximum: 50 feet

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- Internal Paseo – Minimum: 0 feet; Maximum: 10 feet
- Building to Building: Setbacks shall comply with Building Code and emergency access requirements

Section 5.2.9 Objective Building Design

- **PDF-2.** Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.

Section 5.2.11 Building and Floor Height

- **PDF-3.** Building Height:
 - Zone 1 – maximum of 50 feet above the base point
 - Zone 2 – maximum of 80 feet above the base point
 - Zone 3 – maximum of 135 feet above the base point
- **PDF-4.** Building Floor Height:
 - Non-Residential Ground Floor – Minimum: 15 feet
 - Residential Ground Floor – Minimum: 12 feet
 - Upper Floor Non-Residential – Minimum: 10 feet
 - Upper Floor Residential – Minimum: 9 feet

Section 5.2.15 Open Space Requirements

- **PDF-5.** Open Space Minimum Requirements:
 - Cultural Park/Urban Plaza – 3 acres
 - Mixed-Use Neighborhood Park – 2.5 acres
 - Westminster Nature Activity Trail – 1 acre
 - Internal Community Paseo – 1.5 acres
 - Bolsa Promenade – 1.5 acres
 - Linear Park – 20,000 square feet
 - Any Development – 10 percent of project area
 - Residential Uses – 100 square feet per unit as Private, Private Common Open Space or Common Open Space

Section 5.2.18 Lighting

- **PDF-6.** Lighting shall be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, building entrances and pedestrian parkways.
- **PDF-7.** Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.

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- **PDF-8.** Pedestrian-scale decorative street lighting shall be a maximum spacing of 80 feet on-center. Light source should be located 12-14 feet above finished grade.

Section 7.2.1 Site Access

- **PDF-9.** The number of site access points for vehicles should be minimized, and shall be consistent with the provisions identified in Chapter 6, Mobility, of the WMSP. Curb cuts should be located and scaled to minimize pedestrian and vehicular conflicts and reduce impacts to traffic flow on primary streets.
- **PDF-10.** Drop-off and pick-up zones should be located along the curb or within parking facilities to promote sidewalk/street wall continuity and reduce conflicts with pedestrians. Hotel lobby drop-off areas shall be located within the project site.

Section 7.2.2 Parking

- **PDF-11.** Accessible, secure and well-signed bicycle parking shall be provided at convenient and visible locations throughout the development.

Section 7.2.3 Building Placement and Orientation

- **PDF-12.** Buildings should be oriented for energy efficiency – to capture daylighting, minimize heat gain, take advantage of prevailing breezes for natural ventilation.

Section 7.2.9 Lighting

- **PDF-13.** Low-contrast lighting, low-voltage fixtures, and energy-efficient bulbs, such as light emitting diode (LED) bulbs should be used for outdoor lighting.
- **PDF-14.** Uplighting of building elements and trees should use the lowest wattage possible to minimize impacts to the night sky. Light sources for wall washing and tree lighting should be hidden.
- **PDF-15.** Exterior lighting should be designed and located so as not to project off-site or into adjacent or onsite residential areas. Exposed bulbs should not be used. Cut-off lighting is preferred.
- **PDF-16.** Parking areas should be designed using many small-scale lights versus fewer, excessively tall or bright lights.
- **PDF-17.** Solar-powered fixtures are encouraged for all lighting when it does not conflict with security concerns.

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5.1.4 Environmental Impacts

5.1.4.1 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study identified potentially significant impacts (see Appendix 2-1). The applicable thresholds are identified in brackets after the impact statement.

Impact 5.1-1: The proposed project would not substantially alter the visual appearance of the project site and its surroundings. [Threshold AE-3]

Aesthetics generally refers to the identification of visual resources and their quality, as well as an overall visual perception of the environment. A project is generally considered to have a significant aesthetic impact if it substantially changes the quality or character of the project site such that the site becomes visually incompatible with or visually unexpected in its surroundings. The proposed WMSP will introduce new buildings onto the site that will reduce the open area currently developed as parking. Some of the existing buildings may be demolished and different building types and styles than currently exist on the site may be constructed. In some areas, the buildings may be wider and higher than existing buildings, and in some cases higher than the existing zoning would permit. One of the purposes of the WMSP is to adopt project-specific development standards for future projects that will mix residential and non-residential uses in an urban environment. Overall, the urban view of the site will continue with large buildings of various sizes, travel lanes, surface, underground, and interior parking, and landscaping.

Project Construction Phase

Project implementation would result in construction activities that would lead to a permanently change in the visual character of the project site. Construction activities would involve demolition, site clearing, grading, building, and site improvements. Construction staging areas, which may include earth stockpiling, storage of equipment and supplies, and related activities would contribute to a generally “distributed site,” which can be considered a visual impact. The visual impact of construction would be typical of any development in the City.

Demolition and construction activities may be unsightly during the site preparation and construction phases, but they are not considered significant because they are temporary, occurring only during construction and resolved with the finished constructed buildings. Because there are multiple property owners and the potential for simultaneous projects, construction on the site may occur at the same time as demolition. Currently, the City has not received any applications for projects from property owners. Although construction areas are typically fenced and may be screened for security purposes, the size and scale of construction is such that it will be visible from the surrounding roadways. Equipment such as cranes, cement mixers, backhoes, dump trucks, and paving machines will be visible even if the staging areas for building materials is fenced and screened. However, due to the temporary nature of construction, project-related construction activities would not have a significant effect on the existing visual character or quality of the site and its surroundings.

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Project Operation Phase

The WMSP provides flexibility in how the site will develop, with permitted land uses and building heights limited along Edwards Street and Bolsa Avenue. Figure 3-1, *Land Use Concept*, illustrates the layout of the proposed buildings on the project site. Figure 3-2, *Maximum Building Height*, creates three zones that regulate building height. Table 5.1-1, *Building Heights*, shows the maximum building height, and approximate number of building floors (stories) that would be likely. The number of stories varies depending on the type of land use and minimum floor heights. Table 5.2, *Building Floor Height Requirements*, of the WMSP, establishes with non-residential floor heights generally from 10 – 15 feet, and residential floor heights 9 - 12 feet. The zones are intended to provide a visual transition from the largely single-story buildings that exist outside of the WMSP site, to taller buildings within the site closer to I-405. As the WMSP site slopes toward I-405, there may be an opportunity for buildings to be taller than shown in Table 5.1-1 which could then include more floors, but be visually similar to the building heights listed in the table when viewed from Edwards Street or Bolsa Road. It is also likely that development along Edwards Street and Bolsa Road will screen taller buildings along I-405 from view.

Table 5.1-1 Building Heights

Zone	Maximum Height (Above Base Point)	Estimated Stories
Zone 1	50 feet	3 – 4
Zone 2	80 feet	4 - 6
Zone 3	135 feet	~ 10

Source: WMSP

The site slopes toward I-405 reducing the visual impact of the taller buildings. As shown in Figure 3-1, the following uses would be allowed on the site as shown:

- **Northern Portion of Site**

This portion of the site would prioritize residential, office, and hotel; a second priority would be retail and entertainment land uses. Buildings can be four- to six-stories tall, with the possibility of being eight-stories tall along I-405.

- **Eastern Portion of Site**

Residential, office, hotel, and entertainment are planned for the eastern portion of the site, adjacent to the I-405 freeway. Buildings can be up to 10-stories tall (135 feet). The southeastern portion of the site would include residential, retail, office, and hotel uses, and buildings would be up to eight-stories tall. Also located at the southeastern portion of the site, bounded by Mall Road and Goldenwest Street to the north and east, respectively, would be retail uses; residential and hotel uses would be a second priority.

- **Southern Portion of Site**

This portion of the site would act as flex space for residential, retail, office, and hotel uses. Additionally, a treatment edge would be located adjacent Bolsa Avenue and would be three- to four-stories tall, with the possibility of being taller at the back of the treatment (four- to six-stories).

- **Western Portion of Site**

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This portion of the site would prioritize residential uses, with office and retail uses being a second priority. The grade at this portion would be elevated at the landscaped parkway edge. An edge treatment adjacent to Edwards Street would be three- to four- stories, with the possibility of being taller in the back (four- to six- stories).

■ Center Portion of Site

The retail core would be located in the center of the project site, and would also include residential, office, hotel, and entertainment uses. The building would be up to 10 stories.

Landscaping

The WMSP Chapters 4, Permitted Uses and Development Standards, and 7, Design Guidelines and Standards, require landscaping to soften parking lots, improve aesthetics, and improve the pedestrian environment by connecting buildings with outdoor spaces. Landscaping for projects, including public right-of-way medians, within the WMSP site would be consistent with the provisions of Chapter 17.310 Landscape Standards in the Zoning Code. Additionally, the design and landscape along each internal roadway should be generally consistent with the entire roadway, formalized, and composed of signature plantings to create an attractive and cohesive identity. Additionally, parkways along Bolsa Avenue (see Figure 5.1-1, *Parkway Requirement – Bolsa Avenue*) and Edward Street would be designed to provide a minimum 7-foot planting area and 5-foot sidewalk. Development along Bolsa Avenue would be designed to step back from the face of the curb by a minimum of 70 feet to create a complementary urban edge with landscape, public activities, or frontage road.

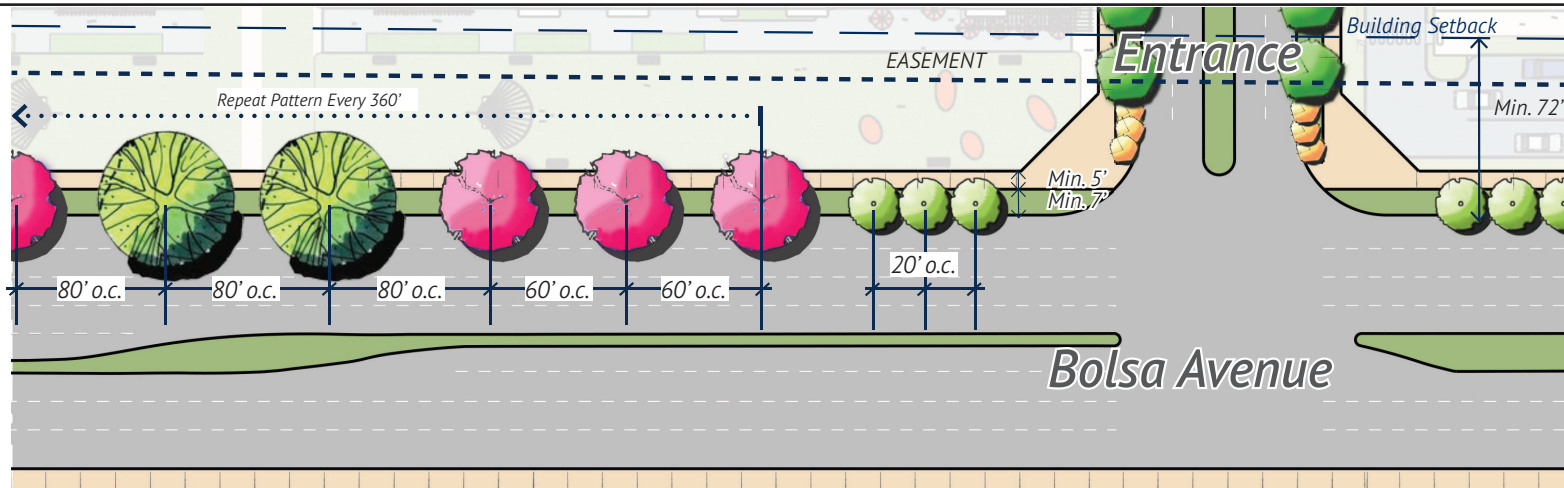
The proposed project would comply with the goals and policies of the General Plan. Policy CD-1.1, Design Features, of the Community Design Element of the City's General Plan, that calls for the enhancement of the City's identity through the use of attractive high quality gateways, City entry signs and design features, cohesive street signs, and other design features at public gathering spaces and other areas, where appropriate. Policy CD-1.4, Design Quality, of the Community Design Element of the City's General Plan that supports development of the built environment that enhances and improves community image through the use of high-quality architectural features, design elements and natural materials. All projects within the proposed project site will be subject to the development standards and design guidelines contained in the WMSP and must demonstrate compliance with the standards as part of application submittal. The WMSP requires more landscaping than currently exists on the site and provides for public and private open space. Currently most activity on the site is entirely within buildings. Once completed outdoor recreation areas, gathering places, eating and entertainment venues will result in more people visible on the property.

Conclusion

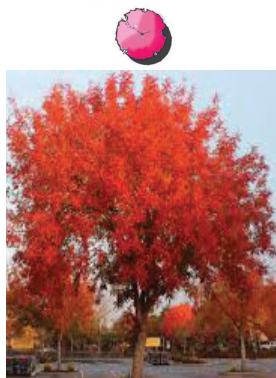
The WMSP is intended to change the visual appearance of the current Westminster Mall by allowing new buildings and outdoor venues in the large parking area, remodeling or removing existing buildings, and introducing residential and professional land uses to the site. As designed, the WMSP includes policies that allow for a visual transition from the residential uses east of Edwards Street and south of Bolsa Avenue viewpoints (Zones 1, 2, and 3), and limits both the types of land uses and the building heights along these roadways as indicated in Section 4.3.11, Building Height and Floor Height, of the WMSP, and shown in

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Figure 5.1-1 - Parkway Requirement - Bolsa Avenue



Plant List:



Common Name:
Chinese Pistache
Scientific Name:
Pistacia chinensis
Height: 35 ft.
Spread: 35 ft.
E / D: Deciduous
Min. Planter Width:
6 ft.



Common Name:
Brisbane Box
Scientific Name:
Lophostemon confertus
Height: 40-60 ft.
Spread: 35 ft.
E / D: Evergreen
Min. Planter Width:
10 ft.



Common Name:
Strawberry Tree
Scientific Name:
Arbutus unedo
Height: 20 ft.
Spread: 20 ft.
E / D: Evergreen
Min. Planter Width:
4 ft.

Illustrative only; to be interpreted as conceptual, as one possible design, and not considered definitive.

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Figure 3-2, *Maximum Building Height*, of this DEIR. Once completed, the WMSP will look different than the current Westminster Mall, but will be consistent with urban scale development in the region. Buildout of the WMSP is expected to have a less than significant effect on the existing visual character or quality of the project site and its surroundings.

Level of Significance Before Mitigation: With the implementation of the Development Standards and Design Guidelines of the Specific Plan, as well as the goals and policies of the General Plan, Impact 5.1-1 would be less than significant.

Impact 5.1-2: The proposed project would generate additional light and glare. [Threshold AE-4]

Light impacts are associated with the use of artificial light during the evening and nighttime hours. There are two primary sources of light: light emanating from building interiors passing through windows and openings, and light from exterior sources (i.e., street lighting, architectural building illumination, security lighting, parking lot lighting, landscape lighting, vehicular lighting, and signage). Excessive light and/or glare can impair vision, cause annoyance, affect sleep patterns, and generate safety hazards when experienced by drivers. Uses such as residences, elderly care facilities, and hotels are considered light sensitive, since occupants have expectations of privacy during evening hours and may be subject to disturbance by bright light sources. Light spill is typically defined as the presence of unwanted light on properties next to the property being illuminated. With respect to lighting, the degree of illumination may vary widely depending on the amount of light generated, height of the light source, presence of barriers or obstructions, type of light source, and weather conditions.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light on surfaces of buildings or objects, including highly polished surfaces such as glass windows or reflective materials and, to a lesser degree, from broad expanses of light-colored surfaces. Perceived glare is the unwanted and potentially objectionable sensation experienced by a person as they look directly into the light source of a luminaire. Daytime glare generation is common in urban areas and is typically associated with buildings with exterior facades largely or entirely composed of highly reflective glass. Glare can also be produced during evening and nighttime hours by the reflection of artificial light sources such as automobile headlights. Daytime glare can also be generated by light reflecting off passing or parked cars. Glare generations is typically related to either moving vehicles or sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the day and year. Excessive glare not only impedes visibility, but also increases the ambient heat reflectivity in a given area. Glare-sensitive uses include residences, hotels, transportation, corridors, and aircraft landing corridors.

The project area and project site contain many existing sources of nighttime illumination. These include parking lot lights, vehicle, lights, security lights, and exterior lighting on the existing commercial buildings. Additional onsite light and glare is caused by surrounding roadways, including I-405 to the east of the site, and from the residential land uses across Edwards Street and Bolsa Avenue.

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Nighttime Light and Glare

At buildout, the proposed project would include additional and taller structures on the project site and their related lighting sources; its implementation would likely also result in more exterior glazing (e.g., windows and doors) that could result in new sources of glare. Despite new and expanded sources of nighttime illumination and glare, the proposed project is not expected to generate a substantial increase in light and glare. In addition, Section 17.300.040 B.1., of the Westminster Municipal Code, requires that all lighting be "...designed, arranged, directed, or shielded in such a manner as to contain direct illumination on-site, thereby preventing excess illumination and light spillover onto adjoining land uses and/or roadways. Additionally, outdoor lighting shall be located and designed to prevent a significant increase in the overall ambient illumination."

Moreover, Section 7.2.9, Lighting, of the WMSP, includes policies pertaining to lighting design at the site, including, the following:

- Low-contrast lighting, low-voltage fixtures, and energy-efficient bulbs, such as light emitting diode (LED) bulbs should be used for outdoor lighting.
- Uplighting of building elements and trees should use the lowest wattage possible to minimize impacts to the night sky. Light sources for wall washing and tree lighting should be hidden.
- Exterior lighting should be designed and located so as not to project off-site or into adjacent or onsite residential areas. Exposed bulbs should not be used. Cut-off lighting is preferred.
- Parking areas should be designed using many small-scale lights versus fewer, excessively tall or bright lights.
- Solar-powered fixtures are encouraged for all lighting when it does not conflict with security concerns.

Therefore, the combination of tinted windows (energy savings) and type of lighting (interior directed, cut-off, solar-powered) would reduce the impact light and glare, especially from taller structures that would be visible from farther away. Additionally, buildings, as well as landscaping along parkways and edges of Edwards Street and Bolsa Avenue would block glare from parked cars and traffic from the surrounding roadways and land uses. Therefore, impacts would be less than significant.

Daytime Glare

The proposed project would produce glare sources that are typical of residential, office, hotel, and retail buildings, such as building material (glass and light-colored building materials), glass fences, and vehicles parked and traveling along neighboring streets. However, glare from these sources are typical of the surrounding area and would not increase glare beyond what is expected for the existing site. Therefore, daytime glare impacts from the proposed project would be less than significant.

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Level of Significance Before Mitigation: With the implementation of the development standards and design guidelines of the Specific Plan, the City's Municipal Code, as well as the goals and policies of the General Plan, Impact 5.1-2 would be less than significant.

5.1.5 Cumulative Impacts

Aesthetic impacts are localized to the project area and its immediate surroundings. No projects are approved on the project site nor are any projects approved, planned, or anticipated for the general vicinity of the project area in the near future. As with the proposed project, cumulative projects within the project area would not substantially alter the visual character of the project area due to the highly urbanized and developed nature of the surrounding area, which include predominantly commercial and residential uses. Because of the highly developed nature of the project area and Westminster Mall, the proposed project would not negatively impact the visual character on- or off-site. Similarly, due to the existence of light and glare from the existing commercial uses on the project site, and the predominantly commercial and residential uses surrounding the project site, the proposed project is not anticipated to add significantly to the creation of nighttime light and glare in the project vicinity. Future buildings onsite would also create new sources of light and glare in the project vicinity, but such buildings would be primarily surrounded by perimeter landscaping and edge treatments which would reduce impacts of light and glare. Their impacts would reduce therefore not combine with those of the proposed project to adversely impact existing or planned sensitive receptors, such as residential uses. Therefore, the proposed project's contribution to cumulative aesthetic impacts is less than considerable, and therefore is less than cumulatively significant.

5.1.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, some impacts would be less than significant: 5.1-1 and 5.1-2.

5.1.7 Mitigation Measures

No mitigation measures are required.

5.1.8 Level of Significance After Mitigation

Impacts would be less than significant.

5.1.9 References

Westminster, City of. 2016, September. City of Westminster General Plan. <https://www.westminster-ca.gov/home/showpublisheddocument/522/637422753110100000>

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5.2 AIR QUALITY

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for the Westminster Mall Specific Plan (‘WMSP’ or ‘Specific Plan’) to impact air quality in a local and regional context. This evaluation is based on the methodology recommended by the South Coast Air Quality Management District (South Coast AQMD). The analysis focuses on air pollution from regional emissions and localized pollutant concentrations. Criteria air pollutant emissions modeling for the Specific Plan is included in Appendix 5.2-1 of this DEIR. Transportation-sector impacts are based on trip generation and vehicle miles traveled, as provided by Fehr and Peers (see Appendix 5.9-1). Cumulative impacts related to air quality are based on the regional boundaries of the South Coast Air Basin (SoCAB).

5.2.1 Environmental Setting

5.2.1.1 AIR POLLUTANTS OF CONCERN

Criteria Air Pollutants

The pollutants emitted into the ambient air by stationary and mobile sources are categorized as primary and/or secondary pollutants. Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_x), sulfur dioxide (SO₂), coarse inhalable particulate matter (PM₁₀), fine inhalable particulate matter (PM_{2.5}), and lead (Pb) are primary air pollutants. Of these, CO, SO₂, NO₂, PM₁₀, and PM_{2.5} are “criteria air pollutants,” which means that ambient air quality standards (AAQS) have been established for them. VOC and NO_x are criteria pollutant precursors that form secondary criteria air pollutants through chemical and photochemical reactions in the atmosphere. Ozone (O₃) and nitrogen dioxide (NO₂) are the principal secondary pollutants.

Each of the primary and secondary criteria air pollutants and its known health effects is described below.

- **Carbon Monoxide** is a colorless, odorless gas produced by incomplete combustion of carbon substances, such as gasoline or diesel fuel. CO is a primary criteria air pollutant. CO concentrations tend to be the highest during winter mornings with little to no wind, when surface-based inversions trap the pollutant at ground levels. The highest ambient CO concentrations are generally found near traffic-congested corridors and intersections. The primary adverse health effect associated with CO is interference with normal oxygen transfer to the blood, which may result in tissue oxygen deprivation (South Coast AQMD 2005; USEPA 2022a). The SoCAB is designated under the California and National AAQS as being in attainment of CO criteria levels (CARB 2022a).
- **Nitrogen Oxides** are a by-product of fuel combustion and contribute to the formation of ground-level O₃, PM₁₀, and PM_{2.5}. The two major forms of NO_x are nitric oxide (NO) and nitrogen dioxide (NO₂). NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. The principal form of NO_x produced by combustion is NO, but NO reacts quickly with oxygen to form NO₂, creating the mixture of NO and NO₂ commonly called NO_x. NO₂ is an acute irritant and more injurious than NO in equal concentrations. At atmospheric concentrations, however, NO₂ is only potentially irritating. NO₂ absorbs

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blue light; the result is a brownish-red cast to the atmosphere and reduced visibility. NO₂ exposure concentrations near roadways are of particular concern for susceptible individuals, including asthmatics, children, and the elderly. Current scientific evidence links short-term NO₂ exposures, ranging from 30 minutes to 24 hours, with adverse respiratory effects, including airway inflammation in healthy people and increased respiratory symptoms in people with asthma. Also, studies show a connection between elevated short-term NO₂ concentrations and increased visits to emergency departments and hospital admissions for respiratory issues, especially asthma (South Coast AQMD 2005; USEPA 2022a). The SoCAB is designated an attainment area for NO₂ under the National and California AAQS (CARB 2022a).

- **Sulfur Dioxide** is a colorless, pungent, irritating gas formed by the combustion of sulfurous fossil fuels. It enters the atmosphere as a result of burning high-sulfur-content fuel oils and coal and chemical processes at plants and refineries. Gasoline and natural gas have very low sulfur content and do not release significant quantities of SO₂. When sulfur dioxide forms sulfates (SO₄) in the atmosphere, together these pollutants are referred to as sulfur oxides (SO_x). Thus, SO₂ is both a primary and secondary criteria air pollutant. At sufficiently high concentrations, SO₂ may irritate the upper respiratory tract. Current scientific evidence links short-term exposures to SO₂, ranging from 5 minutes to 24 hours, with an array of adverse respiratory effects, including bronchoconstriction and increased asthma symptoms. These effects are particularly adverse for asthmatics at elevated ventilation rates (e.g., while exercising or playing) at lower concentrations and when combined with particulates, SO₂ may do greater harm by injuring lung tissue. Studies also show a connection between short-term exposure and increased visits to emergency facilities and hospital admissions for respiratory illnesses, particularly in at-risk populations such as children, the elderly, and asthmatics (South Coast AQMD 2005; USEPA 2022a). The SoCAB is designated attainment under the California and National AAQS (CARB 2022a).
- **Suspended Particulate Matter** consists of finely divided solids or liquids such as soot, dust, aerosols, fumes, and mists. Two forms of fine particulates are now recognized and regulated. Inhalable coarse particles, or PM₁₀, include particulate matter with an aerodynamic diameter of 10 microns or less (i.e., ≤10 millionths of a meter or 0.0004 inch). Inhalable fine particles, or PM_{2.5}, have an aerodynamic diameter of 2.5 microns or less (i.e., ≤2.5 millionths of a meter or 0.0001 inch). Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. Both PM₁₀ and PM_{2.5} may adversely affect the human respiratory system, especially in people who are naturally sensitive or susceptible to breathing problems. The U.S. Environmental Protection Agency's (EPA's) scientific review concluded that PM_{2.5}, which penetrates deeply into the lungs, is more likely than PM₁₀ to contribute to health effects and at far lower concentrations. These health effects include premature death in people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms (e.g., irritation of the airways, coughing, or difficulty breathing) (South Coast AQMD 2005). There has been emerging evidence that ultrafine particulates, which are even smaller particulates with an aerodynamic diameter of <0.1 microns or less (i.e., ≤0.1 millionths of a meter or <0.000004 inch), have human health implications, because their toxic components may initiate or facilitate biological processes that may lead to adverse effects to the heart, lungs, and other organs (South Coast AQMD 2013). However, the EPA

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and the California Air Resources Board (CARB) have not adopted AAQS to regulate these particulates. Diesel particulate matter is classified by CARB as a carcinogen (CARB 1998). Particulate matter can also cause environmental effects such as visibility impairment,¹ environmental damage,² and aesthetic damage³ (South Coast AQMD 2005; USEPA 2022a). The SoCAB is a nonattainment area for PM_{2.5} under California and National AAQS and a nonattainment area for PM₁₀ under the California AAQS (CARB 2022a).⁴

- **Ozone**, or O₃, is a key ingredient of “smog” and is a gas that is formed when VOCs and NO_x, both by-products of internal combustion engine exhaust, undergo photochemical reactions in sunlight. O₃ is a secondary criteria air pollutant. O₃ concentrations are generally highest during the summer months when direct sunlight, light winds, and warm temperatures create favorable conditions for its formation. O₃ poses a health threat to those who already suffer from respiratory diseases as well as to healthy people. Breathing O₃ can trigger a variety of health problems, including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level O₃ also can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue. O₃ also affects sensitive vegetation and ecosystems, including forests, parks, wildlife refuges, and wilderness areas. In particular, O₃ harms sensitive vegetation during the growing season (South Coast AQMD 2005; USEPA 2022a). The SoCAB is designated extreme nonattainment under the California AAQS (1-hour and 8-hour) and National AAQS (8-hour) (CARB 2022a).
- **Volatile Organic Compounds** are composed primarily of hydrogen and carbon atoms. Internal combustion associated with motor vehicle usage is the major source of VOCs. Other sources include evaporative emissions from paints and solvents, asphalt paving, and household consumer products such as aerosols (South Coast AQMD 2005). There are no AAQS for VOCs. However, because they contribute to the formation of O₃, South Coast AQMD has established a significance threshold. The health effects for ozone are described above.
- **Lead** is a metal found naturally in the environment as well as in manufactured products. Once taken into the body, lead distributes throughout the body in the blood and accumulates in the bones. Depending on the level of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and the cardiovascular system. Lead exposure also affects the oxygen-carrying capacity of the blood. The effects of lead most commonly encountered in current populations are neurological effects in children and cardiovascular effects in adults (e.g., high blood pressure and heart disease). Infants and young children are especially sensitive to even low levels of lead,

¹ PM_{2.5} is the main cause of reduced visibility (haze) in parts of the United States.

² Particulate matter can be carried over long distances by wind and then settle on ground or water, making lakes and streams acidic; changing the nutrient balance in coastal waters and large river basins; depleting the nutrients in soil; damaging sensitive forests and farm crops; and affecting the diversity of ecosystems.

³ Particulate matter can stain and damage stone and other materials, including culturally important objects such as statues and monuments.

⁴ CARB approved the South Coast AQMD’s request to redesignate the SoCAB from serious nonattainment for PM₁₀ to attainment for PM₁₀ under the National AAQS on March 25, 2010, because the SoCAB did not violate federal 24-hour PM₁₀ standards from 2004 to 2007. The EPA approved the State of California’s request to redesignate the South Coast PM₁₀ nonattainment area to attainment of the PM₁₀ National AAQS, effective on July 26, 2013.

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which may contribute to behavioral problems, learning deficits, and lowered IQ (South Coast AQMD 2005; USEPA 2018). The major sources of lead emissions have historically been mobile and industrial sources. As a result of the EPA's regulatory efforts to remove lead from gasoline, emissions of lead from the transportation sector dramatically declined by 95 percent between 1980 and 1999, and levels of lead in the air decreased by 94 percent between 1980 and 1999. Today, the highest levels of lead in air are usually found near lead smelters. The major sources of lead emissions today are ore and metals processing and piston-engine aircraft operating on leaded aviation gasoline. However, in 2008 the EPA and CARB adopted more strict lead standards, and special monitoring sites immediately downwind of lead sources recorded very localized violations of the new state and federal standards.⁵ As a result of these violations, the Los Angeles County portion of the SoCAB is designated as nonattainment under the National AAQS for lead (South Coast AQMD 2012; CARB 2022a). There are no lead-emitting sources associated with this project, and therefore, lead is not a pollutant of concern for the Specific Plan.

Table 5.2-1 summarizes the potential health effects associated with the criteria air pollutants.

Table 5.2-1 Criteria Air Pollutant Health Effects Summary

Pollutant	Health Effects	Examples of Sources
Carbon Monoxide (CO)	<ul style="list-style-type: none"> Chest pain in heart patients Headaches, nausea Reduced mental alertness Death at very high levels 	Any source that burns fuel such as cars, trucks, construction and farming equipment, and residential heaters and stoves
Ozone (O ₃)	<ul style="list-style-type: none"> Cough, chest tightness Difficulty taking a deep breath Worsened asthma symptoms Lung inflammation 	Atmospheric reaction of organic gases with nitrogen oxides in sunlight
Nitrogen Dioxide (NO ₂)	<ul style="list-style-type: none"> Increased response to allergens Aggravation of respiratory illness 	Same as carbon monoxide sources
Particulate Matter (PM ₁₀ & PM _{2.5})	<ul style="list-style-type: none"> Hospitalizations for worsened heart diseases Emergency room visits for asthma Premature death 	Cars and trucks (particularly diesels) Fireplaces and woodstoves Windblown dust from overlays, agriculture, and construction
Sulfur Dioxide (SO ₂)	<ul style="list-style-type: none"> Aggravation of respiratory disease (e.g., asthma and emphysema) Reduced lung function 	Combustion of sulfur-containing fossil fuels, smelting of sulfur-bearing metal ores, and industrial processes
Lead (Pb)	<ul style="list-style-type: none"> Behavioral and learning disabilities in children Nervous system impairment 	Contaminated soil

Source: CARB 2009; South Coast AQMD 2005.

⁵ Source-oriented monitors record concentrations of lead at lead-related industrial facilities in the SoCAB, which include Exide Technologies in the City of Commerce; Quemetco, Inc., in the City of Industry; Trojan Battery Company in Santa Fe Springs; and Exide Technologies in Vernon. Monitoring conducted between 2004 through 2007 showed that the Trojan Battery Company and Exide Technologies exceed the federal standards (South Coast AQMD 2012).

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Toxic Air Contaminants

People exposed to toxic air pollutants (TACs) at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory and other health problems (USEPA 2022b). By the last update to the TAC list in December 1999, CARB had designated 244 compounds as TACs (CARB 1999). Additionally, CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. There are no air quality standards for TACs. Instead, TAC impacts are evaluated by calculating the health risks associated with a given exposure. The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most relevant to the project being particulate matter from diesel-fueled engines.

Diesel Particulate Matter

In 1998, CARB identified diesel particulate matter (DPM) as a TAC. Previously, the individual chemical compounds in diesel exhaust were considered TACs. Almost all diesel exhaust particles are 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs. Long-term (chronic) inhalation of DPM is likely a lung cancer risk. Short-term (i.e., acute) exposure can cause irritation and inflammatory systems and may exacerbate existing allergies and asthma systems (USEPA 2002).

CARB has promulgated the following specific rules to limit TAC emissions:

- 13 CCR Chapter 10, Section 2485, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling
- 13 CCR Chapter 10, Section 2480, Airborne Toxic Control Measure to Limit School Bus Idling and Idling at Schools
- 13 CCR Section 2477 and Article 8, Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets and Facilities Where TRUs Operate

5.2.1.1 REGULATORY BACKGROUND

AAQS have been adopted at the state and federal levels for criteria air pollutants. In addition, both the state and federal government regulate the release of TACs. The Plan Area is in the SoCAB and is subject to the rules and regulations imposed by the South Coast AQMD as well as the California AAQS adopted by CARB and National AAQS adopted by the EPA. Federal, state, regional, and local laws, regulations, plans, or guidelines that are potentially applicable to the Specific Plan are summarized in this section.

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Federal and State

Ambient Air Quality Standards

The Clean Air Act was passed in 1963 by the US Congress and has been amended several times. The 1970 Clean Air Act amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including nonattainment requirements for areas not meeting National AAQS and the Prevention of Significant Deterioration program. The 1990 amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The Clean Air Act allows states to adopt more stringent standards or to include other pollution species. The California Clean Air Act, signed into law in 1988, requires all areas of the state to achieve and maintain the California AAQS by the earliest practical date. The California AAQS tend to be more restrictive than the National AAQS.

The National and California AAQS are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect “sensitive receptors” most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

Both California and the federal government have established health-based AAQS for seven air pollutants, which are shown in Table 5.2-2. These pollutants are ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), coarse inhalable particulate matter (PM₁₀), fine inhalable particulate matter (PM_{2.5}), and lead (Pb). In addition, the state has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

Table 5.2-2 Ambient Air Quality Standards for Criteria Air Pollutants

Pollutant	Averaging Time	California Standard ¹	Federal Primary Standard ²	Major Pollutant Sources
Ozone (O ₃) ³	1 hour	0.09 ppm	*	Motor vehicles, paints, coatings, and solvents.
	8 hours	0.070 ppm	0.070 ppm	
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm	
Nitrogen Dioxide (NO ₂)	Annual Arithmetic Mean	0.030 ppm	0.053 ppm	Motor vehicles, petroleum-refining operations, industrial sources, aircraft, ships, and railroads.
	1 hour	0.18 ppm	0.100 ppm	

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Table 5.2-2 Ambient Air Quality Standards for Criteria Air Pollutants

Pollutant	Averaging Time	California Standard ¹	Federal Primary Standard ²	Major Pollutant Sources
Sulfur Dioxide (SO ₂)	Annual Arithmetic Mean	*	0.030 ppm	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	1 hour	0.25 ppm	0.075 ppm	
	24 hours	0.04 ppm	0.14 ppm	
Respirable Coarse Particulate Matter (PM ₁₀)	Annual Arithmetic Mean	20 µg/m ³	*	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	24 hours	50 µg/m ³	150 µg/m ³	
Respirable Fine Particulate Matter (PM _{2.5}) ⁴	Annual Arithmetic Mean	12 µg/m ³	12 µg/m ³	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	24 hours	*	35 µg/m ³	
Lead (Pb)	30-Day Average	1.5 µg/m ³	*	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarter	*	1.5 µg/m ³	
	Rolling 3-Month Average	*	0.15 µg/m ³	
Sulfates (SO ₄) ⁵	24 hours	25 µg/m ³	*	Industrial processes.
Visibility Reducing Particles	8 hours	ExCo = 0.23/km visibility of 10≥ miles	No Federal Standard	Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt.
Hydrogen Sulfide	1 hour	0.03 ppm	No Federal Standard	Hydrogen sulfide (H ₂ S) is a colorless gas with the odor of rotten eggs. It is formed during bacterial decomposition of sulfur-containing organic substances. Also, it can be present in sewer gas and some natural gas, and can be emitted as the result of geothermal energy exploitation.

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Table 5.2-2 Ambient Air Quality Standards for Criteria Air Pollutants

Pollutant	Averaging Time	California Standard ¹	Federal Primary Standard ²	Major Pollutant Sources
Vinyl Chloride	24 hours	0.01 ppm	No Federal Standard	Vinyl chloride (chloroethene), a chlorinated hydrocarbon, is a colorless gas with a mild, sweet odor. Most vinyl chloride is used to make polyvinyl chloride (PVC) plastic and vinyl products. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites, due to microbial breakdown of chlorinated solvents.

Source: CARB 2016.

Notes: ppm: parts per million; µg/m³: micrograms per cubic meter

* Standard has not been established for this pollutant/duration by this entity.

¹ California standards for O₃, CO (except 8-hour Lake Tahoe), SO₂ (1 and 24 hour), NO₂, and particulate matter (PM₁₀, PM_{2.5}, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equalled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

² National standards (other than O₃, PM, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The O₃ standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For PM_{2.5}, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard.

³ On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

⁴ On December 14, 2012, the national annual PM_{2.5} primary standard was lowered from 15 µg/m³ to 12.0 µg/m³. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 µg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

⁵ On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. The 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

California has also adopted a host of other regulations that reduce criteria pollutant emissions:

- **AB 1493: Pavley Fuel Efficiency Standards.** Pavley I is a clean-car standard that reduces GHG emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) from 2009 through 2016. In January 2012, CARB approved the Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025.
- **SB 1078 and SB 107: Renewables Portfolio Standards.** A major component of California's Renewable Energy Program is the renewables portfolio standard (RPS) established under Senate Bills 1078 (Sher) and 107 (Simitian). Under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent in order to reach at least 20 percent by December 30, 2010.
- **California Code of Regulations (CCR), Title 20: Appliance Energy Efficiency Standards.** The 2006 Appliance Efficiency Regulations (20 CCR §§ 1601–1608) were adopted by the CEC on October 11, 2006, and approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances.

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- **24 CCR, Part 6: Building and Energy Efficiency Standards.** Energy conservation standards for new residential and non-residential buildings adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977.
- **24 CCR, Part 11: Green Building Standards Code.** Establishes planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.⁶

Tanner Air Toxics Act and Air Toxics Hot Spot Information and Assessment Act

Public exposure to TACs is a significant environmental health issue in California. In 1983, the California legislature enacted a program to identify the health effects of TACs and reduce exposure to them. The California Health and Safety Code defines a TAC as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health” (17 CCR § 93000). A substance that is listed as a hazardous air pollutant pursuant to Section 112(b) of the federal Clean Air Act (42 US Code § 7412[b]) is a toxic air contaminant. Under state law, the California Environmental Protection Agency, acting through CARB, is authorized to identify a substance as a TAC if it is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or may pose a present or potential hazard to human health.

California regulates TACs primarily through AB 1807 (Tanner Air Toxics Act) and AB 2588 (Air Toxics “Hot Spot” Information and Assessment Act of 1987). The Tanner Air Toxics Act set up a formal procedure for CARB to designate substances as TACs. Once a TAC is identified, CARB adopts an “airborne toxics control measure” for sources that emit that TAC. If there is a safe threshold for a substance (i.e., a point below which there is no toxic effect), the control measure must reduce exposure to below that threshold. If there is no safe threshold, the measure must incorporate “toxics best available control technology” to minimize emissions. To date, CARB has established formal control measures for 11 TACs that are identified as having no safe threshold.

Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the air quality management district or air pollution control district. High priority facilities are required to perform a health risk assessment, and if specific thresholds are exceeded, are required to communicate the results to the public through notices and public meetings.

CARB has promulgated the following specific rules to limit TAC emissions:

- **13 CCR Chapter 10 § 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.** Generally, restricts on-road diesel-powered commercial motor vehicles with a gross vehicle weight rating of greater than 10,000 pounds from idling more than five minutes.

⁶ The green building standards became mandatory in the 2010 edition of the code.

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- **13 CCR Chapter 10 § 2480: Airborne Toxic Control Measure to Limit School Bus Idling and Idling at Schools.** Generally restricts a school bus or transit bus from idling for more than five minutes when within 100 feet of a school.
- **13 CCR § 2477 and Article 8: Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets and Facilities Where TRUs Operate.** Regulations established to control emissions associated with diesel-powered TRUs.

Regional

Air Quality Management Planning

South Coast AQMD is the agency responsible for improving air quality in the SoCAB and ensuring that the National and California AAQS are attained and maintained. South Coast AQMD is responsible for preparing the air quality management plan (AQMP) for the SoCAB in coordination with the Southern California Association of Governments (SCAG). Since 1979, a number of AQMPs have been prepared.

2016 AQMP

On March 3, 2017, South Coast AQMD adopted the 2016 AQMP, which serves as an update to the 2012 AQMP. The 2016 AQMP addresses strategies and measures to attain the following National AAQS:

- 2008 National 8-hour ozone standard by 2031
- 2012 National annual PM_{2.5} standard by 2025⁷
- 2006 National 24-hour PM_{2.5} standard by 2019
- 1997 National 8-hour ozone standard by 2023
- 1979 National 1-hour ozone standard by year 2022

It is projected that total NO_x emissions in the SoCAB would need to be reduced to 150 tons per day (tpd) by year 2023 and to 100 tpd in year 2031 to meet the 1997 and 2008 federal 8-hour ozone standards. The strategy to meet the 1997 federal 8-hour ozone standard would also lead to attaining the 1979 federal 1-hour ozone standard by year 2022 (South Coast AQMD 2017), which requires reducing NO_x emissions in the SoCAB to 250 tpd. This is approximately 45 percent additional reductions above existing regulations for the 2023 ozone standard and 55 percent additional reductions to existing regulations to meet the 2031 ozone standard.

Reducing NO_x emissions would also reduce PM_{2.5} concentrations in the SoCAB. However, because the goal is to meet the 2012 federal annual PM_{2.5} standard no later than year 2025, South Coast AQMD is seeking to reclassify the SoCAB from “moderate” to “serious” nonattainment under this federal standard. A “moderate” nonattainment would require meeting the 2012 federal standard by no later than 2021.

Overall, the 2016 AQMP is composed of stationary and mobile-source emission reductions from regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile-source strategies, and

⁷ The 2016 AQMP requests a reclassification from moderate to serious nonattainment for the 2012 National PM_{2.5} standard.

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reductions from federal sources such as aircrafts, locomotives, and ocean-going vessels. Strategies outlined in the 2016 AQMP would be implemented in collaboration between CARB and the EPA (South Coast AQMD 2017).

2022 AQMP

On October 1, 2015, the EPA strengthened the National AAQS for ground-level ozone, lowering the primary and secondary ozone standard levels to 70 parts per billion (ppb). The SoCAB is classified as an “extreme” nonattainment area, and the Coachella Valley is classified as a “severe-15” nonattainment area for the 2015 Ozone National AAQS. South Coast AQMD is updating the AQMP to address the requirements for meeting this standard.

Lead Implementation Plan

In 2008, the EPA designated the Los Angeles County portion of the SoCAB as a nonattainment area under the federal lead (Pb) classification due to the addition of source-specific monitoring under the new federal regulation. This designation was based on two source-specific monitors in the City of Vernon and the City of Industry that exceeded the new standard in the 2007-to-2009 period. The remainder of the SoCAB, outside the Los Angeles County nonattainment area, remains in attainment of the new 2008 lead standard. On May 24, 2012, CARB approved the State Implementation Plan (SIP) revision for the federal lead standard, which the EPA revised in 2008. Lead concentrations in this nonattainment area have been below the level of the federal standard since December 2011. The SIP revision was submitted to the EPA for approval.

South Coast AQMD Rules and Regulations

All projects are subject to South Coast AQMD rules and regulations in effect at the time of activity, including:

- **Rule 401, Visible Emissions.** This rule is intended to prevent the discharge of pollutant emissions from an emissions source that results in visible emissions. Specifically, the rule prohibits the discharge of any air contaminant into the atmosphere by a person from any single source of emission for a period or periods aggregating more than three minutes in any one hour that is as dark as or darker than designated No. 1 on the Ringelmann Chart, as published by the US Bureau of Mines.
- **Rule 402, Nuisance.** This rule is intended to prevent the discharge of pollutant emissions from an emissions source that results in a public nuisance. Specifically, this rule prohibits any person from discharging quantities of air contaminants or other material from any source such that it would result in an injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. Additionally, the discharge of air contaminants would also be prohibited where it would endanger the comfort, repose, health, or safety of any number of persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.
- **Rule 403, Fugitive Dust.** This rule is intended to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (human-made) fugitive dust sources by requiring actions to

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prevent, reduce, or mitigate fugitive dust emissions. Rule 403 applies to any activity or human-made condition capable of generating fugitive dust and requires best available control measures to be applied to earth moving and grading activities.

- **Rule 445, Wood Burning Devices.** In general, the rule prohibits new developments from the installation of wood-burning devices. This rule is intended to reduce the emission of particulate matter from wood-burning devices and applies to manufacturers and sellers of wood-burning devices, commercial sellers of firewood, and property owners and tenants that operate a wood-burning device.
- **Rule 1113, Architectural Coatings.** This rule serves to limit the VOC content of architectural coatings used on projects in the South Coast AQMD. Any person who supplies, sells, offers for sale, or manufactures any architectural coating for use on projects in the South Coast AQMD must comply with the current VOC standards set in this rule.
- **Rule 1403, Asbestos Emissions from Demolition/Renovation Activities.** The purpose of this rule is to specify work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials. All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

5.2.1.2 EXISTING CONDITIONS

South Coast Air Basin

The Plan Area is in the SoCAB, which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SoCAB is in a coastal plain with connecting broad valleys and low hills and is bounded by the Pacific Ocean in the southwest quadrant, with high mountains forming the remainder of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. As a result, the climate is mild, tempered by cool sea breezes. This usually mild weather pattern is interrupted infrequently by periods of extremely hot weather, winter storms, and Santa Ana winds (South Coast AQMD 2005).

Meteorology

Temperature and Precipitation

The annual average temperature varies little throughout the SoCAB, ranging from the low to middle 60s, measured in degrees Fahrenheit (°F). With a more pronounced oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas. The climatological station nearest to the Plan Area that best represents the climatological conditions of the project area is the Santa Ana

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Fire Station, California Monitoring Station (ID 047888). The average low is reported at 43.1°F in January, and the average high is 84.7°F in August (WRCC 2022).

In contrast to a very steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all rain falls from November through May. Rainfall averages 13.69 inches per year in the vicinity of the Plan Area (WRCC 2020).

Humidity

Although the SoCAB has a semiarid climate, the air near the earth's surface is typically moist because of a shallow marine layer. This "ocean effect" is dominant except for infrequent periods when dry, continental air is brought into the SoCAB by offshore winds. Periods of heavy fog are frequent, especially along the coast. Low clouds, often referred to as high fog, are a characteristic climatic feature. Annual average humidity is 70 percent at the coast and 57 percent in the eastern portions of the SoCAB (South Coast AQMD 2005).

Wind

Wind patterns across the southern coastal region are characterized by westerly or southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is somewhat greater during the dry summer months than during the rainy winter season.

Between periods of wind, periods of air stagnation may occur in the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During the winter and fall months, surface high-pressure systems over the SoCAB, combined with other meteorological conditions, can result in very strong, downslope Santa Ana winds. These winds normally continue a few days before predominant meteorological conditions are reestablished.

The mountain ranges to the east inhibit the eastward transport and diffusion of pollutants. Air quality in the SoCAB generally ranges from fair to poor and is similar to air quality in most of coastal Southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions (South Coast AQMD 2005).

Inversions

In conjunction with the two characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which pollutants are mixed. These inversions are the marine/subsidence inversion and the radiation inversion. The height of the base of the inversion at any given time is known as the "mixing height." The combination of winds and inversions are critical determinants in leading to the highly degraded air quality in summer and the generally good air quality in the winter in the project area (South Coast AQMD 2005).

SoCAB Nonattainment Areas

The AQMP provides the framework for air quality basins to achieve attainment of the state and federal ambient air quality standards through the SIP. Areas are classified as attainment or nonattainment areas for

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particular pollutants depending on whether they meet the ambient air quality standards. Severity classifications for ozone nonattainment range in magnitude from marginal, moderate, and serious to severe and extreme.

- **Unclassified.** A pollutant is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment.
- **Attainment.** A pollutant is in attainment if the AAQS for that pollutant was not violated at any site in the area during a three-year period.
- **Nonattainment.** A pollutant is in nonattainment if there was at least one violation of an AAQS for that pollutant in the area.
- **Nonattainment/Transitional.** A subcategory of the nonattainment designation. An area is designated nonattainment/transitional to signify that the area is close to attaining the AAQS for that pollutant.

The attainment status for the SoCAB is shown in Table 5.2-3.

Table 5.2-3 Attainment Status of Criteria Air Pollutants in the South Coast Air Basin

Pollutant	State	Federal
Ozone – 1-hour	Extreme Nonattainment	No Federal Standard
Ozone – 8-hour	Extreme Nonattainment	Extreme Nonattainment
PM ₁₀	Serious Nonattainment	Attainment
PM _{2.5}	Nonattainment	Nonattainment ²
CO	Attainment	Attainment
NO ₂	Nonattainment (SR-60 Near Road only) ¹	Attainment/Maintenance
SO ₂	Attainment	Attainment
Lead	Attainment	Nonattainment (Los Angeles County only) ³
All others	Attainment/Unclassified	Attainment/Unclassified

Source: CARB 2022a.

¹ On February 21, 2019, CARB's Board approved the separation of the area that runs along State Route 60 corridor through portions of Riverside, San Bernardino, and Los Angeles counties from the remainder of the SoCAB for State nonattainment designation purposes. The Board designated this corridor as nonattainment. The remainder of the SoCAB remains in attainment for NO₂ (CARB 2019). CARB is proposing to redesignate SR-60 Near-Road Portion of San Bernardino, Riverside, and Los Angeles Counties in the SoCAB as attainment for NO₂ at the February 24, 2022 Board Hearing (CARB 2022c).

² The SoCAB is pending a resignation request from nonattainment to attainment for the 24-hour federal PM_{2.5} standards. The 2021 PM_{2.5} Redesignation Request and Maintenance Plan demonstrates that the South Coast meets the requirements of the CAA to allow US EPA to redesignate the SoCAB to attainment for the 65 µg/m³ and 35 µg/m³ 24-hour PM_{2.5} standards. CARB will submit the 2021 PM_{2.5} Redesignation Request to the US EPA as a revision to the California SIP (CARB 2021).

³ In 2010, the Los Angeles portion of the SoCAB was designated nonattainment for lead under the new 2008 federal AAQS as a result of large industrial emitters. Remaining areas in the SoCAB are unclassified.

Multiple Air Toxics Exposure Study IV

The Multiple Air Toxics Exposure Study (MATES) is a monitoring and evaluation study on existing ambient concentrations of TACs and the potential health risks from air toxics in the SoCAB. In April 2021, South Coast AQMD released the latest update to the MATES study, MATES V. The first MATES analysis, MATES I, began in 1986 but was limited because of the technology available at the time. Conducted in 1998, MATES II was the first MATES iteration to include a comprehensive monitoring program, an air toxics emissions

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inventory, and a modeling component. MATES III was conducted in 2004 to 2006, with MATES IV following in 2012 to 2013.

MATES V uses measurements taken during 2018 and 2019, with a comprehensive modeling analysis and emissions inventory based on 2018 data. The previous MATES studies quantified the cancer risks based on the inhalation pathway only. MATES V includes information on the chronic noncancer risks from inhalation and non-inhalation pathways for the first time. Cancer risks and chronic noncancer risks from MATES II through IV measurements have been re-examined using current Office of Environmental Health Hazards Assessment and CalEPA risk assessment methodologies and modern statistical methods to examine the trends over time.

The MATES V study showed that cancer risk in the SoCAB decreased to 454 in a million from 997 in a million in the MATES IV study. Overall, air toxics cancer risk in the SoCAB decreased by 54 percent since 2012 when MATES IV was conducted. MATES V showed the highest risk locations near the Los Angeles International Airport and the Ports of Long Beach and Los Angeles. DPM continues to be the major contributor to air toxics cancer risk (approximately 72 percent of the total cancer risk). Goods movement and transportation corridors have the highest cancer risk. Transportation sources account for 88 percent of carcinogenic air toxics emissions, and the remainder is from stationary sources, which include large industrial operations such as refineries and power plants as well as smaller businesses such as gas stations and chrome-plating facilities. (South Coast AQMD 2021a).

Existing Ambient Air Quality

Existing levels of ambient air quality and historical trends and projections in the vicinity of the Plan Area are best documented by measurements taken by the South Coast AQMD. The Plan Area is within Source Receptor Area (SRA) 17: Central Orange County.⁸ The air quality monitoring station closest to the Plan Area is the Anaheim-Pampas Lane Monitoring Station, which is one of 31 monitoring stations South Coast AQMD operates and maintains within the SoCAB.⁹ Data from this station includes O₃, NO₂, PM₁₀ and PM_{2.5} as summarized in Table 5.2-4. The data show that the area regularly exceeds the state and federal one-hour and eight-hour O₃ standards the within the last five recorded years. Additionally, the area has regularly exceeded the state PM₁₀ standards and the federal PM_{2.5} standard.

Table 5.2-4 Ambient Air Quality Monitoring Summary

Pollutant/Standard	Number of Days Thresholds Were Exceeded and Maximum Levels ¹				
	2016	2017	2018	2019	2020
Ozone (O₃)					
State 1-Hour ≥ 0.09 ppm (days exceed threshold)	2	0	1	1	6
Federal 8-Hour > 0.075 ppm (days exceed threshold)	0	2	0	1	4
Max. 1-Hour Conc. (ppm)	0.103	0.090	0.112	0.096	0.142

⁸ Per South Coast AQMD Rule 701, an SRA is defined as follows: "A source area is that area in which contaminants are discharged and a receptor area is that area in which the contaminants accumulate and are measured. Any of the areas can be a source area, a receptor area, or both a source and receptor area". There are 37 SRAs within the South Coast AQMD's jurisdiction.

⁹ Locations of the SRAs and monitoring stations are shown here: <http://www.aqmd.gov/docs/default-source/default-document-library/map-of-monitoring-areas.pdf>.

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Table 5.2-4 Ambient Air Quality Monitoring Summary

Pollutant/Standard	Number of Days Thresholds Were Exceeded and Maximum Levels ¹				
	2016	2017	2018	2019	2020
Max. 8-Hour Conc. (ppm)	0.074	0.076	0.071	0.082	0.097
Nitrogen Dioxide (NO₂)					
State 1-Hour ≥ 0.18 ppm (days exceed threshold)	0	0	0	0	0
Max. 1-Hour Conc. (ppm)	0.0643	0.0812	0.0660	0.0594	0.0709
Coarse Particulates (PM₁₀)					
State 24-Hour > 50 µg/m ³ (days exceed threshold)	3	5	2	4	5
Federal 24-Hour > 150 µg/m ³ (days exceed threshold)	0	0	0	0	0
Max. 24-Hour Conc. (µg/m ³)	74.0	95.7	94.6	127.6	74.8
Fine Particulates (PM_{2.5})					
Federal 24-Hour > 35 µg/m ³ (days exceed threshold)	1	7	7	4	12
Max. 24-Hour Conc. (µg/m ³)	44.4	53.9	63.1	36.1	60.2

Source: CARB 2022d.
Notes: ppm = parts per million; ppb = parts per billion; µg/m³ = micrograms per cubic meter; * = Data not available
¹ Data obtained from the Anaheim – Pampas Lane Monitoring Station for O₃, NO₂, PM₁₀ and PM_{2.5}.

Existing Emissions

Table 5.2-5, *Westminster Mall Existing Criteria Air Pollutant Emissions*, summarizes existing emissions associated with the daily operations of Westminster Mall. The existing mall currently generates criteria air pollutant emissions from natural gas use for energy, heating and cooking, vehicle trips associated with employees, vendors, and visitors to the mall, and area sources such as landscaping equipment and consumer cleaning products.

Table 5.2-5 Westminster Mall Existing Criteria Air Pollutant Emissions

Phase	Operation-Related Regional Emissions (pounds/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	32	<1	1	<1	<1	<1
Energy	<1	1	1	<1	<1	<1
Mobile ¹	42	169	518	2	156	43
Total	74	169	519	2	156	43

Sources: CalEEMod Version 2016.3.2.25; Fehr and Peers 2020.

Notes: Based on highest winter or summer emissions.

¹ Based on year 2020 emission factors. Approximately 23,900 average daily trips are assumed for weekdays, 27,204 for Saturday, and 6,672 for Sunday.

Sensitive Receptors

Some land uses are considered more sensitive to air pollution (i.e., toxic air contaminants) than others due to the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases.

Residential areas are also considered sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants

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present. Other sensitive receptors include retirement facilities, hospitals, and schools. Recreational land uses are considered moderately sensitive to air pollution. Although exposure periods are generally short, exercise places a high demand on respiratory functions, which can be impaired by air pollution. In addition, noticeable air pollution can detract from the enjoyment of recreation. Industrial, commercial, retail, and office areas are considered the least sensitive to air pollution. Exposure periods are relatively short and intermittent, because the majority of the workers tend to stay indoors most of the time. In addition, the workforce is generally the healthiest segment of the population.

The nearest off-site sensitive receptors to the Plan Area include residences to the west along Edwards Street and to the south along Bolsa Avenue.

5.2.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- AQ-1 Conflict with or obstruct implementation of the applicable air quality plan.
- AQ-2 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.
- AQ-3 Expose sensitive receptors to substantial pollutant concentrations.
- AQ-4 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

5.2.2.1 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT THRESHOLDS

CEQA allows the significance criteria established by the applicable air quality management or air pollution control district to be used to assess impacts of a project on air quality. South Coast AQMD has established thresholds of significance for regional air quality emissions for construction activities and project operation based on substantial evidence.

Regional Significance Thresholds

South Coast AQMD has adopted regional construction and operational emissions thresholds to determine a project's cumulative impact on air quality in the SoCAB, shown in Table 5.2-6. The table lists thresholds that are applicable for all projects uniformly, regardless of size or scope. There is growing evidence that although ultrafine particulate matter contributes a very small portion of the overall atmospheric mass concentration, it represents a greater proportion of the health risk from PM. However, the EPA and CARB have not adopted AAQS to regulate ultrafine particulate matter; therefore, South Coast AQMD has not developed thresholds for them.

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Table 5.2-6 South Coast AQMD Significance Thresholds

Air Pollutant	Construction Phase	Operational Phase
Reactive Organic Gases (ROGs)/Volatile Organic Compounds (VOCs)	75 lbs/day	55 lbs/day
Nitrogen Oxides (NO _x)	100 lbs/day	55 lbs/day
Carbon Monoxide (CO)	550 lbs/day	550 lbs/day
Sulfur Oxides (SO _x)	150 lbs/day	150 lbs/day
Particulates (PM ₁₀)	150 lbs/day	150 lbs/day
Particulates (PM _{2.5})	55 lbs/day	55 lbs/day

Source: South Coast AQMD 2019.

Projects that exceed the regional significance threshold contribute to the nonattainment designation of the SoCAB. The attainment designations are based on the AAQS, which are set at levels of exposure that are determined to not result in adverse health effects. Exposure to fine particulate pollution and ozone causes myriad health impacts, particularly to the respiratory and cardiovascular systems:

- Increases cancer risk (PM_{2.5}, TACs)
- Aggravates respiratory disease (O₃, PM_{2.5})
- Increases bronchitis (O₃, PM_{2.5})
- Causes chest discomfort, throat irritation, and increased effort to take a deep breath (O₃)
- Reduces resistance to infections and increases fatigue (O₃)
- Reduces lung growth in children (PM_{2.5})
- Contributes to heart disease and heart attacks (PM_{2.5})
- Contributes to premature death (O₃, PM_{2.5})
- Contributes to lower birth weight in newborns (PM_{2.5}) (South Coast AQMD 2000)

Exposure to fine particulates and ozone aggravates asthma attacks and can amplify other lung ailments such as emphysema and chronic obstructive pulmonary disease. Exposure to current levels of PM_{2.5} is responsible for an estimated 4,300 cardiopulmonary-related deaths per year in the SoCAB. In addition, University of Southern California scientists, in a landmark children's health study, found that lung growth improved as air pollution declined for children aged 11 to 15 in five communities in the SoCAB (South Coast AQMD 2015).

South Coast AQMD is the primary agency responsible for ensuring the health and welfare of sensitive individuals exposed to elevated concentrations of air pollutants in the SoCAB and has established thresholds that would be protective of these individuals. To achieve the health-based standards established by the EPA, South Coast AQMD prepares an AQMP that details regional programs to attain the AAQS. Mass emissions in Table 5.2-6 are not correlated with concentrations of air pollutants but contribute to the cumulative air quality impacts in the SoCAB. The thresholds are based on the trigger levels for the federal New Source Review (NSR) Program. The NSR Program was created to ensure projects are consistent with attainment of health-based federal AAQS. Regional emissions from a single project do not single-handedly trigger a regional health impact, and it is speculative to identify how many more individuals in the air basin would be affected by the health effects listed above. Projects that do not exceed the South Coast AQMD regional significance

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thresholds in Table 5.2-6 would not violate any air quality standards or contribute substantially to an existing or projected air quality violation.

If projects exceed the emissions in Table 5.2-6, emissions would cumulatively contribute to the nonattainment status and would contribute in elevating health effects associated to these criteria air pollutants. Known health effects related to ozone include worsening of bronchitis, asthma, and emphysema and a decrease in lung function. Health effects associated with particulate matter include premature death of people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, decreased lung function, and increased respiratory symptoms. Reducing emissions would further contribute to reducing possible health effects related to criteria air pollutants. However, for projects that exceed the emissions in Table 5.2-6, it is speculative to determine how exceeding the regional thresholds would affect the number of days the region is in nonattainment since mass emissions are not correlated with concentrations of emissions or how many additional individuals in the air basin would be affected by the health effects cited above.

South Coast AQMD has not provided methodology to assess the specific correlation between mass emissions generated and the effect on health in order to address the issue raised in *Sierra Club v. County of Fresno* (Friant Ranch, L.P.) (2018) 6 Cal.5th 502, Case No. S21978. Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level ozone concentrations in relation to the National AAQS and California AAQS, it is not possible to link health risks to the magnitude of emissions exceeding the significance thresholds. However, if a project in the SoCAB exceeds the regional significance thresholds, the project could contribute to an increase in health effects in the basin until such time the attainment standard are met in the SoCAB.

CO Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to ambient air quality standards is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. With the turnover of older vehicles and introduction of cleaner fuels, as well as implementation of control technology on industrial facilities, CO concentrations in the SoCAB and the state have steadily declined.

In 2007, the SoCAB was designated in attainment for CO under both the California AAQS and National AAQS. The CO hotspot analysis conducted for the attainment by South Coast AQMD did not predict a violation of CO standards at the busiest intersections in Los Angeles during the peak morning and afternoon periods.¹⁰ As identified in South Coast AQMD's 2003 AQMP and the 1992 Federal Attainment Plan for

¹⁰ The four intersections were: Long Beach Boulevard and Imperial Highway; Wilshire Boulevard and Veteran Avenue; Sunset Boulevard and Highland Avenue; and La Cienega Boulevard and Century Boulevard. The busiest intersection evaluated (Wilshire and Veteran) had a daily traffic volume of approximately 100,000 vehicles per day with LOS E in the morning peak hour and LOS F in the evening peak hour.

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Carbon Monoxide (1992 CO Plan), peak carbon monoxide concentrations in the SoCAB in years before redesignation were a result of unusual meteorological and topographical conditions and not of congestion at a particular intersection (South Coast AQMD 1992; South Coast AQMD 2003). Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact (BAAQMD 2017).¹¹

Localized Significance Thresholds

South Coast AQMD identifies localized significance thresholds (LST), shown in Table 5.2-7. Emissions of NO₂, CO, PM₁₀, and PM_{2.5} generated at a project site could expose sensitive receptors to substantial concentrations of criteria air pollutants. Off-site mobile-source emissions are not included in the LST analysis. A project would generate a significant impact if it generates emissions that would violate the AAQS, when added to the local background concentrations.

Table 5.2-7 South Coast AQMD Localized Significance Thresholds

Air Pollutant (Relevant AAQS)	Concentration
1-Hour CO Standard (CAAQS)	20 ppm
8-Hour CO Standard (CAAQS)	9.0 ppm
1-Hour NO ₂ Standard (CAAQS)	0.18 ppm
Annual NO ₂ Standard (CAAQS)	0.03 ppm
24-Hour PM ₁₀ Standard – Construction (South Coast AQMD) ¹	10.4 µg/m ³
24-Hour PM _{2.5} Standard – Construction (South Coast AQMD) ¹	10.4 µg/m ³
24-Hour PM ₁₀ Standard – Operation (South Coast AQMD) ¹	2.5 µg/m ³
24-Hour PM _{2.5} Standard – Operation (South Coast AQMD) ¹	2.5 µg/m ³
Annual Average PM ₁₀ Standard (South Coast AQMD) ¹	1.0 µg/m ³

Source: South Coast AQMD 2019.

ppm – parts per million; µg/m³ – micrograms per cubic meter

¹ Threshold is based on South Coast AQMD Rule 403. Since the SoCAB is in nonattainment for PM₁₀ and PM_{2.5}, the threshold is established as an allowable change in concentration. Therefore, background concentration is irrelevant.

Health Risk

Whenever a project would require use of chemical compounds that have been identified in South Coast AQMD Rule 1401, placed on CARB's air toxics list pursuant to AB 1807, or placed on the EPA's National Emissions Standards for Hazardous Air Pollutants, a health risk assessment is required by the South Coast AQMD. Table 5.2-8 lists the TAC incremental risk thresholds for operation of a project. The purpose of this environmental evaluation is to identify the significant effects of the proposed project on the environment,

¹¹ The CO hotspot analysis refers to the modeling conducted by the Bay Area Air Quality Management District for its CEQA Guidelines because it is based on newer data and considers the improvement in mobile-source CO emissions. Although meteorological conditions in the Bay Area differ from those in the Southern California region, the modeling conducted by BAAQMD demonstrates that the net increase in peak hour traffic volumes at an intersection in a single hour would need to be substantial. This finding is consistent with the CO hotspot analysis South Coast AQMD prepared as part of its 2003 AQMP to provide support in seeking CO attainment for the SoCAB. Based on the analysis prepared by South Coast AQMD, no CO hotspots were predicted for the SoCAB. As noted in the preceding footnote, the analysis included some of Los Angeles' busiest intersections, with daily traffic volumes of 100,000 or more peak hour vehicle trips operating at LOS E and F.

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not the significant effects of the environment on the proposed project. *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478). However, the environmental document must analyze the impacts of environmental hazards on future users when a proposed project exacerbates an existing environmental hazard or condition. Residential, commercial, and office uses do not use substantial quantities of TACs and typically do not exacerbate existing hazards, so these thresholds are typically applied to new industrial projects.

Table 5.2-8 South Coast AQMD Toxic Air Contaminants Incremental Risk Thresholds

Maximum Incremental Cancer Risk	≥ 10 in 1 million
Cancer Burden (in areas ≥ 1 in 1 million)	> 0.5 excess cancer cases
Hazard Index (project increment)	≥ 1.0

Source: South Coast AQMD 2019.

5.2.3 Plans, Programs, and Policies

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for air quality impacts are identified below.

- PPP AIR-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2019 Building and Energy Efficiency Standards became effective January 1, 2020. The Building Energy and Efficiency Standards and CALGreen are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.
- PPP AIR-2 New buildings are required to adhere to the California Green Building Standards Code (CALGreen) requirement to provide bicycle parking for new non-residential buildings, or meet local bicycle parking ordinances, whichever is stricter (CALGreen Sections 5.106.4.1, 14.106.4.1, and 5.106.4.1.2).
- PPP AIR-3 Construction activities will be conducted in compliance with California Code of Regulations Title 13 Section 2449, which requires that nonessential idling of construction equipment is restricted to five minutes or less.
- PPP AIR-4 Construction activities will be conducted in compliance with any applicable South Coast Air Quality Management District rules and regulations, including but not limited to:
- **Rule 403**, Fugitive Dust, for controlling fugitive dust and avoiding nuisance.
 - **Rule 402**, Nuisance, which states that a project 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

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public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”

- **Rule 1113**, which limits the volatile organic compound content of architectural coatings.

Project Design Features

The Westminster Mall Specific Plan includes the following Project Design Features (PDFs), from Chapter 5 and Chapter 7 of the WMSP, that have the potential to reduce criteria air pollutant emissions.

Section 5.2.9 Objective Building Design

PDF-1 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.

Section 5.2.12 Affordable Housing Requirement

PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.

Section 5.2.15 Open Space Requirement

PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.

Section 5.2.18 Lighting

PDF-4 Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.

Section 5.2.28 Parking Standards

PDF-5 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.

PDF-6 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.

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Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment

PDF-7 All projects with new construction or that will generate more than 50 peak hour trips will be required to:

- The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy.
- The applicant shall submit for the approval of the City Traffic Engineer a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements.
- A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly accessible in order to be added to the district's pool of shared parking.

Section 7.3.6 Sustainability

PDF-8 All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.

5.2.4 Environmental Impacts

5.2.4.1 METHODOLOGY

This air quality evaluation was prepared in accordance with the requirements of CEQA to determine if significant air quality impacts are likely to occur in conjunction with future development that would be accommodated by the Specific Plan. South Coast AQMD's *CEQA Air Quality Handbook* (Handbook) and updates on its website are intended to provide local governments with guidance for analyzing and mitigating project-specific air quality impacts. The Handbook provides standards, methodologies, and procedures for conducting air quality analyses in EIRs, and they were used in this analysis.

Air pollutant emissions are calculated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2.25. CalEEMod compiles an emissions inventory of construction (fugitive dust, off-gas emissions, on-road emissions, and off-road emissions), area sources, indirect emissions from energy use, mobile sources, indirect emissions from waste disposal (annual only), and indirect emissions from water/wastewater (annual only). Construction criteria air pollutant emissions modeling is included in Appendix 5.2 of this Draft EIR.

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The calculated emissions of the project are compared to thresholds of significance for individual projects using the South Coast AQMD's Handbook. Following is a summary of the assumptions used for the Specific Plan analysis.

Construction Phase

Construction would entail demolition of existing asphalt, site preparation, grading, off-site hauling of demolition debris and earthwork material, construction of the proposed structures and buildings, architectural coating, and asphalt paving on up to 92 acres of the 102-acre Westminster Mall. Construction emissions for the Specific Plan are an estimate only as there is no plan for individual projects at this time. One of the challenges of redevelopment of the site is that it is owned by five different owners, each with their own priorities, timing or site constraints. New projects within the Plan Area would be constructed based on market demand and must be reviewed and agreed to by the Mall ownership prior to submittal to the City for review. Therefore, project-related construction emissions are based on the CalEEMod default values with a start date of January 2021 to reflect the potential for multiple development project to occur at any time. However, the vertical building construction was extended to 2040 parallel the overall development horizon contemplated within the Specific Plan. Paving and architectural coating phase duration reflects 25 percent of the overall vertical building construction timeline, consistent with the CalEEMod User's Manual.

Operational Phase

- **Transportation.** Daily vehicle miles traveled (VMT) and average daily trip (ADT) generation was provided by Fehr & Peers for the existing Westminster Mall and the Specific Plan. The existing mall is assumed to be only at 50 percent occupancy. Because the mall has historically had higher occupancy than current levels, impact of the Specific Plan are conservative. Project-related on-road criteria air pollutant emissions are based on year 2020 emission rates for existing conditions and 2040 emission rates for the project buildout year. The primary source of mobile criteria air pollutant emissions is tailpipe exhaust emissions from the combustion of fuel (i.e., gasoline and diesel). Additionally, for criteria air pollutants, brake and tire wear and fugitive dust from vehicles traveling roadways also generate particulate matter.
- **Area Sources.** Area source emissions from use of consumer cleaning products, landscaping equipment, and VOC emissions from paints are based on CalEEMod default values and the square footage of the proposed buildings, parking structures, and surface parking lot areas.
- **Energy.** Criteria air pollutant emissions from energy use (natural gas used for cooking, heating, etc.) are based on the CalEEMod defaults for natural gas usage for residential and nonresidential land uses. The existing Westminster Mall was constructed in the early 1970s. As a result, the historical building energy use in CalEEMod was selected. New buildings are modeled to comply with the 2019 Building Energy Efficiency Standards for nonresidential buildings, which include residential structures that are four stories or taller. Buildings would be 30 percent more energy efficient for nonresidential buildings than the 2016 Building Energy Efficiency Standards. Criteria air pollutant emissions from energy use are associated with natural gas used for heating.

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5.2.1.1 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.2-1: The Westminster Mall Specific Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the SoCAB and would conflict with the assumptions of the applicable AQMP. [Threshold AQ-1].

CEQA requires that projects be evaluated for consistency with the AQMP. A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the AQMP. It fulfills the CEQA goal of informing decision makers of the environmental effects of a project under consideration at a stage early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals of the AQMP.

The two principal criteria for conformance with an AQMP are:

1. Whether the project would exceed the assumptions in the AQMP.
2. Whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timeline attainment of air quality standards

The regional emissions inventory for the SoCAB is compiled by South Coast AQMD and SCAG. Regional population, housing, and employment projections developed by SCAG are based, in part, on the local jurisdictions' general plan land use designations. These projections form the foundation for the emissions inventory of the AQMP. These demographic trends are incorporated into the Regional Transportation Plan/Sustainable Communities Strategy, prepared by SCAG to determine priority transportation projects and VMT in the SCAG region. Projects that are consistent with the local general plan are considered consistent with the air quality-related regional plan. Typically, only new or amended general plan elements, specific plans, and major projects that have the potential to affect the regional population and employment forecasts need to undergo a consistency review.

Criteria 1

Per CEQA Guideline Section 15206, WMSP is considered regionally significant by SCAG. Changes in the population, housing, or employment growth projections associated with this project have the potential to substantially affect SCAG's demographic projections and therefore the assumptions in South Coast AQMD's AQMP. WMSP would result in an increase in population and employment in the WMSP area. Because regional transportation modeling is based on the underlying general plan land use designation, WMSP could potentially change the assumptions of the AQMP. Therefore, the Specific Plan would be considered inconsistent with the AQMP under the first criterion.

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Criterion 2

The AQMP ensures that the region is on track to attain the California and federal AAQS. When a project has the potential to exceed the assumptions of the AQMP because it is more intensive than the underlying land use designation, criteria air pollutants generated during operation of development that would be accommodated by that project are compared to South Coast AQMD's regional significance thresholds (see Impact 5.2-2 and Impact 5.2-3), which were established to determine whether a project has the potential to cumulatively contribute to the SoCAB's nonattainment designations. Development that would be accommodated by the WMSP would exceed South Coast AQMD's regional operational thresholds. As a result, the Specific Plan could potentially exceed the assumptions in the AQMP and would not be considered consistent with the AQMP. Therefore, overall, the Specific Plan would be considered inconsistent with the AQMP under the second criterion.

Summary

WMSP would be consistent with SCAG's regional goals of providing infill housing, improving the jobs-housing balance, and integrating land uses near major transportation corridors. WMSP would also encourage a greater mix of uses. As seen above, the Specific Plan would include a number of project design features, including affordable housing (which typically have fewer trips and lower VMT) and expanding multimodal transportation options through enhanced pedestrian and bicycle connectivity under the WMSP Mobility Plan. Implementation of WMSP would result in a decrease in VMT per service population (SP) from 72.78 VMT/SP to 28.07 VMT/SP (see Section 5.4, Table 5.4-7, *Westminster Mall Specific Plan Project-Generated VMT*), which is consistent with regional goals to reduce passenger VMT.

However, despite furthering the regional transportation and planning objectives, WMSP would represent a substantial increase in emissions compared to existing conditions and would exceed South Coast AQMD's regional operational significance thresholds (see Impact 5.2-3). In addition, implementation of the Specific Plan would cause the Plan Area to exceed its population and employment estimates from the AQMP. As a result, WMSP could potentially exceed the assumptions in the AQMP and would not be considered consistent with the AQMP. Consequently, impacts would be potentially significant.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.2-2: Construction activities associated with the Westminster Mall Specific Plan would generate short-term emissions that exceed South Coast AQMD's threshold criteria. [Thresholds AQ-2 and AQ-3]

Construction activities would temporarily increase PM₁₀, PM_{2.5}, VOC, NO_x, SO_x, and CO regional emissions in the SoCAB. Construction activities associated with buildout of WMSP are anticipated to occur sporadically over approximately 19 years or more. Buildout would consist of multiple smaller projects undertaken by individual developers/project applicants, each having its own construction timeline and activities. Development of multiple properties could occur at the same time; however, there is no defined development schedule for future projects at this time. For this analysis, the maximum daily emissions are based on a very conservative scenario, where several construction projects throughout the WMSP area would occur at the

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same time, and all construction phases would overlap. The amount of construction assumed is consistent with the approximately 19-year anticipated buildout of the WMSP area.

An estimate of maximum daily construction emissions is provided in Table 5.2-9, *Estimate of Regional Construction Emissions in the Westminster Mall Area Specific Plan*. As shown in the table, construction activities associated with the Specific Plan could potentially exceed the South Coast AQMD regional thresholds for NO_x. The primary source of NO_x emissions is exhaust from vehicles and construction equipment. NO_x is a precursor to the formation of both O₃ and particulate matter (PM₁₀ and PM_{2.5}). Project-related emissions of NO_x would contribute to the O₃, NO₂, PM₁₀, and PM_{2.5} nonattainment designations of the SoCAB. Therefore, project-related construction activities would result in significant regional air quality impacts. Because cumulative development within WMSP would exceed the regional significance thresholds, construction of the project could contribute to an increase in health effects in the basin until such time as the attainment standards are met.

Table 5.2-9 Estimate of Regional Construction Emissions in the Westminster Mall Area Specific Plan.

Construction Phase ¹	Criteria Air Pollutants (lbs/day) ²					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Demolition and Demolition Haul ³	4	59	33	<1	12	3
Site Preparation	4	41	22	<1	10	6
Grading	4	47	32	<1	6	3
Building Construction	27	167	209	1	63	18
Paving	1	13	15	<1	1	1
Architectural Coatings	22	4	33	<1	11	3
Maximum Daily Construction Emissions						
Worst Case Daily Construction Emissions ⁴	63	331	343	1	102	35
South Coast AQMD Regional Construction Threshold	75	100	550	150	150	55
Exceeds Threshold?	No	Yes	No	No	No	No

Source: CalEEMod Version 2016.3.2.25, South Coast AQMD 2008; South Coast AQMD 2011. Highest winter or summer emissions are reported.

Emissions totals may not equal 100 percent due to rounding.

¹ Construction equipment mix based on CalEEMod default construction mix. See Appendix 5.2 for a list of assumptions on emissions generated on a worst-case day.

² Grading includes compliance with South Coast AQMD Rule 403 fugitive dust control measures. Measures include requiring an application of water at least twice per day to at least 80 percent of the unstable, disturbed, on-site surface areas; replacing disturbed ground cover quickly; and restricting speeds on unpaved roads to less than 15 miles per hour. Modeling also assumes a VOC of 50 g/L for interior and 100 g/L for exterior paints pursuant to South Coast AQMD Rule 1113.

³ Approximately 75 percent of the existing 1,360,000 square feet structures and approximately 68.55 acres of asphalt would be demolished. Modeling assumes 50 percent of the asphalt demolition materials would be reused onsite as aggregate base.

⁴ Based on overlap of all phases.

Emissions exceeding the South Coast AQMD thresholds would cumulatively contribute to the nonattainment status of the SoCAB and would contribute in elevating health effects associated to these criteria air pollutants. Known health effects related to ozone include worsening of bronchitis, asthma, and emphysema and a decrease in lung function. Health effects associated with particulate matter include premature death of people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, decreased lung function, and increased respiratory symptoms. Reducing emissions would further contribute to reducing possible health effects related to criteria air pollutants. Because attainment plans and supporting air model tools are regional in nature, they are not typically used to evaluate the impacts to ambient concentrations of criteria air pollutants, or to correlate those impacts to the potential resultant impacts to public health effects, from an individual

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project.¹² As a result, although operation emissions would exceed the South Coast AQMD thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5}, it is speculative to determine how exceeding the regional thresholds would affect the number of days the region is in nonattainment since mass emissions are not correlated with concentrations of emissions or how many additional individuals in the air basin would be affected by the health effects cited above.

The South Coast AQMD is the primary agencies responsible for ensuring the health and welfare of sensitive individuals to elevated concentrations of air quality in the SoCAB and at the present time, it has not provided methodology to assess the specific correlation between mass emissions generated and the effect on health in order to address the issue raised in *Sierra Club v. County of Fresno (Friant Ranch, L.P.)* (2018) 6 Cal.5th 502, Case No. S21978 (Friant Ranch). Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level ozone concentrations in relation to the National AAQS and California AAQS, the usefulness of applying the available models accurately link health risks to the magnitude of emissions exceeding the significance thresholds for project-level analyses is limited.¹³ To achieve the health-based standards established by the US EPA, the air districts prepare air quality management plans that details regional programs to attain the AAQS. Nonetheless, the Specific Plan would contribute to an increase in health effects in the basin until such time the attainment standards are met in the SoCAB.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.2-3: Long-term operation of the Westminster Mall Specific Plan would generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria. [Thresholds AQ-3]

Regional Operational Emissions

Buildout of the Specific Plan would generate an increase in criteria air pollutant emissions from transportation (i.e., vehicle trips), area sources (e.g., landscaping equipment, architectural coating), and energy (i.e., natural gas used for heating and cooking). As shown in Table 5.2-10, *Westminster Mall Specific Plan Regional Operation Emissions*, the net change in maximum daily emissions from operation-related activities would exceed their respective South Coast AQMD regional significance threshold values except for the SO₂ and PM_{2.5} thresholds. Therefore, impacts to the regional air quality associated with operation of the project would be potentially significant.

¹² Generally, models that correlate criteria air pollutant concentrations with specific health effects focus on regulatory decision-making that will apply throughout an entire air basin or region. These models focus on the regionwide health effects of pollutants so that regulators can assess the costs and benefits of adopting a proposed regulation that applies to an entire category of air pollutant sources, rather than the health effects related to emissions from a specific proposed project or source. Because of the scale of these analyses, any one project is likely to have only very small incremental effects which may be difficult to differentiate from the effects of air pollutant concentrations in an entire air basin.

¹³ For regional pollutants, it is difficult to trace a particular project's criteria air pollutant emissions to a specific health effect. Moreover, the modeled results may be misleading because the margin of error in such modeling is large enough that, even if the modeled results report a given health effect, the model is sufficiently imprecise that the actual effect may differ from the reported results; that is, the modeled results suggest precision, when in fact available models cannot be that precise on a project level.

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Source	Maximum Daily Emissions (lbs/Day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Existing Westminster Mall (2040)						
Area	32	<1	1	<1	<1	<1
Energy	<1	1	1	<1	<1	<1
Mobile	29	63	305	1	154	42
Total	62	64	306	1	154	42
Project Emissions (2040)						
Area	107	3	247	<1	1	1
Energy	1	10	5	<1	1	1
Mobile	86	379	959	3	279	77
Total	194	392	1,211	3	281	79
Net Emissions						
Area	75	3	246	<1	1	1
Energy	1	10	5	<1	1	1
Mobile	56	316	642	2	125	35
Total Net Change	132	328	894	2	127	38
South Coast AQMD Regional Threshold	55	55	550	150	150	55
Exceeds Threshold?	Yes	Yes	Yes	No	Yes	No

Source: CalEEMod Version 2016.3.2.25. Highest winter or summer emissions are reported.

Notes: lbs: Pounds.

Health Impacts

Emissions exceeding the South Coast AQMD thresholds would cumulatively contribute to the nonattainment status of the SoCAB and would contribute to elevating health effects associated to these criteria air pollutants. Known health effects related to ozone include worsening of bronchitis, asthma, and emphysema and a decrease in lung function. Health effects associated with particulate matter include premature death of people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, decreased lung function, and increased respiratory symptoms. Reducing emissions would further contribute to reducing possible health effects related to criteria air pollutants. Because attainment plans and supporting air model tools are regional in nature, they are not typically used to evaluate the impacts to ambient concentrations of criteria air pollutants, or to correlate those impacts to the potential resultant impacts to public health effects, from an individual project.¹⁴ As a result, although operation emissions would exceed the South Coast AQMD thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5}, it is speculative to determine how exceeding the regional thresholds would affect the number of days the region is in nonattainment since mass emissions are not

¹⁴ Generally, models that correlate criteria air pollutant concentrations with specific health effects focus on regulatory decision-making that will apply throughout an entire air basin or region. These models focus on the regionwide health effects of pollutants so that regulators can assess the costs and benefits of adopting a proposed regulation that applies to an entire category of air pollutant sources, rather than the health effects related to emissions from a specific proposed project or source. Because of the scale of these analyses, any one project is likely to have only very small incremental effects which may be difficult to differentiate from the effects of air pollutant concentrations in an entire air basin.

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correlated with concentrations of emissions or how many additional individuals in the air basin would be affected by the health effects cited above.

The South Coast AQMD is the primary agencies responsible for ensuring the health and welfare of sensitive individuals to elevated concentrations of air quality in the SoCAB and at the present time, it has not provided methodology to assess the specific correlation between mass emissions generated and the effect on health in order to address the issue raised in *Sierra Club v. County of Fresno (Friant Ranch, L.P.)* (2018) 6 Cal.5th 502, Case No. S21978 (Friant Ranch). Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level ozone concentrations in relation to the National AAQS and California AAQS, the usefulness of applying the available models accurately link health risks to the magnitude of emissions exceeding the significance thresholds for project-level analyses is limited.¹⁵ To achieve the health-based standards established by the US EPA, the air districts prepare air quality management plans that details regional programs to attain the AAQS. Nonetheless, the Specific Plan would contribute to an increase in health effects in the basin until such time the attainment standards are met in the SoCAB.

Overlap of Construction and Operational Phases

The South Coast AQMD does not have a significance threshold for construction/operation overlap; therefore, this analysis is included for informational purposes only. Table 5.2-11, *Potential Overlap of Construction and Operational Activities*, shows the worst case maximum daily emissions over the 19-year period where project-related construction and operation activities overlap. For purposes of this discussion, the maximum daily combined emissions shown in the table represent a conservative scenario because the maximum daily operational emissions are based on full buildout of the project. In reality, if project-related construction and operation activities were to overlap, only a proportion of the Specific Plan would be operational while the rest is constructed.

Table 5.2-11 Potential Overlap of Construction and Operational Activities

Source	Maximum Daily Emissions (lbs/day) ¹					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Construction Peak Emissions	63	331	343	1	102	35
Net Change in Operational Emissions ¹	132	337	896	2	127	38
Maximum Daily Combined Emissions	195	668	1,239	3	229	73

Source: CalEEMod Version 2016.3.2.25. Highest winter or summer emissions are reported.

Notes: lbs: Pounds.

¹ The maximum daily operational emissions are based on full buildout. Therefore, the maximum daily combined emissions represent a conservative scenario because in practice, only a proportion of the allowable land use space would be operating while the rest of the Specific Plan is constructed and fully built out.

Level of Significance Before Mitigation: Potentially Significant.

¹⁵ For regional pollutants, it is difficult to trace a particular project's criteria air pollutant emissions to a specific health effect. Moreover, the modeled results may be misleading because the margin of error in such modeling is large enough that, even if the modeled results report a given health effect, the model is sufficiently imprecise that the actual effect may differ from the reported results; that is, the modeled results suggest precision, when in fact available models cannot be that precise on a project level.

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Impact 5.2-4: Construction activities associated with the Westminster Mall Specific Plan could expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]

Development that would be accommodated by WMSP could expose sensitive receptors to elevated pollutant concentrations during construction activities if it would cause or contribute significantly to elevating those levels.

Construction Phase LSTs

LSTs are the amount of project-related emissions at which localized concentrations (ppm or $\mu\text{g}/\text{m}^3$) would exceed the AAQS for criteria air pollutants for which the SoCAB is designated a nonattainment area. Unlike the mass of construction emissions shown in Table 5.2-9, described in pounds per day, localized concentrations refer to an amount of pollutant in a volume of air (ppm or $\mu\text{g}/\text{m}^3$) and can be correlated to potential health effects. Table 5.2-9 provides an estimate of the magnitude of criteria air pollutant emissions generated by the development that would be accommodated by WMSP for each construction subphase. Buildout of WMSP would occur over a period of approximately 19 years or longer and would comprise several smaller projects with their own construction time frame and construction equipment.

Concentrations of criteria air pollutants generated by a development project depend on the emissions generated on-site and the distance to the nearest sensitive receptor. Per the LST methodology, information regarding specific development projects and the locations of receptors would be needed in order to quantify the levels of localized operation and construction-related impacts associated with future development projects. Because the Specific Plan is a broad-based policy plan, it is not possible to calculate individual, project-related, construction emissions at this time. Per the South Coast AQMD methodology, quantification of LSTs is not applicable for this program-level environmental analysis. However, because potential redevelopment could occur close to existing sensitive receptors, the development that would be accommodated by WMSP has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment exhaust combined with fugitive particulate matter emissions has the potential to expose sensitive receptors to substantial concentrations of criteria air pollutant emissions and result in a significant impact.

Construction Phase Toxic Air Contaminants

South Coast AQMD currently does not require health risk assessments to be conducted for short-term emissions from construction equipment. Health risks associated with emissions from construction equipment primarily are due to DPM. OEHHA adopted new guidance for the preparation of health risk assessments that was issued in March 2015 (OEHHA 2015). OEHHA has developed a cancer risk factor and noncancer chronic reference exposure level for DPM, but these factors are based on continuous exposure over a 30-year time frame. No short-term acute exposure levels have been developed for DPM.

Construction of the Specific Plan would be implemented over a period of 19 years or more. It is anticipated that construction of individual developments accommodated under the plans would likely be spread out incrementally over this period of time, which would limit the exposure of on- and off-site receptors to elevated concentrations of DPM. However, similar to the LST analysis, construction health risk can only be

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conducted at a project level; therefore, quantification of construction-related health risk is not applicable for this program-level environmental analysis. Because potential development and redevelopment could occur close to existing sensitive receptors, the Specific Plan has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment exhaust has the potential to expose sensitive receptors to substantial concentrations of TACs and result in a significant impact.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.2-5: Operation of the Westminster Mall Specific Plan would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]

This impact analysis describes changes in localized impacts from long-term operation of the project. The Specific Plan could expose sensitive receptors to elevated pollutant concentrations during operational activities if it would cause or contribute significantly to elevated levels. Unlike the mass of emissions shown in the regional emissions analysis in Table 5.2-11, which is described in pounds per day, localized concentrations refer to an amount of pollutant in a volume of air (ppm or $\mu\text{g}/\text{m}^3$) and can be correlated to potential health effects.

Operational Phase LSTs

Operation of the Specific Plan would not generate substantial quantities of emissions from on-site, stationary sources. Land uses that have the potential to generate substantial stationary sources of emissions require a permit from South Coast AQMD, such as chemical processing or warehousing operations where substantial truck idling could occur on-site. The Specific Plan does not fall within these categories of uses. While operation of the Specific Plan could result in the use of standard on-site mechanical equipment, such as heating, ventilation, and air conditioning units, in addition to occasional use of landscaping equipment for project area maintenance, air pollutant emissions generated would be small. Therefore, net localized air quality impacts from project-related operations would be less than significant.

Operational Phase Toxic Air Contaminants

Types of land uses that typically generate substantial quantities of criteria air pollutants and TACs include industrial (stationary sources) and warehousing (truck idling) land uses. These types of major air pollutant emissions sources are not permitted in the Plan Area. Therefore, the Specific Plan would not result in creation of land uses that would generate substantial concentrations of TACs.

Development of the commercial land uses that are allowed under the Specific Plan may result in stationary sources of TACs emissions—e.g., dry cleaners, restaurants with char-broilers, or buildings with emergency generators and boilers. However, these sources are not considered by South Coast AQMD to be large emitters. Furthermore, these types of stationary sources are subject to South Coast AQMD's new source review through their permitting requirements and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under SCAQMD Rule 1401. The permitting process ensures that stationary source emissions would be below the South Coast AQMD

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significance thresholds of 10 in a million-cancer risk and 1 for acute risk at the maximally exposed individual. Therefore, overall, impacts related to TACs are considered less than significant.

Carbon Monoxide Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hot spots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. The SoCAB has been designated as attainment under both the national and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—in order to generate a significant CO impact (BAAQMD 2017). The Specific Plan would generate a maximum of 5,566 PM peak hour trips on weekdays (Fehr & Peers 2020). Furthermore, distributing the total daily vehicle trips in the proposed Plan Area and region and by peak hour would result in smaller traffic volumes at the various intersections. Thus, implementation of the Specific Plan would not produce the volume of traffic required (i.e., 24,000 to 44,000 peak hour vehicle trips) to generate a CO hotspot. Implementation of the Specific Plan would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the Plan Area.

Level of Significance Before Mitigation: Less than Significant.

Impact 5.2-6: The Westminster Mall Specific Plan would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. [Threshold AQ-4]

The Specific Plan would not emit objectionable odors that would affect a substantial number of people. The threshold for odor is if a project creates an odor nuisance pursuant to South Coast AQMD Rule 402, Nuisance, which states:

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, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Operation

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Industrial-type land uses are generally not permitted land

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uses within the Specific Plan. Residential and other nonresidential (excluding industrial) land uses could result in generation of odors such as exhaust from landscaping equipment and cooking. However, unlike industrial land uses, these are not expected to be significant or highly objectionable. Additionally, for uses that could generate food odors such as restaurants, coffee roasters, and breweries, these types of uses would be subject to SCAQMD Rule 402, which would minimize and provide a control for odors. Therefore, impacts from potential odors generated from residential and other nonresidential land uses in the Specific Plan are considered less than significant.

Construction

Emissions from construction equipment, such as diesel exhaust, and VOCs from architectural coatings and paving activities may generate odors; however, these odors would be temporary, intermittent, and not expected to affect a substantial number of people. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials. Therefore, impacts associated with operation- and construction-generated odors would be less than significant.

Level of Significance before Mitigation: Less than Significant.

5.2.2 Cumulative Impacts

In accordance with South Coast AQMD's methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Consistent with the methodology, projects that do not exceed the regional significance thresholds would not result in significant cumulative impacts. Cumulative projects in the local area include new development and general growth in the Plan Area. The greatest source of emissions in the SoCAB is mobile sources. Due to the extent of the area potentially impacted by cumulative emissions (i.e., the SoCAB), South Coast AQMD considers a project cumulatively significant when project-related emissions exceed the South Coast AQMD regional emissions thresholds shown in Table 5.2-6.

Construction

The SoCAB is designated nonattainment for O₃ and PM_{2.5} under the California and National AAQS and nonattainment for PM₁₀ and lead (Los Angeles County only) under the National AAQS. Construction of cumulative projects would further degrade the regional and local air quality. Air quality would be temporarily impacted during construction activities. Implementation of mitigation measures for related projects would reduce cumulative impacts. However, project-related construction emissions could still potentially exceed the South Coast AQMD significance thresholds on a project and cumulative basis. Consequently, the Specific Plan's contribution to cumulative air quality impacts would be cumulatively considerable and therefore would be significant.

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Operation

For operational air quality emissions, any project that does not exceed, or can be mitigated to less than the daily regional threshold values, is not considered by South Coast AQMD to be a substantial source of air pollution and does not add significantly to a cumulative impact. Operation of the Specific Plan, as shown in Table 5.2-10, would result in net emissions in excess of the South Coast AQMD regional emissions thresholds. Therefore, the Specific Plan's air pollutant emissions would be cumulatively considerable and therefore would be significant.

5.2.3 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, some impacts would be less than significant: 5.2-4, 5.2-5, and 5.2-6.

Without mitigation, these impacts would be **potentially significant**:

- **Impact 5.2-1 and Cumulative** The Westminster Mall Specific Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the SoCAB and would conflict with the assumptions of the applicable AQMP.
- **Impact 5.2-2 and Cumulative** Construction activities associated with the Westminster Mall Specific Plan would generate short-term emissions that exceed South Coast AQMD's threshold criteria.
- **Impact 5.2-3 and Cumulative** Long-term operation of the Westminster Mall Specific Plan would generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.
- **Impact 5.2-4** Construction activities associated with the Westminster Mall Specific Plan could expose sensitive receptors to substantial pollutant concentrations.

5.2.4 Mitigation Measures

Impact 5.2-1

Mitigation measures for Impact 5.2-2 and Impact 5.2-3, described below, would contribute to reduced criteria air pollutant emissions associated with buildout of the Specific Plan. However, no further mitigation measures are available that would reduce impacts to below South Coast AQMD significance thresholds due to the magnitude of growth and associated emissions that would be generated by the buildout of the Specific Plan.

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Impact 5.2-2

AQ-1

Prior to discretionary approval by the City of Westminster for development projects within the Westminster Specific Plan, project applicants shall prepare and submit a technical assessment evaluating potential project regional and localized construction-related air quality impacts to the City of Westminster Community Development Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If regional or localized construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD-adopted thresholds of significance, the City of Westminster shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Community Development Department. Mitigation measures to reduce construction-related emissions could include, but are not limited to:

- Requiring fugitive-dust control measures that exceed South Coast AQMD Rule 403, such as:
 - Use of nontoxic soil stabilizers to reduce wind erosion.
 - Applying water every four hours to active soil-disturbing activities.
 - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
- Ensuring that construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
- Limiting on-site vehicle travel speeds on unpaved roads to 15 miles per hour.
- Installing wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area.
- Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufacturers can be found on the South Coast AQMD's website at <http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/super-compliant-manf-list.pdf?sfvrsn=71>.

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Impact 5.2-3

Mitigation Measure GHG-1 and PDF-1 through PDF-8 would reduce criteria air pollutant emissions associated with the Specific Plan to the extent feasible. However, there are no additional mitigation measures that would reduce emissions below the South Coast AQMD significance thresholds.

Impact 5.2-4

Mitigation Measure AQ-1 would also minimize localized criteria air pollutant and TAC emissions from site-specific construction activities within the Specific Plan.

5.2.5 Level of Significance After Mitigation

Impact 5.2-1

Despite furthering the regional transportation and planning objectives, the WMSP would represent a substantial increase in emissions compared to existing conditions and would exceed South Coast AQMD's regional operational significance thresholds (see Impact 5.2-3). In addition, implementation of the Specific Plan would cause the Plan Area to exceed its population and employment estimates from the AQMP. As a result, WMSP could potentially exceed the assumptions in the AQMP and would not be considered consistent with the AQMP. PDF-1 through PDF-8 would minimize criteria air pollutant emissions from transportation and energy use. Mitigation Measure AQ-1 would also reduce the proposed project's regional construction-related emissions to the extent feasible. However, given the potential increase in growth and associated increase in criteria air pollutant emissions, the Specific Plan would continue to be potentially inconsistent with the assumptions in the AQMP. Therefore, Impact 5.2-1 would remain **significant and unavoidable**.

Impact 5.2-2

Construction activities associated with the buildout of the Specific Plan would generate criteria air pollutant emissions that would exceed South Coast AQMD's regional significance thresholds, contribute to the nonattainment designations of the SoCAB, and contribute to known health effects from poor air quality—including worsening of bronchitis, asthma, and emphysema; a decrease in lung function; premature death of people with heart or lung disease; nonfatal heart attacks; irregular heartbeat; decreased lung function; and increased respiratory symptoms. Mitigation Measure AQ-1 would reduce criteria air pollutants generated from project-related construction activities. Buildout of the proposed project would occur over a period of approximately 19 years or longer. Construction time frames and equipment for individual site-specific projects are not available at this time. There is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to Mitigation Measure AQ-1, project-level and cumulative construction impacts under Impact 5.2-2 would remain **significant and unavoidable**.

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Impact 5.2-3

Buildout of the Specific Plan would generate additional vehicle trips and area sources of criteria air pollutant emissions that exceed South Coast AQMD's regional significance thresholds and would contribute to the nonattainment designations of the SoCAB and known health effects from poor air quality—including worsening of bronchitis, asthma, and emphysema; a decrease in lung function; premature death of people with heart or lung disease; nonfatal heart attacks; irregular heartbeat; decreased lung function; and increased respiratory symptoms. Mitigation Measure GHG-1 through GHG-3 and PDF-1 through PDF-8 would minimize criteria air pollutant emissions from transportation and energy use. However, despite adherence to PDF-1 through PDF-8, project-level and cumulative operational impacts identified under Impact 5.2-3 would remain **significant and unavoidable** due to the magnitude of land use development associated with the proposed project.

Impact 5.2-4

Construction activities associated with the buildout of the project have the potential to generate criteria air pollutant emissions that would exceed South Coast AQMD's localized significance thresholds and substantially elevate concentrations of criteria air pollutants and TACs in the vicinity of sensitive receptors. Mitigation Measure AQ-1 would require a site-specific analysis for future development projects in the Plan Area to ensure that emissions would not substantially affect sensitive receptors proximate to construction activities. Mitigation Measure AQ-1 would reduce regional construction emissions; and therefore, also result in a reduction of localized construction-related criteria air pollutant and TACs emissions to the extent feasible. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed SCAQMD's LSTs and health risk thresholds. Furthermore, because of the scale of development activity associated with buildout of the Specific Plan, it is not possible to determine whether the scale and phasing of individual development projects would result in the exceedance of the localized emissions thresholds and cancer risk and contribute to known health effects. Therefore, Impact 5.2-5, regarding construction-related localized impacts associated with buildout of the Specific Plan, would remain **significant and unavoidable**.

5.2.6 References

Bay Area Air Quality Management District (BAAQMD). 2017, May. California Environmental Quality Act Air Quality Guidelines.

California Air Pollution Control Officers Association (CAPCOA). 2017. California Emissions Estimator Model (CalEEMod). Version 2016.3.2. Prepared by: BREEZE Software, A Division of Trinity Consultants in collaboration with South Coast Air Quality Management District and the California Air Districts.

California Air Resources Board (CARB). 1998, April 22. The Report on Diesel Exhaust.
<https://ww2.arb.ca.gov/sites/default/files/classic/toxics/dieseltac/de-fnds.htm>

———. 1999. Final Staff Report: Update to the Toxic Air Contaminant List.

5. Environmental Analysis

AIR QUALITY

- . 2009, December 2. ARB Fact Sheet: Air Pollution and Health. Accessed on February 21, 2019.
<https://www.arb.ca.gov/research/health/fs/fs1/fs1.htm>.
- . 2016, May 4. Ambient Air Quality Standards. <https://ww2.arb.ca.gov/resources/california-ambient-air-quality-standards>.
- . 2018, October. Area Designations Maps/State and National.
<https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>.
- . 2019, February 21. Final Statement of Reasons for Rulemaking, Including Summary of Comments and Agency Response. Public Hearing to Consider the Proposed 2018 Amendment to Area Designations for State Ambient Air Quality Standards. https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2019/stateareadesignations/fsor.pdf?_ga=2.56310120.293950539.1643666080-480168846.1633624542.
- . 2021, December 9. Staff Report, CARB Review of the South Coast 2021 Redesignation Request and Maintenance Plan. https://ww2.arb.ca.gov/sites/default/files/2021-10/Staff_Report_for_the_South_Coast_PM2.5_Redesignation_Request_and_Maintenance_Plan.pdf.
- . 2022a, February 10 (accessed). Area Designations Maps/State and National.
<http://www.arb.ca.gov/desig/desig.htm>.
- . 2022b, February 10 (accessed). Common Air Pollutants.
<https://ww2.arb.ca.gov/resources/common-air-pollutants>.
- . 2022c, February 10 (accessed). Title 17. California Air Resources Board Notice of Public Hearing to Consider Proposed 2021 Amendments to Area Designations for State Ambient Air Quality Standards. https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/sad2022/notice.pdf?utm_medium=email&utm_source=govdelivery
- . 2022d, July 25 (accessed). Air Pollution Data Monitoring Cards (2016, 2017, 2018, 2019, and 2020).
<https://www.arb.ca.gov/adam/topfour/topfourdisplay.php>.
- Fehr and Peers. 2020, May. Transportation Impact Analysis Westminster Mall Specific Plan.
- Office of Environmental Health Hazard Assessment (OEHHA). 2015, February. Air Toxics Hot Spots Program Risk Assessment Guidelines. Guidance Manual for Preparation of Health Risk Assessments. <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf>
- South Coast Air Quality Management District (South Coast AQMD). 1992. Federal Attainment Plan for Carbon Monoxide.
- . 1993. California Environmental Quality Act Air Quality Handbook.
- . 2000, Fall. Health Effects of Air Pollution. Accessed on December 12, 2018.
<http://www.aqmd.gov/docs/default-source/students/health-effects.pdf>.

5. Environmental Analysis

AIR QUALITY

- . 2003. Final 2003 Air Quality Management Plan. <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/2003-aqmp>.
- . 2005, May. Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.
- . 2008, July. Final Localized Significance Threshold Methodology.
- . 2011. Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/calcemod-guidance.pdf?sfvrsn=2>.
- . 2012, May 4. Final 2012 Lead State Implementation Plan: Los Angeles County. <https://ww2.arb.ca.gov/resources/documents/2012-lead-state-implementation-plan-los-angeles-county>.
- . 2013, February. 2012 Final Air Quality Management Plan. <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan#:~:text=Final%202012%20AQMP%20%28February%202013%29%20The%202012%20Air,th e%20SCAQMD%20Governing%20Board%20on%20December%207%2C%202012>.
- . 2015, October. “Blueprint for Clean Air: 2016 AQMP White Paper.” 2016 AQMP White Papers web page. Accessed December 12, 2018. <https://www.aqmd.gov/docs/default-source/Agendas/aqmp/white-paper-working-groups/wp-blueprint-final.pdf?sfvrsn=2>.
- . 2017, March 4. Final 2016 Air Quality Management Plan. <https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15>.
- . 2019, April. South Coast AQMD Air Quality Significance Thresholds. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.
- . 2021a, April. *Multiple Air Toxics Exposure Study V* (MATES V). <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>.
- . 2021b, October. Draft Final 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM_{2.5} Standards for South Coast Air Basin. <https://ww2.arb.ca.gov/sites/default/files/2021-10/draft-final-pm2-5-redesignation-request-and-maintenance-plan.pdf>.
- U.S. Environmental Protection Agency (USEPA). 2002, May. Health Assessment Document for Diesel Engine Exhaust. Prepared by the National Center for Environmental Assessment, Washington, DC, for the Office of Transportation and Air Quality; EPA/600/8-90/057F.

5. Environmental Analysis

AIR QUALITY

———. 2022a, July 22 (accessed). Criteria Air Pollutants. <https://www.epa.gov/criteria-air-pollutants>.

———. 2022b, July 22 (accessed). Health and Environmental Effects of Hazardous Air Pollutants. <https://www.epa.gov/haps/health-and-environmental-effects-hazardous-air-pollutants>.

Western Regional Climate Center (WRCC). 2022. Santa Ana Fire Station, California ([Station ID] 047888): Period of Record Monthly Climate Summary, 04/01/1906 to 06/09/2016. Western U.S. Climate Summaries. <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca7888>.

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5.3 ENERGY

This section evaluates the potential for energy-related impacts associated with the Westminster Mall Specific Plan (‘WMSP’ or ‘Specific Plan’) and ways in which it would reduce unnecessary energy consumption, consistent with the suggestions in Appendix F of the CEQA Guidelines. Energy service providers to the site include Southern California Edison (SCE) for electrical service and Southern California Gas Company (SoCalGas) for natural gas. Energy data and worksheets can be found in Appendix 5.3-1 to this DEIR.

5.3.1 Environmental Setting

Section 21100(b)(3) of CEQA requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize significant effects on the environment, including but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State CEQA Guidelines states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project’s energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the project description, environmental setting, and impact analysis portions of technical sections as well as through mitigation measures and alternatives.

In accordance with Appendices F and G of the State CEQA Guidelines, this EIR includes relevant information and analyses that address the energy implications of the proposed project. This section represents a summary of the proposed project’s anticipated energy needs, impacts, and conservation measures. Other aspects of the proposed project’s energy implications are discussed elsewhere in this EIR, including Chapter 3, *Project Description*, and Sections 5.2, *Air Quality*, 5.4, *Greenhouse Gas Emissions*, and 5.9, *Transportation*.

5.3.1.1 REGULATORY BACKGROUND

Federal Regulations

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (Public Law 110-140) seeks to provide the nation with greater energy independence and security by increasing the production of clean renewable fuels; improving vehicle fuel economy; and increasing the efficiency of products, buildings, and vehicles. It also seeks to improve the energy performance of the federal government. The Act sets increased Corporate Average Fuel Economy Standards; the Renewable Fuel Standard; appliance energy efficiency standards; building energy efficiency standards; and accelerated research and development tasks on renewable energy sources (e.g., solar energy, geothermal energy, and marine and hydrokinetic renewable energy technologies), carbon capture, and sequestration (USEPA 2022).

Update to Corporate Average Fuel Economy Standards (2021 to 2026)

The federal government issued new Corporate Average Fuel Economy (CAFE) standards in 2012 for model years 2017 to 2025, which required a fleet average of 54.5 miles per gallon in 2025. However, on March 30,

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2020, the USEPA finalized an updated CAFE and GHG emissions standards for passenger cars and light trucks and established new standards, covering model years 2021 through 2026, known as The Safer Affordable Fuel Efficient (SAFE) Vehicles Final Rule for Model Years 2021-2026. Under SAFE, the fuel economy standards will increase 1.5 percent per year compared to the 5 percent per year under the CAFE standards established in 2012. Overall, SAFE requires a fleet average of 40.4 mpg for model year 2026 vehicles (Federal Register 2020).

On January 20, 2021, President Biden issued Executive Order 13990 (EO 13990), which directs the EPA to reconsider SAFE for the purpose of rescinding the rule. The reconsideration process is ongoing with a public hearing on June 2, 2021, which also started the public comment period that ended July 6, 2021. On August 5, 2021, the National Highway Traffic Safety Administration announced new proposed fuel standards in response to EO 13990. Fuel efficiency under the standards proposed would increase 8 percent annually for model years 2024 to 2026 and increase estimate fleetwide average by 12 mpg for model year 2026 relative to model year 2021 (NHTSA 2021).

State Regulations

Renewables Portfolio Standard

Senate Bills 1078, 107, X1-2, and Executive Order S-14-08

The California Renewables Portfolio Standard (RPS) Program was established in 2002 under SB 1078 (Sher) and 107 (Simitian). The RPS program requires investor-owned utilities, electric service providers, and community choice aggregators to increase the use of eligible renewable energy resources to 33 percent of total procurement by 2020. Initially under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent in order to reach at least 20 percent by December 30, 2010. Executive Order S-14-08 was signed in November 2008, which expanded the state's Renewable Energy Standard to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). The California Public Utilities Commission is required to provide quarterly progress reports on progress toward RPS goals. This has accelerated the development of renewable energy projects throughout the State. Based on the 3rd quarter 2016 report, the three largest retail energy utilities provided an average of 27.6 percent of its supplies from renewable energy sources. Since 2003, 15,565 megawatts (MW) of renewable energy projects have started operations (CPUC 2021).

Senate Bill 350

Senate Bill 350 (de Leon), was signed into law September 2015 and established tiered increases to the RPS of 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy efficiency savings in electricity and natural gas through energy efficiency and conservation measures.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100, which replaces the SB 350 requirements. Under SB 100, the RPS for public owned facilities and retail sellers consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. Additionally, SB 100 also established a new RPS requirement of 50 percent by 2026. Furthermore, the bill also establishes an overall state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California

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end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under the bill, the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Appliance Efficiency Regulations

California's Appliance Efficiency Regulations (CCR Title 20, Parts 1600–1608) contain energy performance, energy design, water performance, and water design standards for appliances (including refrigerators, ice makers, vending machines, freezers, water heaters, fans, boilers, washing machines, dryers, air conditioners, pool equipment, and plumbing fittings) that are sold or offered for sale in California. These standards are updated regularly to allow consideration of new energy efficiency technologies and methods (CEC 2017).

Title 24, Part 6, Energy Efficiency Standards

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 and most recently revised in 2016 (Title 24, Part 6, of the California Code of Regulations [CCR]). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On May 9, 2018, the CEC adopted the 2019 Building Energy Efficiency Standards, which became effective January 1, 2020.

The 2019 standards move toward cutting energy use in new homes by more than 50 percent and require installation of solar photovoltaic (PV) systems for single-family homes and multifamily buildings of three stories and less (CBSC 2019a). The 2019 standards focus on four key areas: 1) smart residential PV systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018a). Under the 2019 standards, nonresidential buildings will be 30 percent more energy efficient compared to the 2016 standards, and single-family homes will be 7 percent more energy efficient (CEC 2018b). When accounting for the electricity generated by the solar PV system, single-family homes would use 53 percent less energy compared to homes built to the 2016 standards (CEC 2018b).

Title 24, Part 11, Green Building Standards

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as "CALGreen") was adopted as part of the California Building Standards Code. It includes mandatory requirements for new residential and nonresidential buildings throughout California. CALGreen is intended to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the directives by the Governor. The mandatory provisions of the California Green Building Code Standards became effective January 1, 2011 and were last updated in 2019. The 2019 CALGreen standards became effective January 1, 2020.

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The 2019 standards move toward cutting energy use in new homes by more than 50 percent and require installation of solar photovoltaic (PV) systems for single-family homes and multifamily buildings of three stories and less (CBSC 2019a). The 2019 standards focus on four key areas: 1) smart residential PV systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018a). Under the 2019 standards, nonresidential buildings are generally 30 percent more energy efficient compared to the 2016 standards, and single-family homes are generally 7 percent more energy efficient (CEC 2018b). When accounting for the electricity generated by the solar PV system, single-family homes will generally use 53 percent less energy compared to homes built to the 2016 standards (CEC 2018b).

Furthermore, on August 11, 2021, the CEC adopted the 2022 Building Energy Efficiency Standards, which were approved by the California Building Standards Commission in December 2021. The 2022 standards become effective and replace the existing 2019 standards on January 1, 2023. The 2022 standards require mixed-fuel single-family homes to be electric-ready to accommodate replacement of gas appliances with electric appliances. In addition, the new standards also include prescriptive photovoltaic system and battery requirements for high-rise, multifamily buildings (i.e., more than three stories) and noncommercial buildings such as hotels, offices, medical offices, restaurants, retail stores, schools, warehouses, theaters, and convention centers (CEC 2021).

Assembly Bill 1493

California vehicle GHG emission standards were enacted under AB 1493 (Pavley I). Pavley I is a clean-car standard that reduces GHG emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) from 2009 through 2016 and is anticipated to reduce GHG emissions from new passenger vehicles by 30 percent in 2016. California implements the Pavley I standards through a waiver granted to California by the EPA. In 2012, the EPA issued a Final Rulemaking that sets even more stringent fuel economy and GHG emissions standards for model year 2017 through 2025 light-duty vehicles (see also the discussion on the update to the Corporate Average Fuel Economy standards under *Federal*, above). In January 2012, CARB approved the Pavley Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025. The program combines the control of smog, soot, and global warming gases and requirements for greater numbers of zero-emission vehicles into a single package of standards. Under California's Advanced Clean Car program, by 2025, new automobiles will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions (CARB 2017).

5.3.1.2 EXISTING CONDITIONS

Electricity

The project site is in Southern California Edison's (SCE) service area, which spans much of southern California—from Orange and Riverside counties in the south to Santa Barbara County in the west to Mono County in the north (CEC 2022a). Total electricity consumption in SCE's service area in gigawatt-hours (GWh)

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was 103,597 GWh in 2020 (CEC 2022c).¹ Sources of electricity sold by SCE in 2020, the latest year for which data are available, were:

- 30.9 percent renewable, consisting mostly of solar and wind
- 3.3 percent large hydroelectric
- 15.2 percent natural gas
- 8.4 percent nuclear
- 0.3 percent other
- 42.0 percent unspecified sources—that is, not traceable to specific sources (CEC 2022d)²

Estimated Existing Electricity Demands

Total estimated existing (2020) electricity demand for the WMSP area is estimated at 20,296,340 kilowatt hours (kWh) per year.³

Natural Gas

Southern California Gas Company (SoCalGas) provides gas service in the City of Westminster and has facilities throughout the City, including the proposed site. The service area of SoCalGas spans much of the southern half of California, from Imperial County on the southeast to San Luis Obispo County on the northwest to part of Fresno County on the north to Riverside County and most of San Bernardino County on the east (CEC 2022b). Total natural gas consumption in SoCalGas's service area was 691,096 million cubic feet for 2020 (CEC 2022e).

Estimated Existing Natural Gas Demands

Existing natural gas demands for the WMSP area is estimated at 2,869,600 kilo-British thermal units per year (kBTU/yr).⁴

Transportation Fuels

In 2019, California consumed 15.4 billion gallons of gasoline and 3.1 billion gallons of diesel fuel (CDTFA 2020a; CDTFA 2020b). According to CARB's EMFAC Web Database, on-road transportation sources within Orange County consumed 1.25 billion gallons of gasoline and 0.17 billion gallons of diesel fuel in 2019.

Estimated Existing Transportation Fuel Usage

Table 5.3-1, *Existing Operation-Related Annual Fuel Usage*, shows the fuel usage associated with vehicle miles traveled (VMT) currently generated under existing baseline conditions based on fuel usage data obtained from

¹ One GWh is equivalent to one million kilowatt-hours.

² The electricity sources listed reflect changes after the 2013 closure of the San Onofre Nuclear Generating Station, which is owned by SCE.

³ Based on the historical CalEEMod electricity rates for a parking lot and regional shopping center.

⁴ Based on the historical CalEEMod natural gas rates for a regional shopping center.

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EMFAC2017, Version 1.0.2, and VMT data provided by Fehr & Peers (see Appendix 5.9-1). The table provides fuel usage associated with the VMT associated with the WMSP area.

Table 5.3-1 Existing Operation-Related Annual Fuel Usage

Scenario	Gas		Diesel		Compressed Natural Gas		Electricity	
	VMT	Gallons	VMT	Gallons	VMT	Gallons	VMT	kWh
Existing Year	54,440,876	2,169,376	3,299,101	310,610	100,896	30,650	619,864	203,827

Source: EMFAC2017 Version 1.0.2.

Note: VMTs based on daily VMT and average trip generation data provided by Fehr & Peers.

5.3.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- E-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- E-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

5.3.3 Plans, Programs, and Policies

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for energy impacts are identified below.

Regulatory Requirements

- PPP E-1 New buildings are required to achieve the current California Building Energy Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2019 Building Energy Efficiency Standards were effective on January 1, 2020. The Building Energy Efficiency Standards and CALGreen are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and non-residential buildings by 2030. The 2019 Building Energy Efficiency Standards require installation of solar photovoltaic systems for new single-family homes and multifamily buildings of three stories and less (see Section 150.1(c)14).
- PPP E-2 New one- and two-family dwellings and townhouses with attached private garages are required to adhere to the California Green Building Standards Code (CALGreen) requirement to provide a raceway for a dedicated 208/240-volt branch circuit from the service panel to an enclosure near the charger, service panels capable of receiving a 40-ampere dedicated branch circuit, and space for an overcurrent protective device (CALGreen Section 4.106.4.1).
- PPP E-3 New buildings are required to adhere to the California Green Building Standards Code (CALGreen) requirement to provide bicycle parking for new nonresidential buildings, or meet

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local bicycle parking ordinances, whichever is stricter (CALGreen Sections 5.106.4.1, 14.106.4.1, and 5.106.4.1.2).

- PPP E-4 California's Green Building Standards Code (CALGreen) requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).
- PPP E-5 Construction activities are required to adhere to Title 13 California Code of Regulations Section 2449, which requires that nonessential idling of construction equipment is restricted to five minutes or less.
- PPP E-6 New buildings are required to adhere to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.

Project Design Features

The proposed WMSP includes the following Project Design Features (PDFs), from Chapter 5 and Chapter 7 of the WMSP, that have the potential to reduce energy demand.

Section 5.2.9 Objective Building Design

- **PDF-1.** Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.

Section 5.2.13 Affordable Housing Requirement

- **PDF-2.** Ten percent (10%) of all housing units within the WMSP must be income restricted.

Section 5.2.15 Open Space Requirement

- **PDF-3.** Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated of open and trails connecting activity centers, important views and destinations in the WMSP project area.

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Section 5.2.16 Landscape Design

- **PDF-4.** Projects in mixed use designations shall utilize at least 75 percent native California or drought-tolerant plant and tree species appropriate for climate zone region (per Section 4.106.3 of CALGreen 2019).
- **PDF-5.** Irrigation systems shall be designed to apply water slowly, allowing plants to be deep watered and reducing runoff.
- **PDF-6.** Low volume irrigation drip systems shall be used in all areas except turf irrigation and small ornamental planting.
- **PDF-7.** Each street tree shall be watered by at least two deep watering bubblers separate from all other irrigation.
- **PDF-8.** Drip irrigation systems shall be used with roof gardens to conserve water.
- **PDF-9.** Irrigation systems shall incorporate water conserving methods and water efficient technologies such as drip emitters, evapotranspiration controllers, and moisture sensors.

Section 5.2.18 Lighting

- **PDF-10.** Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.

Section 5.2.28 Parking Standards

- **PDF-11.** Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.
- **PDF-12.** Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.
- **PDF-13.** New and reconfigured surface parking lots shall provide a tree canopy with a goal of 50 percent or greater coverage at maturity, which may be offset by the substitution or mixing of solar panels

Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment

- **PDF-14.** All projects with new construction or that will generate more than 50 peak hour trips will be required to:
 - The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy.

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- The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements.
- A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include, but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly-accessible in order to be added to the district's pool of shared parking.

Section 7.3.6 Sustainability

- **PDF-15.** All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.

5.3.4 Environmental Impacts

5.3.4.1 METHODOLOGY

Based on CEQA Guidelines Appendix F, Energy Conservation, in order to ensure energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential impacts of proposed projects, with particular emphasis on avoiding or reducing wasteful, unnecessary, or inefficient use of energy resources as applicable. Environmental effects may include the proposed project's energy requirements and its energy use efficiencies by amount and fuel type during demolition, construction, and operation; the effects of the proposed project on local and regional energy supplies; the effects of the proposed project on peak and base period demands for electricity and other forms of energy; the degree to which the proposed project complies with existing energy standards; the effects of the proposed project on energy resources; and the proposed project's projected transportation energy use requirements and its overall use of efficient transportation alternatives, if applicable. The provided energy and fuel usage information provided in this section are based on the following:

- **Building Energy:** Electricity and natural gas usage associated with building energy that would be generated by land uses accommodated under the proposed project are based on CalEEMod default electricity and natural gas rates. New structures are required to comply with the 2019 Building Energy Efficiency Standards. New non-residential buildings, which include residential structures that are four stories or taller, are 30 percent more energy efficient than the 2016 Building Energy Efficiency Standards.
- **On-Road Vehicle Fuel Usage:** Fuel usage associated with operation-related vehicle trips are based on fuel usage data obtained from EMFAC2017, Version 1.0.2, and on daily vehicle miles traveled (VMT) and average daily trip (ADT) generation data provided by Fehr and Peers (see Appendix 5.9-1). In addition, construction-related vehicle trips (i.e., worker and vendor trips) are based on CalEEMod default trips and

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fuel usage data obtained from EMFAC2017, Version 1.0.2, for calendar year 2021 for the most conservative results.

- **Off-Road Equipment Fuel Usage:** Fuel usage for construction-related off-road equipment is based on calendar year 2021 fuel usage data from OFFROAD2017, Version 1.0.1, and on the CalEEMod default equipment mix and operations anticipated for the proposed project.

5.3.4.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.3-1:	Implementation of the Westminster Mall Specific Plan would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. [Threshold E-1])
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Short-Term Construction Impacts

Construction of the proposed project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use. Natural gas is not generally required to power construction equipment, and therefore is not anticipated during construction phases. Table 5.3-2, *Construction-Related Fuel Usage*, provides an estimate of the potential energy and fuel usage from construction activities associated with development of the entire WMSP. As stated under the Impact 5.2-2 discussion in this DEIR, construction activities associated with buildout of WMSP are anticipated to occur sporadically over approximately 19 years or more. Buildout would comprise multiple smaller projects undertaken by individual developers/project applicants, each having its own construction timeline, activities, and construction equipment mix. However, there is no defined development schedule for these future projects at this time. It is anticipated that construction-related energy and fuel usage associated with individual development projects would be less than what is shown in the table.

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Table 5.3-2 Construction-Related Fuel Usage

Project Component	Gas ¹		Diesel ¹		Electricity ¹	
	VMT	Gallons	VMT	Gallons	VMT	kWh
Construction Worker Commute	382,526,017	13,717,546	2,519,111	57,433	4,278,681	1,418,285
Construction Vendor Trips	2,411,353	477,947	46,926,595	5,820,824	n/a	n/a
Construction Haul Trips	236	55	174,803	26,474	n/a	n/a
Construction Off-Road Equipment	n/a	244,063	n/a	670,889	n/a	n/a
Total	384,937,607	14,439,611	49,620,509	6,575,620	4,278,681	1,418,285

Source: CalEEMod Version 2016.3.2, EMFAC2017 Version 1.0.2, & OFFROAD2017 Version 1.0.1.

Notes: VMT=vehicle miles traveled; kWh=kilowatt hour

¹ Based on calendar year 2021 fuel usage and VMT data. The year 2021 estimates are used as a proxy for all years throughout the WMSP development period.

Construction activities associated with the land uses accommodated under the WMSP would require electricity use to power the construction equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during demolition and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered, such as nail guns for interior construction and sprayers for architectural coatings. Overall, the use of electricity would be temporary in nature and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities.

Development projects would also temporarily increase demands for energy associated with transportation. Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy used during construction of individual projects accommodated under the proposed project would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. In addition, all use of construction equipment would cease upon completion of project construction.

To limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize nonessential idling of construction equipment during construction in accordance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9. In addition, electrical energy would be available for use during construction from existing power lines and connections, which could minimize or avoid the use of generators that are less efficient than tying into existing SCE infrastructure. Furthermore, construction trips would not result in unnecessary use of energy since the WMSP area is centrally located and is served by numerous regional freeway systems (e.g., Interstate 405) that provide the most direct and shortest routes from various areas of the region. Furthermore, construction activities associated with future land use development projects accommodated under the WMSP would cease upon project completion. Overall, it is expected that construction energy and fuel demands associated with land use developments accommodated under the WMSP would not be any more inefficient, wasteful, or unnecessary than similar development

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projects. Therefore, project-related construction activities would not result in wasteful or unnecessary energy demands, and impacts would be less than significant.

Long-Term Impacts During Operation

Operation of the new development projects accommodate under the WMSP would create additional demands for electricity and natural gas compared to existing conditions and would result in increased transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, use of on-site equipment and appliances; and lighting.

Non-Transportation Energy

The estimated net electricity and natural gas consumption for the proposed project is shown in Table 5.3-3, *Building Electricity and Natural Gas Consumption*.

Table 5.3-3 Building Electricity and Natural Gas Consumption

Land Use	Electricity (kWh/year)	Natural Gas (kBtu/year)
Apartments High Rise	5,882,060	14,481,000
Apartments Mid Rise	4,705,640	11,584,800
Condo/Townhouse	1,490,560	5,293,690
Enclosed Parking Structure w/Elevator	23,475,060	0
General Office Building	2,264,400	1,180,800
Hotel	1,919,090	5,965,300
Parking Lot	159,754	0
Regional Shopping Center	10,771,200	1,754,400
Project Total	50,667,764	40,259,990
Existing Energy Usage	20,326,340	2,869,600
Net Change	30,341,424	37,390,390

Source: CalEEMod Version 2016.3.2

Notes: kWh=kilowatt hour; kBtu=1,000 British thermal units

Electrical Energy

Electrical service to the WMSP area would be provided by SCE through connections to existing offsite electrical lines. As shown in the Table 5.3-3, implementation of the WMSP would result in a net increase in electricity use by 30,341,424 kWh/year. While the proposed project would increase energy demand at the site compared to existing conditions, it would be required to comply with the applicable Building Energy Efficiency Standards and CALGreen (see PPP E-1).

Under the 2019 Building Energy Efficiency Standards, future residential buildings of three stories and less in the WMSP would be required to install solar PV systems. In addition, under PDF-15, all new buildings would be built with solar-ready electrical systems/hardware and be provided with adequate surface area for these systems. Furthermore, under the WMSP design standards for surface parking, tree canopy requirements may be offset by the substitution or mixing of solar panels (see PDF-13). While these design features would not decrease electricity demand, they would contribute in increasing the amount of renewable electricity available

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offsetting electricity demand from SCE. The WMSP also includes design guidelines that would contribute in increasing energy efficiency and reducing electricity demand. As stated under PDF-10, lighting fixtures would be fitted with energy efficient bulbs (e.g., light emitting diode). Overall, because the existing buildings were built and designed to comply with building standards from the early 1970s, with implementation of PDFs 10, 13, and 10 combined with compliance with energy efficiency regulatory requirements, the newer buildings would generally be more energy efficient from the mechanical systems utilized to the building envelope (e.g., building insulation) compared to the existing buildings that would be replaced. Thus, compliance with regulatory requirements and implementation of PDFs would minimize wasteful or unnecessary electricity demands associated with the WMSP.

Natural Gas Energy

As shown in Table 5.3-3, implementation of the WMSP would result in a net increase in natural gas demand by 37,390,390 kBTU/year compared to the existing uses. However, compliance with the Building Energy Efficiency Standards would contribute in minimizing natural gas demands. Overall, as stated above, newer buildings accommodated under the WMSP would generally be more energy efficient compared to the existing buildings that would be replaced.

Transportation Energy

Vehicle trips associated with land use development projects accommodated under the WMSP would result in the consumption of transportation energy. Because the efficiency of the motor vehicles in use with the proposed project is unknown—such as the average miles per gallon—estimates of transportation energy use are based on the overall vehicle miles traveled (VMT) and related transportation energy use. As shown in Table 5.3-4, *Operation-Related Fuel Usage*, implementation of the proposed WMSP would result in an overall increase in VMT due to the magnitude of growth it would accommodate. However, the proposed project would provide more housing opportunities within the City. Additionally, implementation of the WMSP would also provide more employment opportunities and overall, would result in a slight improvement in the jobs-housing balance from 1.01 jobs per housing unit to 1.30 jobs per housing unit (see Impact 5.6-1 of this DEIR). Furthermore, under the proposed WMSP, projects that would generate more than 50 peak hour trips would be required to join the TMA and prepare and implement a TDM plan (see PDF-14). In addition, the WMSP Mobility Plan would include direct connectivity to the Westminster Nature Activity Trail and would employ a multi-modal approach to the internal circulation and prioritize pedestrian orientation where feasible. Design features would include installation of traffic calming improvements, sidewalks, and mixed-use paths. Combined with the other planned bicycle infrastructure improvements along Hoover Street and the surrounding area, the improvements under the WMSP would result in better a bicycle and pedestrian network to access the site and to other destinations.

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Table 5.3-4 Net Operation-Related Fuel Usage

	Gas		Diesel		Natural Gas		Electricity	
	Annual		Annual		Annual		Annual	
	VT	Gallons	VT	Gallons	VT	Gallons	VT	kWh
Total Annual								
Proposed Project	96,323,407	2,583,782	7,785,016	526,640	223,376	66,653	5,101,331	1,677,447
Existing Year 2040 ¹	51,457,440	1,380,296	4,158,875	281,339	119,331	35,607	2,725,209	767,706
Net Change	44,865,967	1,203,486	3,626,141	245,301	104,045	31,046	2,376,122	909,741
Efficiency Per Service Population (metric/SP/day)								
Proposed Project ²	23.25	0.62	1.88	0.13	0.05	0.02	1.23	0.40
Existing Year 2040 ³	58.73	1.58	4.75	0.32	0.14	0.04	3.11	0.88
Net Change	-35.48	-0.95	-2.87	-0.19	-0.08	-0.02	-1.88	-0.47

Source: CalEEMod Version 2016.3.2; EMFAC2017 Version 1.0.2

Notes: VMT=vehicle miles traveled; kWh=kilowatt hour; SP=service population

¹ Based on existing conditions projected to buildout year of 2040 to provide a direct comparison to operation-related fuel usage.

² Based on a service population of 11,383 persons.

³ Based on a service population of 2,407 persons.

Overall, the aforementioned components and aspects of the WMSP would contribute to minimizing VMT and transportation-related fuel usage. As shown in the table, on a per service population basis, implementation of the WMSP would result in a decrease in transportation fuel usage on a per service population basis. While the service population in the WMSP area accommodated under the proposed project would be almost five times the amount of the existing service population, the slight decrease in energy usage on a per service population basis indicates the WMSP would result in a more efficient use of transportation fuels compared to transportation fuel demands associated with the existing uses.

Summary

Overall, regulatory compliance (e.g., Building Energy Efficiency Standards, CALGreen, RPS, and CAFE standards) would increase building energy efficiency and vehicle fuel efficiency and reduce building energy demand and transportation-related fuel usage. Additionally, the WMSP includes project design features under its design guidelines and Mobility Plan related to land use and transportation planning and design, active and public transit, energy efficiency, and renewable energy generation that would contribute to minimizing building and transportation-related energy demands overall and demands on nonrenewable sources of energy. These components of the WMSP in conjunction with and complementary to regulatory requirements would ensure that energy demand associated with growth under the WMSP would not be inefficient, wasteful, or unnecessary. Therefore, energy impacts associated with implementation and operation of land uses accommodated under the WMSP would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

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Impact 5.3-2: Implementation of the Westminster Mall Specific Plan would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. [Threshold E-2])

California Renewables Portfolio Standard Program

The state's electricity grid is transitioning to renewable energy under California's RPS Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The RPS goals have been updated since adoption of SB 1078 in 2002. In general, California has RPS requirements of 33 percent renewable energy by 2020 (SB X1-2), 44 percent by 2024, 50 by 2026, 52 percent by 2027, 60 percent by 2030, and 100 percent by 2045. The RPS requirements established under SB 100 are also applicable to publicly owned utilities. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as SCE, whose compliance to RPS requirements would contribute to the state objective of transitioning to renewable energy. The residential land uses accommodated under the proposed project would comply with the current and future iterations of the Building Energy Efficiency Standards and CALGreen. Under the 2019 Building Energy Efficiency Standards, future residential buildings of three stories and less in the WMSP would be required to install solar PV systems. In addition, under PDF-15, all new buildings would be built with solar-ready electrical systems/hardware and be provided with adequate surface area for these systems. Furthermore, under the WMSP design standards for surface parking, tree canopy requirements may be offset by the substitution or mixing of solar panels (see PDF-13). These design features of the WMSP would be consistent with the statewide goal of transitioning the electricity grid to renewable sources. Therefore, implementation of the proposed project would not conflict or obstruct implementation of California's RPS Program, and no impact would occur.

Level of Significance Before Mitigation: Less Than Significant.

5.3.5 Cumulative Impacts

The areas considered for cumulative impacts to electricity and natural gas supplies are the service areas of SCE and SoCalGas, respectively, described above in Section 5.3.1. Other projects would generate increased electricity and natural gas demands. However, all projects within the SCE and SoCalGas service areas would be required to comply with the Building Energy Efficiency Standards and CALGreen, which would contribute to minimizing wasteful energy consumption. Furthermore, the WMSP includes PDF-1 through PDF-15, which would support increasing renewable sources of energy and building and lighting energy efficiency in addition to active and public transit that would also contribute to minimizing wasteful energy consumption. Therefore, cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

5.3.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following energy impacts would be less than significant: 5.3-1 and 5.3-2.

5.3.7 Mitigation Measures

No mitigation measures are required.

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5.3.8 Level of Significance After Mitigation

Impacts would be less than significant.

5.3.9 References

California Air Resources Board. 2017, January 18. California's Advanced Clean Cars Midterm Review. https://ww2.arb.ca.gov/sites/default/files/2020-01/ACC%20MTR%20Summary_Ac.pdf.

———. 2019. California and Major Automakers Reach Groundbreaking Framework Agreement on Clean Emission Standards. Accessed September 5, 2019. <https://ww2.arb.ca.gov/news/california-and-major-automakers-reach-groundbreaking-framework-agreement-clean-emission>.

California Building Standards Commission (CBSC). 2019a. 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6). https://www.energy.ca.gov/sites/default/files/2021-06/CEC-400-2018-020-CMF_0.pdf.

———. 2019b. 2019 California Code of Regulations Title 24, Part 11. <https://codes.iccsafe.org/content/CAGBSC2019/cover>.

California Department of Tax and Fee Administration (CDTFA). 2020a, February. Net Taxable Gasoline Gallons. <https://www.cdtfa.ca.gov/taxes-and-fees/MVF-10-Year-Report.pdf>.

———. 2020b, February. Taxable Diesel Gallons 10 Year Report. <https://www.cdtfa.ca.gov/taxes-and-fees/Diesel-10-Year-Report.xlsx>.

California Energy Commission (CEC). 2017, January. 2016 Appliance Efficiency Regulations. <https://pdf4pro.com/cdn/2016-appliance-efficiency-regulations-5104f7.pdf>.

———. 2018a. News Release: Energy Commission Adopts Standards Requiring Solar Systems for New Homes, First in Nation. <https://www.energy.ca.gov/news/2018-05/energy-commission-adopts-standards-requiring-solar-systems-new-homes-first>.

———. 2018b. 2019 Building Energy and Efficiency Standards Frequently Asked Questions. https://www.energy.ca.gov/sites/default/files/2020-06/Title24_2019_Standards_detailed_faq_ada.pdf.

———. 2021. May 19. Amendments to the Building Energy Efficiency Standards (2022 Energy Code) Draft Environmental Report. CEC-400-2021-077-D.

———. 2022a, January 24 (updated). Electric Utility Service Area California, 2020. <https://cecgis-caenergy.opendata.arcgis.com/documents/CAEnergy::electric-utility-service-areas/explore>.

———. 2022b, January 24 (updated). Natural Gas Detailed Utility Service Area California, 2020. <https://cecgis-caenergy.opendata.arcgis.com/documents/natural-gas-utility-service-area-california-2020/explore>.

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- . 2022c, February 11 (accessed). Electricity Consumption by Planning Area. <http://www.ecdms.energy.ca.gov/elecbyplan.aspx>.
- . 2022d, February 11 (accessed). 2020 Power Content Label: Southern California Edison. <https://www.energy.ca.gov/filebrowser/download/3902>.
- . 2022e, February 11 (accessed). Gas Consumption by Planning Area. <http://www.ecdms.energy.ca.gov/gasbyplan.aspx>.
- California Public Utilities Commission (CPUC). 2021, May. 2021 Padilla Report: Costs and Savings for the RPS Program (Public Utilities Code Section 913.3). https://www.cpuc.ca.gov/-/media/cpuc-website/industries-and-topics/documents/energy/rps/2021-padilla-report_final.pdf.
- Federal Register. 2020. The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks. Final Rule, Vol. 85 Federal Register, No. 84 (April 30, 2020).
- National Highway Traffic Safety Administration (NHTSA). 2021, August 5. USDOT Proposes Improved Fuel Economy Standards for MY 2024-2026 Passenger Cars and Light Trucks. <https://www.nhtsa.gov/press-releases/fuel-economy-standards-2024-2026-proposal>.
- United States Environmental Protection Agency (USEPA). 2022, February 14 (accessed). Summary of the Energy Independence and Security Act Public Law 110-140 (2007). <https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act>.

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5.4 GREENHOUSE GAS EMISSIONS

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for implementation of the Westminster Mall Specific Plan ('WMSP' or 'Specific Plan') to cumulatively contribute to greenhouse gas (GHG) emissions impacts. Because no single project is large enough to result in a measurable increase in global concentrations of GHG, climate change impacts of a project are considered on a cumulative basis.

This evaluation is based on the methodology recommended by the South Coast Air Quality Management District (South Coast AQMD). Modeling of GHG emissions was conducted using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. Model outputs are in Appendix 5.2-1 of this DEIR.

Terminology

The following are definitions for terms used throughout this section.

- **Greenhouse gases (GHG).** Gases in the atmosphere that absorb infrared light, thereby retaining heat in the atmosphere and contributing to a greenhouse effect.
- **Global warming potential (GWP).** Metric used to describe how much heat a molecule of a greenhouse gas absorbs relative to a molecule of carbon dioxide (CO₂) over a given period of time (20, 100, and 500 years). CO₂ has a GWP of 1.
- **Carbon dioxide-equivalent (CO₂e).** The standard unit to measure the amount of greenhouse gases in terms of the amount of CO₂ that would cause the same amount of warming. CO₂e is based on the GWP ratios between the various GHGs relative to CO₂.
- **MTCO₂e.** Metric ton of CO₂e.
- **MMTCO₂e.** Million metric tons of CO₂e.

5.4.1 Environmental Setting

5.4.1.1 GREENHOUSE GASES AND CLIMATE CHANGE

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as GHGs, to the atmosphere. The "greenhouse effect" is the natural process that retains heat in the troposphere, which is the bottom layer of the atmosphere. Without the greenhouse effect, thermal energy would escape into space, resulting in a much colder and inhospitable planet. GHGs are the components of the atmosphere responsible for the greenhouse effect. The amount of heat that is retained is proportional to the concentration of GHGs in the atmosphere. As more GHGs are released into the atmosphere, GHG concentrations increase and the atmosphere retains more heat, increasing the effects of climate change.

The primary source of these GHGs is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs—water vapor, carbon dioxide (CO₂), methane (CH₄), and ozone

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(O₃)—that are the likely cause of an increase in global average temperatures observed in the 20th and 21st centuries. Other GHGs identified by the IPCC that contribute to global warming to a lesser extent are nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons (IPCC 2001).^{1,2} The major GHGs applicable to the Specific Plan are briefly described.

- **Carbon dioxide (CO₂)** enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and respiration, and also as a result of other chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (sequestered) when it is absorbed by plants as part of the biological carbon cycle.
- **Methane (CH₄)** is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and from the decay of organic waste in landfills and water treatment facilities.
- **Nitrous oxide (N₂O)** is emitted during agricultural and industrial activities as well as during the combustion of fossil fuels and solid waste.

GHGs are dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Some GHGs have a stronger greenhouse effect than others. These are referred to as high GWP gases. The GWP of GHG emissions are shown in Table 5.4-1. The GWP is used to convert GHGs to CO₂-equivalence (CO₂e) to show the relative potential that different GHGs have to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. For example, under IPCC's Fourth Assessment Report (AR4), GWP values for CH₄, 10 MT of CH₄ would be equivalent to 250 MT of CO₂.

¹ Water vapor (H₂O) is the strongest GHG and the most variable in its phases (vapor, cloud droplets, ice crystals). However, water vapor is not considered a pollutant because it is considered part of the feedback loop rather than a primary cause of change.

² Black carbon contributes to climate change both directly, by absorbing sunlight, and indirectly, by depositing on snow (making it melt faster) and by interacting with clouds and affecting cloud formation. Black carbon is the most strongly light-absorbing component of particulate matter (PM) emitted from burning fuels such as coal, diesel, and biomass. Reducing black carbon emissions globally can have immediate economic, climate, and public health benefits. California has been an international leader in reducing emissions of black carbon, with close to 95 percent control expected by 2020 due to existing programs that target reducing PM from diesel engines and burning activities (CARB 2017a). However, state and national GHG inventories do not include black carbon due to ongoing work resolving the precise global warming potential of black carbon. Guidance for CEQA documents does not yet include black carbon.

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Table 5.4-1 GHG Emissions and Their Relative Global Warming Potential Compared to CO₂

GHGs	Second Assessment Report Atmospheric Lifetime (Years)	Fourth Assessment Report Atmospheric Lifetime (Years)	Second Assessment Report Global Warming Potential Relative to CO ₂ ¹	Fourth Assessment Report Global Warming Potential Relative to CO ₂ ¹
Carbon Dioxide (CO ₂)	50 to 200	50 to 200	1	1
Methane ² (CH ₄)	12 (±3)	12	21	25
Nitrous Oxide (N ₂ O)	120	114	310	298

Source: IPCC 1995, 2007.

Notes: The IPCC published updated GWP values in its Fifth Assessment Report (2013) that reflect new information on atmospheric lifetimes of GHGs and an improved calculation of the radiative forcing of CO₂. However, GWP values identified in AR4 are used to maintain consistency in statewide GHG emissions modeling. In addition, the 2014 Scoping Plan Update was based on the GWP values in AR4.

¹ Based on 100-year time horizon of the GWP of the air pollutant compared to CO₂.

² The methane GWP includes direct effects and indirect effects due to the production of tropospheric ozone and stratospheric water vapor. The indirect effect due to the production of CO₂ is not included.

California's GHG Sources and Relative Contribution

In 2019, the statewide GHG emissions inventory was updated for 2000 to 2019 emissions using the GWPs in IPCC's AR4 (IPCC 2007). Based on these GWPs, California produced 418.2 MMTCO₂e GHG emissions in 2019. The California Air Resources Board (CARB) categorizes GHG generation into the following seven sectors (CARB 2021).

- **Transportation.** Consists of direct tailpipe emissions from on-road vehicle and direct emissions from off-road transportation mobile sources, intrastate aviation, rail, and watercraft. Emissions are generated from the combustion of fuels in on- and off-road vehicles in addition to aviation, rail, and ships.
- **Electric.** Includes emissions from instate power generation (including the portion of cogeneration emissions attributed to electricity generation) and emissions from imported electricity.
- **Industrial.** Includes emissions primarily driven by fuel combustion from sources that include refineries, oil and gas extraction, cement plants, and the portion of cogeneration emissions attribute to thermal energy output.
- **Commercial and Residential.** Accounts for emissions generated from combustion of natural gas and other fuels for household and commercial business use, such as space heating, cooking, and hot water or steam generation. Emissions associated with electricity usage are accounted for in the Electric Sector.
- **Recycling and Waste.** Consists of emissions generated at landfills and from commercial-scale composting.
- **Agriculture.** Primarily includes methane (CH₄) and nitrous oxide (N₂O) emissions generated from enteric fermentation and manure management from livestock. Also accounts for emissions associated with crop production (fertilizer use, soil preparation and disturbance, and crop residue burning) and fuel combustion associated with stationary agricultural activities (e.g., water pumping, cooling or heating buildings).

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- **High Global Warming Potential Gases.** Associated with substitutes for ozone-depleting substances, emissions from electricity transmission and distribution system, and gases emitted in the semiconductor manufacturing process. Substitutes for ozone-depleting substances are used in refrigeration and air conditioning equipment, solvent cleaning, foam production, fire retardants, and aerosols.

California's transportation sector was the single largest generator of GHG emissions, producing 39.7 percent of the state's total emissions. Industrial sector emissions made up 21.1 percent, and electric power generation made up 14.1 percent of the state's emissions inventory. Other major sectors of GHG emissions include commercial and residential (10.5 percent), agriculture and forestry (7.6 percent), high GWP (4.9 percent), and recycling and waste (2.1 percent) (CARB 2021).

Since the peak level in 2004, California statewide GHG emissions dropped below the 2020 GHG limit of 418.2 MMTCO₂e in 2016 and have remained below the 2020 GHG limit since then. In 2019, emissions from routine GHG-emitting activities statewide were almost 13 MMTCO₂e lower than the 2020 GHG limit. Per-capita GHG emissions in California have dropped from a 2001 peak of 14.0 MTCO₂e per person to 10.5 MTCO₂e per person in 2019, a 25 percent decrease. Transportation emissions continued to decline in 2019 as they had done in 2018, with even more substantial reductions due to a significant increase in renewable diesel. Since 2008, California's electricity sector has followed an overall downward trend in emissions. In 2019, solar power generation continued its rapid growth since 2013. Emissions from high-GWP gases comprised 4.9 percent of California's emissions in 2019. This continues the increasing trend as the gases replace ozone-depleting substances being phased out under the 1987 Montreal Protocol. Overall trends in the inventory also demonstrate that the carbon intensity of California's economy (the amount of carbon pollution per million dollars of gross domestic product) has declined 45 percent since the 2001 peak, though the state's gross domestic product grew 63 percent during this period (CARB 2021).

Human Influence on Climate Change

For approximately 1,000 years before the Industrial Revolution, the amount of GHGs in the atmosphere remained relatively constant. During the 20th century, however, scientists observed a rapid change in the climate and the quantity of climate change pollutants in the Earth's atmosphere that is attributable to human activities. The amount of CO₂ in the atmosphere has increased by more than 35 percent since preindustrial times and has increased at an average rate of 1.4 parts per million per year since 1960, mainly due to combustion of fossil fuels and deforestation (IPCC 2007). These recent changes in the quantity and concentration of climate change pollutants far exceed the extremes of the ice ages, and the global mean temperature is warming at a rate that cannot be explained by natural causes alone. Human activities are directly altering the chemical composition of the atmosphere through the buildup of climate change pollutants (CAT 2006). In the past, gradual changes in the earth's temperature changed the distribution of species, availability of water, etc. However, human activities are accelerating this process so that environmental impacts associated with climate change no longer occur in a geologic time frame but within a human lifetime (IPCC 2007).

Like the variability in the projections of the expected increase in global surface temperatures, the environmental consequences of gradual changes in the Earth's temperature are hard to predict. Projections

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of climate change depend heavily upon future human activity. Therefore, climate models are based on different emission scenarios that account for historical trends in emissions and on observations of the climate record that assess the human influence of the trend and projections for extreme weather events. Climate-change scenarios are affected by varying degrees of uncertainty. For example, there are varying degrees of certainty on the magnitude of the trends for:

- Warmer and fewer cold days and nights over most land areas.
- Warmer and more frequent hot days and nights over most land areas.
- An increase in frequency of warm spells/heat waves over most land areas.
- An increase in frequency of heavy precipitation events (or proportion of total rainfall from heavy falls) over most areas.
- Larger areas affected by drought.
- Intense tropical cyclone activity increases.
- Increased incidence of extreme high sea level (excluding tsunamis).

Potential Climate Change Impacts for California

Observed changes over the last several decades across the western United States reveal clear signs of climate change. Statewide, average temperatures increased by about 1.7°F from 1895 to 2011, and warming has been greatest in the Sierra Nevada (CCCC 2012). The years from 2014 through 2016 have shown unprecedented temperatures with 2014 being the warmest (OEHHA 2018). By 2050, California is projected to warm by approximately 2.7°F above 2000 averages, a threefold increase in the rate of warming over the last century. By 2100, average temperatures could increase by 5.6 to 8.8°F, depending on emissions levels (CNRA 2019).

In California and western North America, observations of the climate have shown: 1) a trend toward warmer winter and spring temperatures; 2) a smaller fraction of precipitation falling as snow; 3) a decrease in the amount of spring snow accumulation in the lower and middle elevation mountain zones; 4) advanced shift in the timing of snowmelt of 5 to 30 days earlier in the spring; and 5) a similar shift (5 to 30 days earlier) in the timing of spring flower blooms (CAT 2006). Overall, California has become drier over time, with five of the eight years of severe to extreme drought occurring between 2007 and 2016, with unprecedented dry years occurring in 2014 and 2015 (OEHHA 2018). Statewide precipitation has become increasingly variable from year to year, with the driest consecutive four years occurring from 2012 to 2015 (OEHHA 2018). According to the California Climate Action Team—a committee of state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency—even if actions could be taken to immediately curtail climate change emissions, the potency of emissions that have already built up, their long atmospheric lifetimes (see Table 5.4-1), and the inertia of the Earth's climate system could produce as much as 0.6°C (1.1°F) of additional warming. Consequently, some impacts from climate change are now considered unavoidable. Global climate change risks to California are shown in Table

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5.4-2 and include impacts to public health, water resources, agriculture, coastal sea level, forest and biological resources, and energy.

Table 5.4-2 Summary of GHG Emissions Risks to California

Impact Category	Potential Risk
Public Health Impacts	Heat waves will be more frequent, hotter, and longer Fewer extremely cold nights Poor air quality made worse Higher temperatures increase ground-level ozone levels
Water Resources Impacts	Decreasing Sierra Nevada snowpack Challenges in securing adequate water supply Potential reduction in hydropower Loss of winter recreation
Agricultural Impacts	Increasing temperature Increasing threats from pests and pathogens Expanded ranges of agricultural weeds Declining productivity Irregular blooms and harvests
Coastal Sea Level Impacts	Accelerated sea level rise Increasing coastal floods Shrinking beaches Worsened impacts on infrastructure
Forest and Biological Resource Impacts	Increased risk and severity of wildfires Lengthening of the wildfire season Movement of forest areas Conversion of forest to grassland Declining forest productivity Increasing threats from pest and pathogens Shifting vegetation and species distribution Altered timing of migration and mating habits Loss of sensitive or slow-moving species
Energy Demand Impacts	Potential reduction in hydropower Increased energy demand

Sources: CEC 2006, 2009; CCCC 2012; CNRA 2014.

5.4.2 Regulatory Background

This section describes the federal, state, and local regulations applicable to GHG emissions.

Federal

The US Environmental Protection Agency (EPA) announced on December 7, 2009, that GHG emissions threaten the public health and welfare of the American people and that GHG emissions from on-road vehicles contribute to that threat. The EPA's final findings respond to the 2007 US Supreme Court decision that GHG emissions fit within the Clean Air Act definition of air pollutants. The findings did not themselves impose any emission reduction requirements but allowed the EPA to finalize the GHG standards proposed in

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2009 for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation (USEPA 2009).

To regulate GHGs from passenger vehicles, EPA was required to issue an endangerment finding (US EPA 2022). The finding identifies emissions of six key GHGs—CO₂, CH₄, N₂O, hydrofluorocarbons, perfluorocarbons, and SF₆—that have been the subject of scrutiny and intense analysis for decades by scientists in the United States and around the world. The first three are applicable to the Specific Plan's GHG emissions inventory because they constitute the majority of GHG emissions; they are the GHG emissions that should be evaluated as part of a project's GHG emissions inventory.

US Mandatory Reporting Rule for GHGs (2009)

In response to the endangerment finding, the EPA issued the Mandatory Reporting of GHG Rule that requires substantial emitters of GHG emissions (large stationary sources, etc.) to report GHG emissions data. Facilities that emit 25,000 MTCO₂e or more per year are required to submit an annual report.

Update to Corporate Average Fuel Economy Standards (2021 to 2026)

The federal government issued new Corporate Average Fuel Economy (CAFE) standards in 2012 for model years 2017 to 2025, which required a fleet average of 54.5 miles per gallon in 2025. However, on March 30, 2020, the EPA finalized an updated CAFE and GHG emissions standards for passenger cars and light trucks and established new standards, covering model years 2021 through 2026, known as the Safer Affordable Fuel Efficient (SAFE) Vehicles Final Rule for Model Years 2021-2026. However, consortium of automakers and California have agreed on a voluntary framework to reduce emissions that can serve as an alternative path forward for clean vehicle standards nationwide. Automakers who agreed to the framework are Ford, Honda, BMW of North America, and Volkswagen Group of America. The framework supports continued annual reductions of vehicle greenhouse gas emissions through the 2026 model year, encourages innovation to accelerate the transition to electric vehicles, and provides industry the certainty needed to make investments and create jobs. This commitment means that the auto companies party to the voluntary agreement will only sell cars in the United States that meet these standards (CARB 2019).

In addition, per Executive Order 13990 (EO 13990) issued by President Biden on January 20, 2021, the EPA is reconsidering SAFE for the purpose of rescinding the rule. The reconsideration process is ongoing after a public hearing held on June 2, 2021, which also started the public comment period that ended July 6, 2021. On August 5, 2021, the National Highway Traffic Safety Administration announced new proposed fuel standards in response to EO 13990. Fuel efficiency under the standards proposed would increase 8 percent annually for model years 2024 to 2026 and increase the estimated fleetwide average by 12 mpg for model year 2026 compared to model year 2021 (NHTSA 2021).

EPA Regulation of Stationary Sources under the Clean Air Act (Ongoing)

Pursuant to its authority under the Clean Air Act, the EPA has been developing regulations for new, large stationary sources of emissions such as power plants and refineries. Under former President Obama's 2013 Climate Action Plan, the EPA was directed to develop regulations for existing stationary sources as well. On

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June 19, 2019, the EPA issued the final Affordable Clean Energy (ACE) rule which became effective on August 19, 2019. The ACE rule was crafted under the direction of President Trump's Energy Independence Executive Order. It officially rescinds the Clean Power Plan rule issued during the Obama Administration and sets emissions guidelines for states in developing plans to limit CO₂ emissions from coal-fired power plants.

State

Current State of California guidance and goals for reductions in GHG emissions are generally embodied in Executive Orders S-03-05 and B-30-15, Assembly Bill (AB) 32, Senate Bill (SB) 32, and SB 375.

Executive Order S-03-05

Executive Order S-03-05, signed June 1, 2005, set the following GHG reduction targets for the state:

- 2000 levels by 2010
- 1990 levels by 2020
- 80 percent below 1990 levels by 2050

Assembly Bill 32, the Global Warming Solutions Act (2006)

State of California guidance and targets for reductions in GHG emissions are generally embodied in the Global Warming Solutions Act, adopted with passage of AB 32. AB 32 was passed by the California state legislature on August 31, 2006, to place the state on a course toward reducing its contribution of GHG emissions. AB 32 follows the 2020 emissions reduction goal established in Executive Order S-03-05.

CARB 2008 Scoping Plan

The first Scoping Plan was adopted by CARB on December 11, 2008. The 2008 Scoping Plan identified that GHG emissions in California are anticipated to be 596 MMTCO_{2e} in 2020. In December 2007, CARB approved a 2020 emissions limit of 427 MMTCO_{2e} (471 million tons) for the state (CARB 2008). To effectively implement the emissions cap, AB 32 directed CARB to establish a mandatory reporting system to track and monitor GHG emissions levels for large stationary sources that generate more than 25,000 MTCO_{2e} per year, prepare a plan demonstrating how the 2020 deadline can be met, and develop appropriate regulations and programs to implement the plan by 2012.

First Update to the Scoping Plan

CARB completed a five-year update to the 2008 Scoping Plan, as required by AB 32. The First Update to the Scoping Plan, adopted May 22, 2014, highlights California's progress toward meeting the near-term 2020 GHG emission reduction goals defined in the 2008 Scoping Plan. As part of the update, CARB recalculated the 1990 GHG emission levels with the updated AR4 GWPs, and the 427 MMTCO_{2e} 1990 emissions level and 2020 GHG emissions limit, established in response to AB 32, are slightly higher at 431 MMTCO_{2e} (CARB 2014).

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As identified in the Update to the Scoping Plan, California is on track to meet the goals of AB 32. The update also addresses the state's longer-term GHG goals in a post-2020 element. The post-2020 element provides a high-level view of a long-term strategy for meeting the 2050 GHG goal, including a recommendation for the state to adopt a midterm target. According to the Update to the Scoping Plan, local government reduction targets should chart a reduction trajectory that is consistent with or exceeds the trajectory created by statewide goals (CARB 2014). CARB identified that reducing emissions to 80 percent below 1990 levels will require a fundamental shift to efficient, clean energy in every sector of the economy. Progressing toward California's 2050 climate targets will require significant acceleration of GHG reduction rates. Emissions from 2020 to 2050 will have to decline several times faster than the rate needed to reach the 2020 emissions limit (CARB 2014).

Executive Order B-30-15

Executive Order B-30-15, signed April 29, 2015, sets a goal of reducing GHG emissions in the state to 40 percent below 1990 levels by year 2030. Executive Order B-30-15 also directs CARB to update the Scoping Plan to quantify the 2030 GHG reduction goal for the state and requires state agencies to implement measures to meet the interim 2030 goal as well as the long-term goal for 2050 in Executive Order S-03-05. It also requires the Natural Resources Agency to conduct triennial updates of the California adaption strategy, Safeguarding California, in order to ensure climate change is accounted for in state planning and investment decisions.

Senate Bill 32 and Assembly Bill 197

In September 2016, Governor Brown signed Senate Bill 32 and Assembly Bill 197, making the Executive Order goal for year 2030 into a statewide, mandated legislative target. AB 197 established a joint legislative committee on climate change policies and requires the CARB to prioritize direction emissions reductions rather than the market-based cap-and-trade program for large stationary, mobile, and other sources.

2017 Climate Change Scoping Plan

Executive Order B-30-15 and SB 32 required CARB to prepare another update to the Scoping Plan to address the 2030 target for the state. On December 24, 2017, CARB approved the 2017 Climate Change Scoping Plan Update, which outlines potential regulations and programs, including strategies consistent with AB 197 requirements, to achieve the 2030 target. The 2017 Scoping Plan establishes a new emissions limit of 260 MMTCO_{2e} for the year 2030, which corresponds to a 40 percent decrease in 1990 levels by 2030 (CARB 2017b).

California's climate strategy will require contributions from all sectors of the economy, including enhanced focus on zero- and near-zero emission vehicle technologies; continued investment in renewables such as solar roofs, wind, and other types of distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (methane, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conserve agricultural and other lands. Requirements for GHG reductions at stationary sources complement local air pollution control efforts by the

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local air districts to tighten emissions limits for criteria air pollutants and toxic air contaminants on a broad spectrum of industrial sources. Major elements of the 2017 Scoping Plan framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing zero-emission (ZE) buses and trucks.
- Low Carbon Fuel Standard (LCFS), with an increased stringency (18 percent by 2030).
- Implementation of SB 350, which expands the Renewables Portfolio Standard (RPS) to 50 percent RPS and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency by 25 percent by 2030 and utilizes near-zero emissions technology and deployment of ZE trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy, which focuses on reducing methane and hydrofluorocarbon emissions by 40 percent and anthropogenic black carbon emissions by 50 percent by year 2030.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- Continued implementation of SB 375.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

In addition to these statewide strategies, the 2017 Climate Change Scoping Plan also identified local governments as essential partners in achieving the state's long-term GHG reduction goals and recommended local actions to reduce GHG emissions—for example, statewide targets of no more than 6 MTCO₂e or less per capita by 2030 and 2 MTCO₂e or less per capita by 2050. CARB recommends that local governments evaluate and adopt quantitative, locally appropriate goals that align with the statewide per capita targets and sustainable development objectives and develop plans to achieve the local goals. The statewide per capita goals were developed by applying the percent reductions necessary to reach the 2030 and 2050 climate goals (i.e., 40 percent and 80 percent, respectively) to the state's 1990 emissions limit established under AB 32. For CEQA projects, CARB states that lead agencies have discretion to develop evidenced-based numeric thresholds (mass emissions, per capita, or per service population) consistent with the Scoping Plan and the state's long-term GHG goals. To the degree a project relies on GHG mitigation measures, CARB recommends that lead agencies prioritize on-site design features that reduce emissions, especially from vehicle miles traveled (VMT), and direct investments in GHG reductions within the project's region that contribute potential air quality, health, and economic co-benefits. Where further project design or regional investments are infeasible or not proven to be effective, CARB recommends mitigating potential GHG impacts through purchasing and retiring carbon credits.

The Scoping Plan scenario is set against what is called the “business as usual” yardstick—that is, what would the GHG emissions look like if the state did nothing at all beyond the policies that are already required and in

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place to achieve the 2020 limit, as shown in Table 5.4-3. It includes the existing renewables requirements, advanced clean cars, the “10 percent” LCFS, and the SB 375 program for more vibrant communities, among others. However, it does not include a range of new policies or measures that have been developed or put into statute over the past two years. Also shown in the table, the known commitments are expected to result in emissions that are 60 MMTCO₂e above the target in 2030. If the estimated GHG reductions from the known commitments are not realized due to delays in implementation or technology deployment, the post-2020 Cap-and-Trade Program would deliver the additional GHG reductions in the sectors it covers to ensure the 2030 target is achieved.

Table 5.4-3 2017 Climate Change Scoping Plan Emissions Reductions Gap

Modeling Scenario	2030 GHG Emissions MMTCO ₂ e
Reference Scenario (Business-as-Usual)	389
With Known Commitments	320
2030 GHG Target	260
Gap to 2030 Target	60

Source: CARB 2017b.

Table 5.4-4 provides estimated GHG emissions compared to 1990 levels, and the range of GHG emissions for each sector estimated for 2030.

Table 5.4-4 2017 Climate Change Scoping Plan Emissions Change by Sector

Scoping Plan Sector	1990 MMTCO ₂ e	2030 Proposed Plan Ranges MMTCO ₂ e	% Change from 1990
Agricultural	26	24 to 25	-8% to -4%
Residential and Commercial	44	38 to 40	-14% to -9%
Electric Power	108	30 to 53	-72% to -51%
High GWP	3	8 to 11	267% to 367%
Industrial	98	83 to 90	-15% to -8%
Recycling and Waste	7	8 to 9	14% to 29%
Transportation (including TCU)	152	103 to 111	-32% to -27%
Net Sink ¹	-7	TBD	TBD
Sub Total	431	294 to 339	-32% to -21%
Cap-and-Trade Program	NA	34 to 79	NA
Total	431	260	-40%

Source: CARB 2017b.

Notes: TCU = Transportation, Communications, and Utilities; TBD = To Be Determined.

¹ Work underway through 2017 was used to estimate the range of potential sequestration benefits from the natural and working lands sector.

Senate Bill 375

In 2008, SB 375, the Sustainable Communities and Climate Protection Act, was adopted to connect the GHG emissions reductions targets established in the 2008 Scoping Plan for the transportation sector to local land

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use decisions that affect travel behavior. Its intent is to reduce GHG emissions from light-duty trucks and automobiles (excludes emissions associated with goods movement) by aligning regional long-range transportation plans, investments, and housing allocations to local land use planning to reduce VMT and vehicle trips. Specifically, SB 375 required CARB to establish GHG emissions reduction targets for each of the 18 metropolitan planning organizations (MPOs). The Southern California Association of Governments (SCAG) is the MPO for the Southern California region, which includes the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. Pursuant to the recommendations of the Regional Transportation Advisory Committee, CARB adopted per capita reduction targets for each of the MPOs rather than a total magnitude reduction target.

2017 Update to the SB 375 Targets

CARB is required to update the targets for the MPOs every eight years. In June 2017, CARB released updated targets and technical methodology and recently released another update in February 2018. The updated targets consider the need to further reduce VMT, as identified in the 2017 Scoping Plan Update, while balancing the need for additional and more flexible revenue sources to incentivize positive planning and action toward sustainable communities. Like the 2010 targets, the updated SB 375 targets are in units of percent per capita reduction in GHG emissions from automobiles and light trucks relative to 2005. This excludes reductions anticipated from implementation of state technology and fuels strategies and any potential future state strategies such as statewide road user pricing. The proposed targets call for greater per capita GHG emission reductions from SB 375 than are currently in place, which for 2035, translate into proposed targets that either match or exceed the emission reduction levels in the MPOs' currently adopted sustainable communities strategies (SCS). As proposed, CARB staff's proposed targets would result in an additional reduction of over 8 MMTCO₂e in 2035 compared to the current targets. For the next round of SCS updates, CARB's updated targets for the SCAG region are an 8 percent per capita GHG reduction in 2020 from 2005 levels (unchanged from the 2010 target) and a 19 percent per capita GHG reduction in 2035 from 2005 levels (compared to the 2010 target of 13 percent) (CARB 2018). CARB adopted the updated targets and methodology on March 22, 2018. All SCSs adopted after October 1, 2018, are subject to these new targets.

SCAG's Regional Transportation Plan / Sustainable Communities Strategy

SB 375 requires each MPO to prepare a sustainable communities strategy in its regional transportation plan. For the SCAG region, the 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) was adopted on September 3, 2020, and is an update to the 2016-2040 RTP/SCS (SCAG 2020). In general, the RTP/SCS outlines a development pattern for the region that, when integrated with the transportation network and other transportation measures and policies, would reduce vehicle miles traveled from automobiles and light duty trucks and thereby reduce GHG emissions from these sources.

Connect SoCal focuses on the continued efforts of the previous RTP/SCSs to integrate transportation and land uses strategies in development of the SCAG region through horizon year 2045 (SCAG 2020). Connect SoCal forecasts that the SCAG region will meet its GHG per capita reduction targets of 8 percent by 2020 and 19 percent by 2035. Additionally, Connect SoCal also forecasts that implementation of the plan will reduce VMT per capita in year 2045 by 4.1 percent compared to baseline conditions for that year. Connect

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SoCal includes a “Core Vision” that centers on maintaining and better managing the transportation network for moving people and goods while expanding mobility choices by locating housing, jobs, and transit closer together, and increasing investments in transit and complete streets (SCAG 2020).

Transportation Sector Specific Regulations

Assembly Bill 1493

California vehicle GHG emission standards were enacted under AB 1493 (Pavley I). Pavley I is a clean-car standard that reduces GHG emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) from 2009 through 2016 and is anticipated to reduce GHG emissions from new passenger vehicles by 30 percent in 2016. California implements the Pavley I standards through a waiver granted to California by the EPA. In 2012, the EPA issued a Final Rulemaking that sets even more stringent fuel economy and GHG emissions standards for model years 2017 through 2025 light-duty vehicles (see also the discussion on the update to the Corporate Average Fuel Economy standards under *Federal Laws*, above). In January 2012, CARB approved the Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025. The program combines the control of smog, soot, and global warming gases with requirements for greater numbers of ZE vehicles into a single package of standards. Under California’s Advanced Clean Car program, by 2025 new automobiles will emit 34 percent less global warming gases and 75 percent less smog-forming emissions.

Executive Order S-01-07

On January 18, 2007, the state set a new LCFS for transportation fuels sold in the state. Executive Order S-01-07 sets a declining standard for GHG emissions measured in CO₂e gram per unit of fuel energy sold in California. The LCFS requires a reduction of 2.5 percent in the carbon intensity of California’s transportation fuels by 2015 and a reduction of at least 10 percent by 2020. The standard applies to refiners, blenders, producers, and importers of transportation fuels, and would use market-based mechanisms to allow these providers to choose how they reduce emissions during the “fuel cycle” using the most economically feasible methods.

Executive Order B-16-2012

On March 23, 2012, the state identified that CARB, the California Energy Commission (CEC), the Public Utilities Commission, and other relevant agencies worked with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to accommodate ZE vehicles in major metropolitan areas, including infrastructure to support them (e.g., electric vehicle charging stations). The executive order also directed the number of ZE vehicles in California’s state vehicle fleet to increase through the normal course of fleet replacement so that at least 10 percent of fleet purchases of light-duty vehicles are ZE by 2015 and at least 25 percent by 2020. The executive order also establishes a target for the transportation sector of reducing GHG emissions 80 percent below 1990 levels.

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Renewables Portfolio: Carbon Neutrality Regulations

Senate Bills 1078, 107, and X1-2 and Executive Order S-14-08

A major component of California's Renewable Energy Program is the renewables portfolio standard established under Senate Bills 1078 (Sher) and 107 (Simitian). Under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent in order to reach at least 20 percent by December 30, 2010. Executive Order S-14-08, signed in November 2008, expanded the state's renewable energy standard to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The increase in renewable sources for electricity production will decrease indirect GHG emissions from development projects because electricity production from renewable sources is generally considered carbon neutral.

Senate Bill 350

Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100. Under SB 100, the RPS for public-owned facilities and retail sellers consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. Additionally, SB 100 also established a new RPS requirement of 50 percent by 2026. Furthermore, the bill establishes an overall state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under the bill, the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Executive Order B-55-18

Executive Order B-55-18, signed September 10, 2018, sets a goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.” Executive Order B-55-18 directs CARB to work with relevant state agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. The goal of carbon neutrality by 2045 is in addition to other statewide goals, meaning not only should emissions be reduced to 80 percent below 1990 levels by 2050, but that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO₂e from the atmosphere, including through sequestration in forests, soils, and other natural landscapes.

Energy Efficiency Regulations

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 and

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most recently revised in 2019 (Title 24, Part 6, of the California Code of Regulations [CCR]). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. The 2019 Building Energy Efficiency Standards, which were adopted on May 9, 2018, went into effect starting January 1, 2020.

The 2019 standards move toward cutting energy use in new homes by more than 50 percent and require installation of solar photovoltaic systems for single-family homes and multifamily buildings of three stories and less. The 2019 standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018b). Under the 2019 standards, nonresidential buildings are 30 percent more energy efficient compared to the 2016 standards, and single-family homes are 7 percent more energy efficient (CEC 2018a). When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use 53 percent less energy compared to homes built to the 2016 standards (CEC 2018a).

Furthermore, on August 11, 2021, the CEC adopted the 2022 Building Energy Efficiency Standards, which were subsequently approved by the California Building Standards Commission in December 2021. The 2022 standards become effective and replace the existing 2019 standards on January 1, 2023. The 2022 standards would require mixed-fuel single-family homes to be electric-ready to accommodate replacement of gas appliances with electric appliances. In addition, the new standards also include prescriptive photovoltaic system and battery requirements for high-rise, multifamily buildings (i.e., more than three stories) and noncommercial buildings such as hotels, offices, medical offices, restaurants, retail stores, schools, warehouses, theaters, and convention centers (CEC 2021).

California Building Code: CALGreen

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as "CALGreen") was adopted as part of the California Building Standards Code. CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.³ The mandatory provisions of the California Green Building Code Standards became effective January 1, 2011 and were last updated in 2019. The 2019 CALGreen standards became effective January 1, 2020.

2006 Appliance Efficiency Regulations

The 2006 Appliance Efficiency Regulations (20 CCR §§ 1601–1608) were adopted by the CEC on October 11, 2006 and approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non–federally regulated appliances. Though these regulations are now often viewed as “business as usual,” they exceed the standards imposed by all other states, and they reduce GHG emissions by reducing energy demand.

³ The green building standards became mandatory in the 2010 edition of the code.

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Solid Waste Diversion Regulations

AB 939: Integrated Waste Management Act of 1989

California's Integrated Waste Management Act of 1989 (AB 939, Public Resources Code §§ 40050 et seq.) set a requirement for cities and counties throughout the state to divert 50 percent of all solid waste from landfills by January 1, 2000, through source reduction, recycling, and composting. In 2008, the requirements were modified to reflect a per capita requirement rather than tonnage. To help achieve this, the act requires that each city and county prepare and submit a source reduction and recycling element. AB 939 also established the goal for all California counties to provide at least 15 years of ongoing landfill capacity.

AB 341

AB 341 (Chapter 476, Statutes of 2011) increased the statewide goal for waste diversion to 75 percent by 2020 and requires recycling of waste from commercial and multifamily residential land uses. Section 5.408 of CALGreen also requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

AB 1327

The California Solid Waste Reuse and Recycling Access Act (AB 1327, Public Resources Code §§ 42900 et seq.) requires areas to be set aside for collecting and loading recyclable materials in development projects. The act required the California Integrated Waste Management Board to develop a model ordinance for adoption by any local agency requiring adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model or an ordinance of their own.

AB 1826

In October of 2014, Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses and multifamily residential dwellings with five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed with food waste.

Water Efficiency Regulations

SBX7-7

The 20x2020 Water Conservation Plan was issued by the Department of Water Resources (DWR) in 2010 pursuant to Senate Bill 7, which was adopted during the 7th Extraordinary Session of 2009–2010 and therefore dubbed “SBX7-7.” SBX7-7 mandated urban water conservation and authorized the DWR to prepare a plan implementing urban water conservation requirements (20x2020 Water Conservation Plan). In addition, it required agricultural water providers to prepare agricultural water management plans, measure water deliveries to customers, and implement other efficiency measures. SBX7-7 requires urban water providers to adopt a water conservation target of 20 percent reduction in urban per capita water use by 2020 compared to 2005 baseline use.

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AB 1881, Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act of 2006 (AB 1881) requires local agencies to adopt the updated DWR model ordinance or an equivalent. AB 1881 also requires the CEC to consult with the DWR to adopt, by regulation, performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

Short-Lived Climate Pollutant Reduction Strategy

Senate Bill 1383

On September 19, 2016, the Governor signed SB 1383 to supplement the GHG reduction strategies in the Scoping Plan to consider short-lived climate pollutants, including black carbon and CH₄. Black carbon is the light-absorbing component of fine particulate matter produced during incomplete combustion of fuels. SB 1383 required the state board, no later than January 1, 2018, to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40 percent, hydrofluorocarbon gases by 40 percent, and anthropogenic black carbon by 50 percent below 2013 levels by 2030. The bill also established targets for reducing organic waste in landfills. On March 14, 2017, CARB adopted the Short-Lived Climate Pollutant Reduction Strategy, which identifies the state's approach to reducing anthropogenic and biogenic sources of short-lived climate pollutants. Anthropogenic sources of black carbon include on- and off-road transportation, residential wood burning, fuel combustion (charbroiling), and industrial processes. According to CARB, ambient levels of black carbon in California are 90 percent lower than in the early 1960s, despite the tripling of diesel fuel use (CARB 2017a). In-use on-road rules are expected to reduce black carbon emissions from on-road sources by 80 percent between 2000 and 2020. South Coast AQMD is one of the air districts that requires air pollution control technologies for chain-driven broilers, which reduces their particulate emissions by over 80 percent (CARB 2017a). Additionally, South Coast AQMD Rule 445 limits installation of new fireplaces in the South Coast Air Basin.

5.4.2.1 EXISTING CONDITIONS

The Plan Area is occupied by the Westminster Mall. Over the last several decades, the mall has experienced a decline in retail traffic, in part brought about as a result of e-commerce. Operation of Westminster Mall generates GHG emissions from natural gas used for energy, heating, and cooking; electricity usage; vehicle trips for employees, vendors, and customers; and area sources such as landscaping and consumer cleaning products. For the transportation sector, because a historical occupancy rate of the Mall was not available, the existing occupancy rate of the Mall was used to ascertain the existing emissions associated with the Plan Area, that is, a 50 percent occupancy rate. Emissions associated with the Plan Area are shown in Table 5.4-5.

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Table 5.4-5 Existing Westminster Mall GHG Emissions Inventory

Sectors	GHG Emissions
	MTCO ₂ e Per Year
Area	<1
Energy	4,883
Transportation	23,660
Solid Waste Disposal	718
Water/Wastewater	97
Plan Area Total All Sectors	29,359

Source: CalEEMod, version 2016.3.2.25.
Note: Totals may not equal 100 percent due to rounding.

5.4.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- GHG-1 Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- GHG-2 Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

5.4.3.1 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

South Coast AQMD has adopted a significance threshold of 10,000 MTCO₂e per year for permitted (stationary) sources of GHG emissions for which South Coast AQMD is the designated lead agency. To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, South Coast AQMD convened a GHG CEQA Significance Threshold Working Group (Working Group). Based on the last Working Group meeting (Meeting No. 15) in September 2010, South Coast AQMD identified a tiered approach for evaluating GHG emissions for development projects where South Coast AQMD is not the lead agency (South Coast AQMD 2010a). This following tiered approach has not been formally adopted by South Coast AQMD.

- **Tier 1.** If a project is exempt from CEQA, project-level and contribution to significant cumulative GHG emissions are less than significant.
- **Tier 2.** If the project complies with a GHG emissions reduction plan or mitigation program that avoids or substantially reduces GHG emissions in the project's geographic area (e.g., city or county), project-level and contribution to significant cumulative GHG emissions are less than significant.
- **Tier 3.** If GHG emissions are less than the screening-level criterion, project-level and contribution to significant cumulative GHG emissions are less than significant.

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- For projects that are not exempt or where no qualifying GHG reduction plans are directly applicable, South Coast AQMD requires an assessment of GHG emissions. Project-related GHG emissions include on-road transportation, energy use, water use, wastewater generation, solid waste disposal, area sources, off-road emissions, and construction activities. The South Coast AQMD Working Group identified that because construction activities would result in a “one-time” net increase in GHG emissions, construction activities should be amortized into the operational phase GHG emissions inventory based on the service life of a building. For buildings in general, it is reasonable to look at a 30-year time frame, since this is a typical interval before a new building requires the first major renovation. South Coast AQMD identified a screening-level threshold of 3,000 MTCO_{2e} annually for all land use types. The bright-line screening-level criteria are based on a review of the Governor’s Office of Planning and Research database of CEQA projects. Based on their review of 711 CEQA projects, 90 percent of CEQA projects would exceed the bright-line thresholds. Therefore, projects that do not exceed the bright-line threshold would have a nominal, and therefore, less than cumulatively considerable impact on GHG emissions. South Coast AQMD recommends use of the 3,000 MTCO_{2e} interim bright-line screening-level criterion for all project types (South Coast AQMD 2010b).
- **Tier 4.** If emissions exceed the screening threshold, a more detailed review of the project’s GHG emissions is warranted.⁴

The South Coast AQMD Working Group has identified an efficiency target for projects that exceed the screening threshold of 4.8 MTCO_{2e}/year/SP for project-level analyses and 6.6 MTCO_{2e}/year/SP for plan level projects (e.g., program-level projects such as general plans) for the year 2020.⁵ The per capita efficiency targets are based on the AB 32 GHG reduction target and 2020 GHG emissions inventory prepared for CARB’s 2008 Scoping Plan.⁶

Summary

For purposes of this analysis, because the City has not developed its own numeric GHG significance threshold, the South Coast AQMD Working Group’s bright-line screening-level criterion of 3,000 MTCO_{2e} per year is used as the significance threshold for this project. If the project operation-phase emissions exceed this criterion, GHG emissions would be considered potentially significant in the absence of mitigation measures.

5.4.3.2 MASS EMISSIONS AND HEALTH EFFECTS

On December 24, 2018, in *Sierra Club et al. v. County of Fresno et al.* (Friant Ranch), the California Supreme Court determined that the EIR for the proposed Friant Ranch project failed to adequately analyze the

⁴ South Coast AQMD had identified an efficiency target for projects that exceed the bright-line threshold: a 2020 efficiency target of 4.8 MTCO_{2e} per year per service population (MTCO_{2e}/year/SP) for project-level analyses and 6.6 MTCO_{2e}/year/SP for plan-level projects (e.g., general plans). Service population is generally defined as the sum of residential and employment population of a project. The per capita efficiency targets are based on the AB 32 GHG reduction target and 2020 GHG emissions inventory prepared for CARB’s 2008 Scoping Plan.⁴

⁵ It should be noted that the Working Group also considered efficiency targets for 2035 for the first time in this Working Group meeting.

⁶ South Coast AQMD took the 2020 statewide GHG reduction target for land use only GHG emissions sectors and divided it by the 2020 statewide employment for the land use sectors to derive a per capita GHG efficiency metric that coincides with the GHG reduction targets of AB 32 for year 2020.

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project's air quality impacts on human health. The EIR prepared for the project, a master planned retirement community in Fresno County, showed that project-related mass emissions would exceed the San Joaquin Valley Air Pollution Control District's regional significance thresholds. In its findings, the California Supreme Court affirmed the holding of the Court of Appeal that EIRs for projects must not only identify impacts to human health, but also provide an "analysis of the correlation between the project's emissions and human health impacts" related to each criteria air pollutant that exceeds the regional significance thresholds or explain why it could not make such a connection. In general, the ruling focuses on the correlation of emissions of toxic air contaminants and criteria air pollutants and their impact to human health.

In 2009, the EPA issued an endangerment finding for six GHGs (CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆) in order to regulate GHG emissions from passenger vehicles. The endangerment finding is based on evidence that shows an increase in mortality and morbidity associated with increases in average temperatures, which increase the likelihood of heat waves and elevated ozone levels. The effects of climate change are identified in Table 5.7-2. While effects such as sea level rise and extreme weather can indirectly impact human health, neither the EPA nor CARB has established ambient air quality standards for GHG emissions. The state's GHG reduction strategy outlines a path to avoid the most catastrophic effects of climate change. Yet the state's GHG reduction goals and strategies are based on the state's path toward reducing statewide cumulative GHGs as outlined in AB 32, SB 32, and Executive Order S-03-05. As described further below, the two significance thresholds that the City uses to analyze GHG impacts are based on achieving those statewide GHG reduction goals (Impact 5.4-1, relying on the South Coast AQMD's recommended bright-line screening-level criterion; and Impact 5.4-2 relying on consistency with policies or plans adopted to reduce GHG emissions). Further, because no single project is large enough to result in a measurable increase in global concentration of GHG emissions, climate change impacts of a project are considered on a cumulative basis. Without federal ambient air quality standards for GHG emissions and given the cumulative nature of GHG emissions and the City's significance thresholds that are tied to reducing the state's cumulative GHG emissions, it is not feasible at this time to connect the project's specific GHG emission to the potential health impacts of climate change.

5.4.4 Plans, Programs, and Policies

Plans, Programs, and Policies

Plans, programs, and policies (PPP) are identified below, including applicable regulatory requirements and conditions of approval for GHG emissions.

PPP GHG-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2019 Building and Energy Efficiency Standards were effective on January 1, 2020. The Building Energy and Efficiency Standards and CALGreen are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.

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- PPP GHG-2 New buildings are required to adhere to the California Green Building Standards Code (CALGreen) requirement to provide bicycle parking for new nonresidential buildings, or meet local bicycle parking ordinances, whichever is stricter (CALGreen §§ 5.106.4.1, 14.106.4.1, and 5.106.4.1.2). Development within the Plan Area would be required to provide anchored bicycle racks and long-term secured bicycle parking.
- PPP GHG-3 California's Green Building Standards Code (CALGreen) requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen §§ 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).
- PPP GHG-4 Construction activities are required to adhere to California Code of Regulations, Title 13, Section 2449, which requires that nonessential idling of construction equipment be restricted to five minutes or less.
- PPP GHG-5 New buildings are required to adhere to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.

Project Design Features

The Westminster Mall Specific Plan includes the following Project Design Features (PDFs), from Chapter 5 and Chapter 7 of the WMSP, that have the potential to reduce GHG emissions.

Section 5.2.9 Objective Building Design

- PDF-3 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.

Section 5.2.12 Affordable Housing Requirement

- PDF-1 Ten percent (10%) of all housing units within the WMSP must be income restricted.

Section 5.2.15 Open Space Requirement

- PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.

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Section 5.2.16 Landscape Design

- PDF-4 Projects in Mixed-Use designations shall utilize at least 75 percent native California or drought-tolerant plant and tree species appropriate for climate zone region (per Section 4.106.3 of CALGreen 2019).
- PDF-5 Irrigation systems shall be designed to apply water slowly, allowing plants to be deep watered and reducing runoff.
- PDF-6 Low volume irrigation drip systems shall be used in all areas except turf irrigation and small ornamental planting.
- PDF-7 Each street tree shall be watered by at least two deep watering bubblers separate from all other irrigation.
- PDF-8 Drip irrigation systems shall be used with roof gardens to conserve water.
- PDF-9 Irrigation systems shall incorporate water conserving methods and water efficient technologies such as drip emitters, evapotranspiration controllers, and moisture sensors.

Section 5.2.18 Lighting

- PDF-10 Energy-efficient ENERGY STAR® certified lighting fixtures and equipment shall be used.

Section 5.2.28 Parking Standards

- PDF-11 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.
- PDF-12 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.
- PDF-13 New and reconfigured surface parking lots shall provide a tree canopy with a goal of 50 percent or greater coverage at maturity, which may be offset by the substitution or mixing of solar panels

Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment

- PDF-14 All projects with new construction or that will generate more than 50 peak hour trips will be required to:

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- The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy.
- The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements.
- A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly-accessible in order to be added to the district's pool of shared parking.

Section 7.3.6 Sustainability

PDF-15 All new buildings shall be built with solar-ready electrical systems/hardware and provided with adequate surface area for these systems.

5.4.5 Environmental Impacts

5.4.5.1 METHODOLOGY

This GHG emissions evaluation was prepared in accordance with the requirements of CEQA to determine if significant GHG emissions impacts are likely in conjunction with the type and scale of development associated with the Specific Plan. Air pollutant emissions are calculated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2.25 CalEEMod compiles an emissions inventory of construction (fugitive dust, off-gas emissions, on-road emissions, and off-road emissions) and area sources and indirect emissions from energy use, mobile sources, waste disposal (annual only), and water/wastewater (annual only).

The following provides a summary of the assumptions used for the Specific Plan. GHG emissions modeling datasheets are in Appendix 5.2.

Construction Phase

Construction would entail demolition of existing asphalt, site preparation, grading, off-site hauling of demolition debris and earthwork material, construction of the proposed structures and buildings, architectural coating, and asphalt paving on up to 92 acres of the 102-acre Westminster Mall. Construction emissions for the Specific Plan are an estimate only—there are no plans for individual projects at this time. One of the challenges of redeveloping the site is that it has five different owners, each with their own

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priorities, timing, or site constraints. New projects in the Plan Area would be constructed based on market demand and must be reviewed and agreed to by the Mall ownership prior to submittal to the City for review. Therefore, project-related construction emissions are based on the CalEEMod default values with a start date of January 2021 to reflect the potential for multiple development projects to occur at one time. However, vertical building construction was extended to 2040 to reflect the overall development horizon contemplated for the Specific Plan. The duration of the paving and architectural coating phase is 25 percent of the overall vertical building construction timeline, consistent with the CalEEMod user's manual. Because construction emissions are one-time emissions, construction emissions are amortized over a 30-year building lifetime in accordance with the South Coast AQMD Working Group recommendations (South Coast AQMD 2009).

Operational Phase

- **Transportation.** Daily VMT and average daily trip generation were provided by Fehr & Peers for the existing Westminster Mall and the Specific Plan. The existing mall is assumed to be at 50 percent occupancy. Because the mall has historically had higher occupancy than currently, impacts of the Specific Plan are conservative. Project-related, on-road criteria air pollutant emissions are based on year 2020 emission rates for existing conditions and 2040 emission rates for the project buildout year. The primary source of mobile criteria air pollutant emissions is tailpipe exhaust from the combustion of fuel (i.e., gasoline and diesel).
- **Area Sources.** Area source emissions from use of consumer cleaning products and landscaping equipment are based on CalEEMod default values and the square footage of the proposed buildings, parking structures, and surface parking lot areas.
- **Energy.** Emissions of GHG from energy use (electricity and natural gas) are based on the CalEEMod defaults for electricity and natural gas usage. The existing Westminster Mall was constructed in the early 1970s. As a result, the historical building energy use in CalEEMod was selected. New structures are required to comply with the 2019 Building Energy Efficiency Standards. New nonresidential buildings, which include residential structures that are four stories or taller, are 30 percent more energy efficient than the 2016 Building Energy Efficiency Standards. The carbon intensity of electricity supplied by Southern California Edison is based on their latest Sustainability Report (SCE 2019).
- **Solid Waste Disposal.** Indirect emissions from waste generation are based on CalEEMod default values.
- **Water/Wastewater.** Emissions from this sector are based on the water supply assessment (Appendix 5.10-2) conducted for the Specific Plan (see Table 5.10-7, *Westminster Mall Specific Plan Project Estimated Water Demand*). Emissions of GHG are associated with the embodied energy used to supply, treat, and distribute water.

Life-cycle emissions are not included in this analysis because not enough information is available for the Specific Plan, and therefore life cycle GHG emissions would be speculative.⁷ Black carbon emissions are not

⁷ Life cycle emissions include indirect emissions associated with materials manufacture. However, these indirect emissions involve numerous parties, each of which is responsible for GHG emissions of their particular activity. The California Resources Agency, in

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included in the GHG analysis because CARB does not include this short-lived climate pollutant in the state's Scoping Plan inventory but treats it separately.⁸ GHG modeling is included in Appendix 5.2 of this Draft EIR.

5.4.5.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.4-1: Implementation of the Westminster Mall Specific Plan would generate a substantial increase in the magnitude of GHG emissions. [Threshold GHG-1]

Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas emissions on its own to influence global climate change significantly; hence, the issue of global climate change is by definition a cumulative environmental impact.

Annual GHG emissions were calculated for construction and operation of the Specific Plan and are shown in Table 5.4-6. Construction emissions were amortized into the operational phase in accordance with South Coast AQMD's proposed methodology (South Coast AQMD 2009).

Table 5.4-6 Westminster Mall Specific Plan GHG Emissions

Sectors	GHG Emissions (MTCO ₂ e per Year)			
	Existing	WMSP	Percent by Sector WMSP	Change from Existing
Area	<1	52	<1%	52
Energy	4,883	15,193	22%	10,309
Mobile	23,660	45,818	66%	22,158
Water/Wastewater	718	1,434	2%	716
Solid Waste Disposal	97	621	1%	524
30-Year Amortized Construction ¹	N/A	6,198	9%	6,198
Total All Sectors	29,359	69,316	100%	39,957
Bright-Line Threshold				3,000
Exceeds Threshold?				Yes

Source: CalEEMod, Version 2016.3.2.25.

Notes: Emissions may not total to 100 percent due to rounding. N/A: not applicable.

¹ Construction emissions are amortized based on a typical 30-year building lifetime.

adopting the CEQA Guidelines Amendments on GHG emissions found that lifecycle analyses was not warranted for project-specific CEQA analysis in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting emissions (see Final Statement of Reasons for Regulatory Action, December 2009). Because the amount of materials consumed during the operation or construction of the Specific Plan is not known, the origin of the raw materials purchased is not known, and manufacturing information for those raw materials are also not known, calculation of life cycle emissions would be speculative. A life-cycle analysis is not warranted (OPR 2008).

⁸ Particulate matter emissions, which include black carbon, are analyzed in Section 5.2, *Air Quality*. Black carbon emissions have sharply declined due to efforts to reduce on-road and off-road vehicle emissions, especially diesel particulate matter. The State's existing air quality policies will virtually eliminate black carbon emissions from on-road diesel engines within 10 years (CARB 2017a).

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As shown in the table, the project would generate 69,316 MTCO₂e per year. The primary source of project-related emissions would be mobile sources. The next largest source of emissions would be energy usage. Overall, development of the Specific Plan would result in a net increase in GHG emissions of 39,957 MTCO₂e per year when compared to the existing conditions, which would exceed the bright-line threshold of 3,000 MTCO₂e per year. Therefore, GHG emissions generated by the project would be considered to cumulatively contribute to statewide GHG emissions.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.4-2:	Implementation of the Westminster Mall Specific Plan would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. [Threshold GHG-2])
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Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. A consistency analysis with these plans is presented below.

CARB Scoping Plan

The CARB Scoping Plan is applicable to state agencies but is not directly applicable to cities/counties and individual projects (i.e., the Scoping Plan does not require the City to adopt policies, programs, or regulations to reduce GHG emissions). However, new regulations adopted by the state agencies outlined in the Scoping Plan result in GHG emissions reductions at the local level. As a result, local jurisdictions benefit from reductions in transportation emissions rates, increases in water efficiency in the building and landscape codes, and other statewide actions that affect a local jurisdiction's emissions inventory from the top down. Statewide strategies to reduce GHG emissions include the LCFS and changes in the corporate average fuel economy standards (e.g., Pavley I).

Development projects accommodated under the Specific Plan are required to adhere to the programs and regulations identified by the Scoping Plan and implemented by state, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32 and SB 32. Future individual development projects would comply with these statewide GHG emissions reduction measures. For example, new buildings under the Specific Plan would meet the current CALGreen and Building Energy Efficiency standards. Project GHG emissions shown in Table 5.4-6 include reductions associated with statewide strategies that have been adopted since AB 32 and SB 32. Therefore, the Specific Plan would not obstruct implementation of the CARB Scoping Plan, and impacts are considered less than significant.

SCAG's Regional Transportation Plan / Sustainable Communities Strategy

SCAG released the draft 2020-2045 RTP/SCS (Connect SoCal) on November 7, 2019, adopted Connect SoCal in May 2020 for the purpose of transportation conformity, and anticipates full consideration of Connect SoCal by the Board in fall 2020. Connect SoCal finds that land use strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact

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communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands (SCAG 2020). Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The SCS does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. However, the Specific Plan would increase densities and provide for a mix of uses, consistent with the intent of the SCS. As shown in Table 5.4-7, the Specific Plan would result in a decrease in VMT per service population, which is a measure of a project's efficiency. Therefore, the Specific Plan would not interfere with SCAG's ability to implement the regional strategies outlined in the RTP/SCS, and impacts would be less than significant.

Table 5.4-7 Westminster Mall Specific Plan Project Generated VMT

Scenario	Service Population (SP)	VMT	VMT/SP
Existing	2,407	175,172	72.78
Project	11,383	319,562	28.07
Change from Existing	8,976	144,390	-44.71

Source: Fehr & Peers 2020.

Note: Project-generated VMT is VMT associated with trips that start or end in the Plan Area. This methodology excludes pass-through trips not associated with land uses within the Specific Plan and includes the full trip length for the trips that start or end in the Plan Area.

Level of Significance Before Mitigation: Less Than Significant.

5.4.6 Cumulative Impacts

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, Impact 5.4-1 is not project-specific impacts, but the Specific Plan's contribution to a cumulative impact. Implementation of the Specific Plan would result in annual emissions that would exceed South Coast AQMD's bright-line threshold. Therefore, project related GHG emissions and their contribution to global climate change are cumulatively considerable, and GHG emissions impacts would be significant.

5.4.7 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, some impacts would be less than significant: 5.4-2.

Without mitigation, these impacts would be **potentially significant**:

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- **Impact 5.4-1** Implementation of the Westminster Mall Specific Plan would generate a substantial increase in magnitude of GHG emissions and would have a significant impact on the environment.

5.4.8 Mitigation Measures

Impact 5.4-1

Mitigation Measures AQ-1 from Section 5.2, *Air Quality*, apply to this impact and would reduce GHG emissions of the Specific Plan.

GHG-1 New development within the Westminster Mall Specific Plan shall implement the following, voluntary provisions of the California Green Building Standards Code (CALGreen). The project applicant/developer(s) shall provide documentation (e.g., building plans) of implementation of the applicable voluntary measures to the City of Westminster Community Development Director or his/her designee prior to the issuance of building permits.

Residential Structures with Three or Fewer Stories. For residential land uses with three or fewer stories, the project developer(s) shall:

- Design and build residential buildings to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Residential Voluntary Measures of the California Green Building Standards Code, Division A4.2, Energy Efficiency, as outlined under Section A4.203.1.2.2.
- Design and build residential projects to meet the Tier 2 requirements of the Residential Voluntary Measures of the California Green Building Standards Code, Division A4.3, Water Efficiency and Conservation, as outlined under Section A4.601.5.2, and comply with at least three elective measures selected from Division A4.3.
- Design and build condominium/townhouses dwellings that have an attached private garage to have a dedicated electric circuit to support electric vehicle charging, as outlined in the Residential Voluntary Measures of the California Green Building Standards Code, under Section A4.106.8.1.
- Design and build multifamily dwellings with 17 or more units to provide electric vehicle charging for 5 percent of the total number of parking spaces provided (but no fewer than 1), as outlined in the Residential Voluntary Measures of the California Green Building Standards Code, Section A4.106.8.2.

Nonresidential Structures and Residential Structures with Four or More Stories. For nonresidential land uses and residential land uses that are four or more stories, the applicant/developer shall:

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- Design and build structures to, at a minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of the California Green Building Standards Code, Division A5.2, Energy Efficiency, as outlined under Section A5.203.1.2.2.
- Use on-site renewable energy sources (e.g., solar) for at least 1 percent of the electric power, as outlined in the Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.211.1.
- Design the proposed surface parking lots to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.2.
- Design the proposed surface parking lots to provide electric vehicle (EV) charging stations. At minimum, the number of EV charging stations shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.2.

GHG-2 For residential projects, all major appliances (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) provided/installed shall be Energy Star certified or of equivalent energy efficiency where applicable. Prior to the issuance of the certificate of occupancy, the City of Westminster shall verify implementation of this requirement.

5.4.9 Level of Significance After Mitigation

Impact 5.4-1

The proposed project would create a mixed-use environment by creating jobs and housing within the Specific Plan Area, add additional housing in a jobs-rich area, and locating housing near regional transportation facilities such as I-405 and SR-22. The ability of residents to walk to many goods and services will reduce vehicle trips which would contribute to the reduction of GHG emissions. However, GHG emissions generated by the project would be considered to cumulatively contribute to statewide GHG emissions. Implementation of Mitigation Measures GHG-1 and GHG-2 would reduce GHG emissions to the extent feasible. The transportation sector comprises 66 percent of the emissions forecast for the Specific Plan. However, because the number of people who may use alternative modes of transportation is uncertain, the total reductions cannot be quantified. The lead agency (City of Westminster) cannot substantively or materially affect reductions in project mobile-source emissions beyond the regulatory requirements. Impact 5.4-1 would remain **significant and unavoidable**.

5.4.10 References

California Air Pollution Control Officers Association (CAPCOA). 2008. CEQA and Climate Change.

5. Environmental Analysis

GREENHOUSE GAS EMISSIONS

———. 2017. California Emissions Estimator Model (CalEEMod). Version 2016.3.2. Prepared by BREEZE Software, A Division of Trinity Consultants in collaboration with South Coast Air Quality Management District and the California Air Districts.

California Air Resources Board (CARB). 2008, October. Climate Change Proposed Scoping Plan: A Framework for Change.

———. 2014, May 15. First Update to the Climate Change Scoping Plan: Building on the Framework, Pursuant to AB 32, The California Global Warming Solutions Act of 2006. https://ww3.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf.

———. 2017a, March 14. Final Proposed Short-Lived Climate Pollutant Reduction Strategy. https://ww2.arb.ca.gov/sites/default/files/2020-07/final_SLCP_strategy.pdf

———. 2017b, November. California's 2017 Climate Change Scoping Plan: The Strategy for Achieving California's 2030 Greenhouse Gas Target. <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2017-scoping-plan-documents>.

———. 2018, February. Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets. https://ww2.arb.ca.gov/sites/default/files/2020-06/SB375_Final_Target_Staff_Report_%202018_Resolution_18-12.pdf.

———. 2019. California and Major Automakers Reach Groundbreaking Framework Agreement on Clean Emission Standards. Press release. Accessed September 5, 2019. <https://ww2.arb.ca.gov/news/california-and-major-automakers-reach-groundbreaking-framework-agreement-clean-emission>.

———. 2021, July 28. California Greenhouse Gas 2000-2019 Emissions Trends and Indicators Report. https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2019/ghg_inventory_trends_00-19.pdf.

California Climate Action Team (CAT). 2006, March. Climate Action Team Report to Governor Schwarzenegger and the Legislature.

California Climate Change Center (CCCC). 2012, July. Our Changing Climate 2012: Vulnerability and Adaptation to the Increasing Risks from Climate Change in California.

California Energy Commission (CEC). 2006. Our Changing Climate: Assessing the Risks to California. 2006 Biennial Report. CEC-500-2006-077. California Climate Change Center.

———. 2009, May. The Future Is Now: An Update on Climate Change Science, Impacts, and Response Options for California. CEC-500-2008-0077.

———. 2018a. News Release: Energy Commission Adopts Standards Requiring Solar Systems for New Homes, First in Nation. <https://www.energy.ca.gov/news/2018-05/energy-commission-adopts-standards-requiring-solar-systems-new-homes-first>.

5. Environmental Analysis GREENHOUSE GAS EMISSIONS

- . 2018b. May 9. News Release: Energy Commission Adopts Standards Requiring Solar Systems for New Homes, First in Nation. <https://www.energy.ca.gov/news/2018-05/energy-commission-adopts-standards-requiring-solar-systems-new-homes-first>.
- . 2021, May 19. Amendments to the Building Energy Efficiency Standards (2022 Energy Code) Draft Environmental Report. CEC-400-2021-077-D.
- California Natural Resources Agency (CNRA). 2014, July. Safeguarding California: Reducing Climate Risk: An Update to the 2009 California Climate Adaptation Strategy.
- Fehr and Peers. 2020, May. Transportation Impact Analysis Westminster Mall Specific Plan.
- Governor's Office of Planning and Research (OPR). 2008, June. CEQA and Climate Change: Addressing Climate Change through CEQA Review. Technical Advisory. Technical Advisory. <https://opr.ca.gov/docs/june08-ceqa.pdf>.
- Intergovernmental Panel on Climate Change (IPCC). 1995. Second Assessment Report: Climate Change 1995.
- . 2001. Third Assessment Report: Climate Change 2001. New York: Cambridge University Press.
- . 2007. Fourth Assessment Report: Climate Change 2007. New York: Cambridge University Press.
- . 2013. Fifth Assessment Report: Climate Change 2013: The Physical Science Basis. New York: Cambridge
- National Highway Traffic Safety Administration (NHTSA). 2021, August 5. USDOT Proposes Improved Fuel Economy Standards for MY 2024-2026 Passenger Cars and Light Trucks. <https://www.nhtsa.gov/press-releases/fuel-economy-standards-2024-2026-proposal>.
- Office of Environmental Health Hazards Assessment (OEHHA). 2018, May. Indicators of Climate Change in California. <https://oehha.ca.gov/media/downloads/climate-change/report/2018caindicatorsreportmay2018.pdf>.
- South Coast Air Quality Management District (South Coast AQMD). 2009, November 19. GHG Meeting 14 Main Presentation. Greenhouse Gases (GHG) CEQA Significance Threshold Working Group. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-14/ghg-meeting-14-main-presentation.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-14/ghg-meeting-14-main-presentation.pdf?sfvrsn=2).
- . 2010a, September 28. Agenda for Meeting 15. Greenhouse Gases (GHG) CEQA Significance Thresholds Working Group. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2).

5. Environmental Analysis

GREENHOUSE GAS EMISSIONS

- . 2010b, September 28. Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf)
- Southern California Association of Governments. 2020, September 3. *Connect SoCal Plan*. The 2020–2045 Regional Transportation Plan / Sustainable Communities Strategy of the Southern California Association of Governments. <https://www.connectsocal.org/Pages/Connect-SoCal-Final-Plan.aspx>.
- Southern California Edison (SCE). 2019, May. 2018 Sustainability Report. <https://www.edison.com/content/dam/eix/documents/sustainability/eix-2018-sustainability-report.pdf>.
- US Environmental Protection Agency (USEPA). 2009, December. EPA: Greenhouse Gases Threaten Public Health and the Environment. Science Overwhelmingly Shows Greenhouse Gas Concentrations at Unprecedented Levels Due to Human Activity. https://archive.epa.gov/epapages/newsroom_archive/newsreleases/08d11a451131bca585257685005bf252.html
- . 2022, February 11 (accessed). Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>.

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5.5 NOISE

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for implementation of the Westminster Mall Specific Plan ('WMSP' or 'Specific Plan') to result in noise impacts in the City of Westminster and the City of Huntington Beach. This section discusses the fundamentals of sound; examines federal, state, and local noise guidelines, policies, and standards; reviews noise levels at existing receptor locations; evaluates potential noise and vibration impacts associated with the Plan; and provides mitigation to reduce noise impacts at sensitive receptor locations. This evaluation uses procedures and methodologies as specified by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Federal Aviation Administration (FAA), and is based in part on the noise modeling data in Appendix 5.5-1 of this DEIR.

5.5.1 Environmental Setting

5.5.1.1 NOISE AND VIBRATION FUNDAMENTALS

Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Although sound can be easily measured, the perception of noise and the physical response to sound complicate the analysis of its impact on people. People judge the relative magnitude of sound sensation in subjective terms such as "noisiness" or "loudness." The following are brief definitions of terminology used in this section:

Technical Terminology

- **Sound.** A disturbance created by a vibrating object, which, when transmitted by pressure waves through a medium such as air, is capable of being detected by a receiving mechanism, such as the human ear or a microphone.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **Decibel (dB).** A unitless measure of sound on a logarithmic scale.
- **A-Weighted Decibel (dBA).** An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Equivalent Continuous Noise Level (Leq); also called the Energy-Equivalent Noise Level.** The value of an equivalent, steady sound level which, in a stated time period (often over an hour) and at a stated location, has the same A-weighted sound energy as the time-varying sound. Thus, the Leq metric is a single numerical value that represents the equivalent amount of variable sound energy received by a receptor over the specified duration.
- **Statistical Sound Level (Ln).** The sound level that is exceeded "n" percent of time during a given sample period. For example, the L50 level is the statistical indicator of the time-varying noise signal that is exceeded 50 percent of the time (during each sampling period); that is, half of the sampling time, the

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changing noise levels are above this value and half of the time they are below it. This is called the “median sound level.” The L10 level, likewise, is the value that is exceeded 10 percent of the time (i.e., near the maximum) and this is often known as the “intrusive sound level.” The L90 is the sound level exceeded 90 percent of the time and is often considered the “effective background level” or “residual noise level.”

- **Day-Night Sound Level (Ldn or DNL).** The energy-average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the sound levels occurring during the period from 10:00 PM to 7:00 AM.
- **Community Noise Equivalent Level (CNEL).** The energy average of the A-weighted sound levels occurring during a 24-hour period, with 5 dB added from 7:00 pm to 10:00 pm and 10 dB from 10:00 pm to 7:00 am. For general community/environmental noise, CNEL and Ldn values rarely differ by more than 1 dB (with the CNEL being only slightly more restrictive, that is, higher than the Ldn value). As a matter of practice, Ldn and CNEL values are interchangeable and are treated as equivalent in this assessment.
- **Sensitive Receptor.** Noise- and vibration-sensitive receptors include land uses where quiet environments are necessary for enjoyment and public health and safety. Residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes are examples.
- **Peak Particle Velocity (PPV).** The peak rate of speed at which soil particles move (e.g., inches per second) due to ground vibration.

Sound Fundamentals

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in Hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the loudness of sound is the decibel (dB). Changes of 1 to 3 dBA are detectable under quiet, controlled conditions and changes of less than 1 dBA are usually indiscernible. A 3 dBA change in noise levels is considered the minimum change that is detectable with human hearing in outside environments. A change of 5 dBA is readily discernable to most people in an exterior environment whereas a 10 dBA change is perceived as a doubling (or halving) of the sound.

The human ear is not equally sensitive to all frequencies. Sound waves below 16 Hz are not heard at all and are “felt” more as a vibration. Similarly, while people with extremely sensitive hearing can hear sounds as high as 20,000 Hz, most people cannot hear above 15,000 Hz. In all cases, hearing acuity falls off rapidly above about 10,000 Hz and below about 200 Hz. Since the human ear is not equally sensitive to sound at all frequencies, a special frequency dependent rating scale is usually used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

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Sound Measurement

Sound pressure is measured through the A-weighted measure to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies.

Unlike linear units such as inches or pounds, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. On a logarithmic scale, an increase of 10 dBA is 10 times more intense than 1 dBA, while 20 dBA is 100 times more intense, and 30 dBA is 1,000 times more intense. A sound as soft as human breathing is about 10 times greater than 0 dBA. The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. This phenomenon is known as "spreading loss." For a single point source, sound levels decrease by approximately 6 dBA for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by on-site operations from stationary equipment or activity at a project site. If noise is produced by a line source, such as highway traffic, the sound decreases by 3 dBA for each doubling of distance in a hard site environment. Line source noise in a relatively flat environment with absorptive vegetation decreases by 4.5 dBA for each doubling of distance.

Time variation in noise exposure is typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called L_{eq}), or alternately, as a statistical description of the sound level that is exceeded over some fraction of a given observation period. For example, the L_{50} noise level represents the noise level that is exceeded 50 percent of the time. Half the time the noise level exceeds this level and half the time the noise level is less than this level. This level is also representative of the level that is exceeded 30 minutes in an hour. Similarly, the L_2 , L_8 , and L_{25} values represent the noise levels that are exceeded 2, 8, and 25 percent of the time or 1, 5, and 15 minutes per hour. These "L" values are typically used to demonstrate compliance for stationary noise sources with a city's noise ordinance, as discussed below. Other values typically noted during a noise survey are the L_{min} and L_{max} . These values represent the minimum and maximum root-mean-square noise levels obtained over the measurement period.

Because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, an artificial dB increment be added to quiet time noise levels in a 24-hour noise descriptor called the Community Noise Equivalent Level (CNEL) or Day-Night Noise Level (L_{dn}). The CNEL descriptor requires that an artificial increment of 5 dBA be added to the actual noise level for the hours from 7:00 P.M. to 10:00 P.M. and 10 dBA for the hours from 10:00 P.M. to 7:00 A.M. The L_{dn} descriptor uses the same methodology except that there is no artificial increment added to the hours between 7:00 P.M. and 10:00 P.M. Both descriptors give roughly the same 24-hour level with the CNEL being only slightly more restrictive (i.e., higher).

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Psychological and Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects our entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, and thereby affecting blood pressure, functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA could result in permanent hearing damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear. This is called the threshold of pain. Table 5.5-1 shows typical noise levels from familiar noise sources.

Table 5.5-1 Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Onset of physical discomfort	120+	
Jet Flyover at 1,000 feet	110	Rock Band (near amplification system)
Gas Lawn Mower at three feet	100	
	90	
Diesel Truck at 50 feet, at 50 mph		Food Blender at 3 feet
	80	Garbage Disposal at 3 feet
Noisy Urban Area, Daytime		
	70	Vacuum Cleaner at 10 feet
Commercial Area		Normal speech at 3 feet
Heavy Traffic at 300 feet	60	
		Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (background)
Quiet Suburban Nighttime		
	30	Library
Quiet Rural Nighttime		Bedroom at Night, Concert Hall (background)
	20	
		Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

Source: Caltrans 2013.

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Vibration Fundamentals

Vibration is an oscillating motion in the earth. Like noise, vibration is transmitted in waves, but in this case through the earth or solid objects. Unlike noise, vibration is typically of a frequency that is felt rather than heard. Vibration amplitudes are usually described in terms of either the peak particle velocity (PPV) or the root mean square (RMS) velocity. PPV is the maximum instantaneous peak of the vibration signal, and RMS is the square root of the average of the squared amplitude of the signal. PPV is more appropriate for evaluating potential building damage. The units for PPV are normally inches per second (in/sec). Typically, ground borne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

The way in which vibration is transmitted through the earth is called propagation. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

5.5.1.2 REGULATORY BACKGROUND

To limit population exposure to physically and/or psychologically damaging as well as intrusive noise levels, the federal government, the State of California, and municipalities in the state have established standards and ordinances to control noise.

Federal

Occupational Health and Safety Administration

The federal government regulates occupational noise exposure common in the workplace through the Occupational Health and Safety Administration (OSHA) under the EPA. Such limitations would apply to the operation of construction equipment and could also apply to any proposed industrial land uses. Noise exposure of this type is dependent on work conditions and is addressed through a facility's Health and Safety Plan, as required under OSHA, and is therefore not addressed further in this analysis.

US Department of Housing and Urban Development

The US Department of Housing and Urban Development (HUD) has set a goal of 65 dBA L_{dn} as a desirable maximum exterior standard for residential units developed under HUD funding. (This level is also generally accepted within the State of California.) While HUD does not specify acceptable interior noise levels, standard construction of residential dwellings typically provides in excess of 20 dBA of attenuation with the windows closed. Based on this premise, the interior L_{dn} should not exceed 45 dBA.

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State

General Plan Guidelines

The State of California, through its General Plan Guidelines, discusses how ambient noise should influence land use and development decisions and includes a table of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable uses at different noise levels expressed in CNEL. A conditionally acceptable designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a normally acceptable designation indicates that standard construction can occur with no special noise reduction requirements. Local municipalities adopt these compatibility standards as part of their General Plan and modify them as appropriate for their local environmental setting.

California Building Code

The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (L_{dn}) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.

Structures with habitable rooms that are near major transportation noise sources within the 60 dBA CNEL noise contour require an acoustical analysis showing that the structure has been designed to limit intruding noise in the prescribed allowable levels. To comply with these regulations, applicants of new the residential projects are required to submit an acoustical report in areas where noise and land use compatibility is a concern. The report is required to analyze exterior noise sources affecting the proposed dwelling site, predicted noise spectra at the exterior of the proposed dwelling structure considering present and future land usage, basis for the prediction (measured or obtained from published data), noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met. If interior allowable noise levels are met by requiring that windows be inoperable or closed, the design for the structure must also specify the means that will be employed to provide ventilation and cooling, if necessary, to provide a habitable interior environment.

CalGreen

The State of California's noise insulation standards for non-residential uses are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 11, California Green Building Standards Code (CALGreen). CALGreen noise standards are applied to new or renovation construction projects in California to control interior noise levels resulting from exterior noise sources. Proposed projects may use either the prescriptive method (Section 5.507.4.1) or the performance method (5.507.4.2) to show compliance. Under the prescriptive method, a project must demonstrate transmission loss ratings for the wall and roof-ceiling assemblies and exterior windows when located within a noise environment of 65 dBA CNEL or higher. Under the performance method, a project must demonstrate that interior noise levels do not exceed 50 dBA $L_{eq(1hr)}$.

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Local Noise Standards

The Westminster Mall Specific Plan project boundary borders the City of Huntington Beach to the south and west. The nearest sensitive receptors to the Specific Plan are residential uses within the City of Huntington Beach. Therefore, applicable noise standards from the City of Huntington Beach are included in this section in addition to applicable noise standards from the City of Westminster Municipal Code.

City of Westminster General Plan

The Land Use Element of the City of Westminster General Plan includes goals and policies that aim to minimize the impact of noise sources found in the City. The following noise goals and policies are directly relevant to the Plan:

Goal LU-4: Compatible residential, commercial, and industrial development that is sensitively integrated with existing development and neighborhoods and minimizes impacts on surrounding land uses.

- **Policy LU-4.1 Development Compatibility.** Require that development is located and designed to ensure compatibility among land uses, addressing such elements as building orientation and setbacks; buffering; visibility and privacy; automobile and truck access; impacts of noise, lighting, and glare; landscape quality; and aesthetics.
- **Policy LU-4.7 Commercial and Industrial Development.** Require new commercial and industrial developments to clearly demonstrate that they will have no significant detrimental impacts upon the City and its residents, including, but not limited to, significant adverse traffic, noise, air pollution, and fiscal impacts.

Goal LU-7: Community noise and vibration levels that balance the need for peaceful environments for sensitive land uses with the needs of local businesses and regional land uses.

- **Policy LU-7.1 Land Use Noise Compatibility.** Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.
- **Policy LU-7.2 Noise Insulation and Vibration Standards.** Require new projects to comply with noise insulation and vibration standards of local, regional, and state building code regulations.
- **Policy LU 7.4 Noise Control.** Utilize noise abatement, design techniques, and other mitigation strategies—including staggered operating hours, insulation, building setbacks, noise barriers, insulation, placement of parking and utility areas, and building orientation—to ensure that noise levels do not exceed the limits in the Westminster Municipal Code.
- **Policy LU-7.5 Roadway Noise.** Encourage nonmotorized transportation alternatives for local trips and the implementation of noise sensitivity measures, including traffic-calming road design, lateral separation, natural buffers, and setbacks to decrease excessive motor vehicle noise along major arterials.

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- **Policy LU-7.6 Highway Noise.** Continue to coordinate with the California Department of Transportation (Caltrans) to achieve maximum noise abatement in the design of new highway projects or improvements along I-405 and SR 22; abatement techniques could include alignment, barriers, lateral separation, or other techniques.
- **Policy LU-7.8 Interjurisdictional Coordination.** Coordinate with Orange County and the cities of Seal Beach, Huntington Beach, Garden Grove, and Fountain Valley to minimize noise conflicts between land uses along the City's boundaries.

Table 5.5-2 summarizes noise and land use compatibility guidelines from the Westminster General Plan.

Table 5.5-2 City of Westminster Land Use Compatibility with Community Noise Environments

Land Uses	Energy Average (CNEL) in dB						
	<55	55	60	65	70	75	80+
Amphitheater, concert hall, auditorium, meeting hall	B	B	C	C	D	D	D
Mobile Home	A	A	B	C	C	D	D
Hospital, library, school, faith/religious uses	A	A	B	C	C	D	D
Hotel, motel, transient lodging	A	A	B	B	C	C	D
Single family, multifamily, faith/religious uses	A	A	B	B	C	D	D
Parks	A	A	A	B	C	D	D
Office buildings, research & development, professional office, city office building, and hotel	A	A	A	B	B	C	D
Amusement park, miniature golf, go-cart track, health club, equestrian center	A	A	A	B	B	D	D
Golf courses, nature centers, cemeteries, wildlife reserves, wildlife habitat	A	A	A	A	B	C	C
Commercial retail, bank, restaurant, movie theater	A	A	A	A	B	B	C
Automobile service station, auto dealer, manufacturing, warehousing, wholesale, utilities	A	A	A	A	B	B	B
Agriculture	A	A	A	A	A	A	A

Source: City of Westminster General Plan

Notes: Compatibility zones indicate the degree to which the land uses listed are compatible with the noise levels (CNEL) shown in the table.

Zone A. Clearly Compatible. Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Zone B. Normally Compatible. New construction or development should be undertaken only after detailed analysis of the noise reduction requirements are made and needed noise insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice.

Zone C. Normally Incompatible. New construction or development should normally be discouraged. If new construction or development does proceed, a detailed analysis or noise reduction requirements must be made and needed noise insulation features must be included in the design.

Zone D. Clearly Incompatible. New construction or development should generally not be undertaken.

City of Westminster Municipal Code

Chapter 8.28, *Noise Control*, of the Municipal Code provides exterior standards for all residential property within noise zones 1 and 2. Exterior noise standards are summarized in Table 5.5-3 below.

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Table 5.5-3 City of Westminster Exterior Noise Standards

Zone	Time Period	Exterior Noise Level, dBA				
		L ₅₀ ^a	L ₂₅ ^b	L ₈ ^c	L ₂ ^d	L _{max} ^e
Zone 1 ^f	7:00 AM - 10:00 PM	55	60	65	70	75
	10:00 PM – 7:00 AM	55	60	65	70	75
Zone 2 ^g	7:00 AM - 10:00 PM	60	65	70	75	80
	10:00 PM – 7:00 AM	55	60	65	70	75

Source: City of Westminster Municipal Code, Section 8.20.040, *Exterior Noise*.

Notes:

A 5 dBA penalty shall be applied in the event of an alleged offensive noise such as impact noise, simple tones, speech, music, or any combination of thereof.

The standards are based on the following:

^a The noise standard for a cumulative period of more than 30 minutes in any hour (L₅₀); or

The noise standard plus 5 dBA for a cumulative period of more than 15 minutes in any hour (L₂₅); or

^c The noise standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour (L₈); or

^d The noise standard plus 15 dBA for a cumulative period of more than 1 minute in any hour (L₂); or

^e The noise standard plus 20 dBA for any period of time (L_{max}).

^f The entire territory of the city of Westminster is designated as "Noise Zone 1" except for those properties specifically designated as "Noise Zone 2."

^g All properties designated as being within land use districts R2, R3, R4 and R5 as shown on the sectional district maps adopted pursuant to Title 17 of the Westminster Municipal Code.

Under section 8.28.060, *Exemptions*, the following are exempt from the provisions of the Municipal Code:

- Outdoor gatherings, public places and shows, provided said events are conducted pursuant to a permit issued by the City.
- Noise sources associated with construction repair, remodeling, or grading of any real property, provided said activities do not take place between the hours of 8:00 PM and 7:00 AM on weekdays, including Saturday, or at any time on Sunday or a federal holiday;
- Noise sources associated with the maintenance of real property, provided said activities take place between 7:00 AM and 8:00 PM on any day except Sunday or a federal holiday.

Vibration

Section 8.28.010(B) *Declaration of Policy*, declares that creating, maintaining, causing or allowing to be created, caused or maintained, any vibration in a manor prohibited by or not in conformity with the provisions of Chapter 8.28, *Noise Control*, to be a public nuisance.

Section 17.230.015(B)(3), *Industrial Zoning District Development Standards*, of the Westminster Municipal code states that no approved land use shall generate ground vibration perceptible without instruments at any point along or outside of the property line of the use, except for motor vehicles operations.

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City of Huntington Beach Municipal Code

Chapter 8.40, *Noise Control*, of the Municipal Code provides exterior standards for different uses identified as zones which are summarized in Table 5.5-4 below. Impacts to sensitive receptors in bordering Huntington Beach are analyzed based on these standards, accordingly.

Table 5.5-4 City of Huntington Beach Exterior Noise Standards

Land Use	Time Period	Exterior Noise Level, dBA	
		Leq	Lmax
Low-Density Residential	7:00 AM - 10:00 PM	55	75
	10:00 PM – 7:00 AM	50	70
Medium-, High-Density Residential, Hotels, Motels	7:00 AM - 10:00 PM	60	80
	10:00 PM – 7:00 AM	50	70
Schools	Hours of Operation	55	75
Hospitals, Churches, Cultural, Museum, Library, Public Park, Recreational	Hours of Operation	60	80
Commercial/Office	Hours of Operation	65	85

Source: City of Huntington Beach Municipal Code, Section 8.40.050, *Exterior Noise Standards*.

Notes:

The above standard does not apply to the establishment of multifamily residence private balconies and patios. Multifamily developments with balconies or patios that do not meet CNEL standards are required to provide occupancy disclosure notices to all future tenants regarding potential noise impacts.

The above daytime (7:00 a.m.–10:00 p.m.) standards for hotels, motels and commercial uses shall apply only to active outdoor use areas such as a pool or outdoor courtyard.

A 5 dBA penalty shall be applied in the event of an alleged offensive noise such as impact noise, simple tones, speech, music, or any combination of thereof.

Section 8.40.090, *Special Provisions*, exempts the following from the provisions of the Municipal Code:

- Noise sources associated with construction, repair, remodeling, or grading of any real property; provided a permit has been obtained from the City as provided herein; said activities do not take place between the hours of 7:00 PM and 7:00 AM on weekdays, including Saturday, or at any time on Sunday or a federal holiday; and the average construction noise levels do not exceed 80 dBA L_{eq} at nearby noise sensitive land uses. If outdoor construction activities are permitted by the City after 7:00 p.m. or before 7:00 a.m., the average construction Noise Levels at nearby noise-sensitive land uses shall be limited to 50 dBA L_{eq} .
- Noise sources associated with the maintenance of real property and use of domestic power tools provided said activities take place between the hours of 8:00 a.m. and 7:00 p.m. Monday through Saturday or between the hours of 9:00 a.m. and 6:00 p.m. on Sunday or a federal holiday. Noise from typical and occasional property maintenance and the use of domestic power tools which does not require a building permit shall not be subject to the noise limits as noted above.
- Noise sources associated with temporary public or private events located on private or public property provided a permit has been obtained from the City.

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5.5.1.3 EXISTING CONDITIONS

Traffic Noise

The Plan Area's northeastern boundary is adjacent to Interstate 405 (I-405). Based on existing traffic noise contours from the 2016 General Plan Update EIR, the Plan Area is predominately within the I-405's 70 and 65 CNEL contour. To supplement and establish existing ambient noise conditions, ambient noise measurements were conducted onsite and in the vicinity of the Plan Area which are discussed in detail below.

Sensitive Receptors

Certain land uses, such as residences, schools, and hospitals, are particularly sensitive to noise and vibration. Sensitive receptors include residences, senior housing, schools, places of worship, and recreational areas. These uses are regarded as sensitive because they are where citizens most frequently engage in activities which are likely to be disturbed by noise, such as reading, studying, sleeping, resting, working from home, or otherwise engaging in quiet or passive recreation. Commercial and industrial uses are not particularly sensitive to noise or vibration. The nearest sensitive receptors are single-family homes to the west and south of the project in the City of Huntington Beach. Ada Clegg Elementary School is located further to the west in the City of Huntington Beach.

Ambient Noise Measurements

The 2016 Westminster General Plan Update Environmental Impact Report conducted ambient noise measurements throughout the City. Short-term measurement 6 (ST-6), was conducted onsite of the Plan Area. The following is the description of the noise monitoring location and observations made during time of measurement.

- Short-term noise monitoring Location 6 was on a parking lot access lane serving Westminster Mall. The microphone and sound meter were positioned approximately 300 feet north of the northern most part of Westminster Mall, 550 feet west of Interstate 405, and directly alongside of the parking lot. Fifteen minutes of noise measurements were taken beginning at 3:12 p.m. on Wednesday, April 6, 2016, at which time the air temperature was 73.3°F and winds were light.
- Land uses surrounding short-term Location 6 are commercial, with Westminster Mall and some surrounding retail development. The area immediately adjacent is entirely devoted to parking that serves Westminster Mall. The noise environment is dominated by the sound of passing traffic along I-405. Other noise included the sound of passing cars and sounds from the adjacent parking lot. It was also possible to hear children playing in the parking lot 320 feet to the north.

To determine up to date and comprehensive baseline noise levels at various locations in the vicinity of the Plan Area, ambient noise monitoring was conducted by PlaceWorks. Five short-term (15-20 minute) measurements and two long-term (48 hour) measurements were conducted between Tuesday, December 10 and Thursday December 12, 2019. Noise sources at measurement locations were primarily influenced by traffic on Bolsa Avenue, Edwards Street, and I-405. During short-term measurements, conditions included mostly partly cloudy skies, temperatures of 61 degrees Fahrenheit (°F) and average wind speeds of up to 1

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mile per hour. All sound level meters were equipped with a windscreen during measurements. All sound level meters used for noise monitoring (Larson Davis model LxT and 820) satisfy the American National Standards Institute (ANSI) standard for Type 1 instrumentation. The sound level meters were set to “slow” response and “A” weighting (dBA). The meters were calibrated prior to and after the monitoring period. All measurements were at least five feet above the ground and away from reflective surfaces. Noise measurement locations are described below and shown in Figure 5.5-1, *Approximate Noise Monitoring Locations*.

The following describes individual noise monitoring locations and observations made during measurements:

- **Long-Term Location 1 (LT-1)** was on Edwards Street north of Mar Vista Drive and approximately 15 feet west of the nearest southbound travel lane centerline. A 48-hour noise measurement was conducted, beginning at the 9:00 AM hour Tuesday December 10, 2019. The noise environment at this site is characterized primarily by traffic on Edwards Street.
- **Long-Term Location 2 (LT-2)** was on Bolsa Avenue east of Edwards Street approximately 15 feet south of the nearest eastbound travel lane centerline. A 48-hour noise measurement was conducted, beginning at the 8:00 AM hour Tuesday December 10, 2019. The noise environment at this site is characterized primarily by traffic on Bolsa Avenue.
- **Short-Term Location 1 (ST-1)** was at the end of the Harmony Circle cul-de-sac. A 15-minute noise measurement began at 9:19 AM on Tuesday, December 10, 2019. The noise environment is characterized primarily by traffic on Edwards Street. There is an approximate 5-6 foot masonry wall along the residential property line parallel to Edwards Street. Noise levels from traffic on the residential side of the wall generally ranged from 60 to 65 dBA.
- **Short-Term Location 2 (ST-2)** was at the end of the Genoa Circle cul-de-sac. A 15-minute noise measurement began at 8:54 AM on Tuesday, December 10, 2019. The noise environment is characterized primarily by traffic on Bolsa Avenue. There is a 6-foot masonry wall along the residential property line parallel to Bolsa Avenue. Noise levels from traffic on the residential side of the wall generally ranged from 55 to 65 dBA, and medium-duty and heavy-duty trucks were measured up to 70 dBA.
- **Short-Term Location 3a (ST-3a)** was at the existing mall Loading Dock A, approximately 20 feet from a truck’s idling engine and approximately 50 feet from the loading dock door. A 20-minute noise measurement began at 10:16 AM on Tuesday, December 10, 2019. The loading doors were sealed and, therefore, loading activities were somewhat muffled. On occasions, activities inside the trailer could be heard such as thumps and rolling wheels. Engine idling noise levels were continuous at approximately 65 dBA. Unloading activities inside the trailer generally ranged from 70 to 77 dBA when audible.

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- **Short-Term Location 3b (ST-3b)** was at the existing mall Loading Dock E, approximately 35 feet from the truck's idling engine and approximately 25 feet from the loading area. A 20-minute noise measurement began at 10:41 AM on Tuesday, December 10, 2019. Loading Dock E, an open loading area with direct entry to the store, included a cardboard box compactor. Loading activities included the use of the trailer liftgate, ramp, and an electric pallet lift. Noise levels from loading and unloading generally ranged from 64 to 74 dBA. Operation of the electric pallet lift and closing the trailer liftgate generated noise levels of up to 82 dBA; however this was limited to a few minutes and only occurred at the beginning and end of loading activities. Idling engine noise ranged from 60 to 66 dBA.
- **Short-Term Location 4 (ST-4)** was in the southeast parking lot area of the mall off the Westminster Mall roadway in an area of proposed mixed-use residential. A 15-minute noise measurement began at 3:26 PM on Thursday, December 12, 2019. The noise environment is characterized primarily by traffic on I-405 and vehicle pass-bys on Westminster Mall roadway. Noise levels generally ranged from 66 to 70 dBA from Westminster Mall road traffic and 63 to 65 dBA from I-405 traffic.

Ambient Noise Results

During the ambient noise survey, the noise levels at monitoring locations ranged from 74 to 75 dBA CNEL. The long-term noise measurement results are summarized in Table 5.5-5, *Long-Term Noise Measurement Levels*. A summary of the daily trend during long-term noise measurements are provided in Appendix 5.5-1. The short-term noise measurement results are summarized in Table 5.5-6, *Short-Term Noise Measurement Levels*.

Table 5.5-5 Long-Term Noise Measurement Levels (dBA)

Monitoring Location	Description	CNEL	Lowest Leq, 1-hr	Highest Leq, 1-hr
LT-1	Edwards Street – North of Bolsa Avenue	74	57.7	73.2
LT-2	Bolsa Avenue – East Edwards Street	75	58.7	72.9

Table 5.5-6 Short-Term Noise Measurement Levels (dBA)

Monitoring Site	Leq	Lmax	Lmin	L2	L8	L25	L50
ST-1, 12/10/2019, 9:19 AM	58.9	68.4	44.7	64.5	63.1	60.8	56.9
ST-2, 12/10/2019, 8:54 AM	55.9	69.8	44.0	62.1	59.9	56.9	53.2
ST-3a, 12/10/2019, 10:16 AM	66.0	77.5	64.4	67.3	66.6	65.7	65.5
ST-3b, 12/10/2019, 10:41 AM	65.4	82.5	59.2	70.8	67.0	66.1	63.0
ST-4, 12/12/2019, 3:26 PM	65.9	76.3	62.3	69.1	68.1	66.5	65.4

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5.5.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would result in:

- N-1 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.
- N-2 Generation of excessive ground borne vibration or ground borne noise levels.
- N-3 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, if the project would expose people residing or working in the project area to excessive noise levels.

The Initial Study, included as Appendix A, substantiates that the proposed project impacts associated with Threshold N-3 is less than significant, therefore this impact will not be addressed in the following analysis.

5.5.2.1 CONSTRUCTION NOISE THRESHOLDS

The City of Huntington Beach has established a construction noise threshold of 80 dBA L_{eq} . The City of Westminster -has not established criteria for construction noise. The FTA provides criteria for acceptable construction noise levels and recommends a daytime noise threshold of 80 dBA L_{eq} for residential uses, which the City of Huntington Beach also uses. For the purposes of this analysis, the FTA criterion is applied to nearby sensitive receptors in the City of Westminster as well to determine impact significance.

5.5.2.2 TRANSPORTATION NOISE THRESHOLDS

A project will normally have a significant effect on the environment related to noise if it will substantially increase the ambient noise levels for adjoining areas. Most people can detect changes in sound levels of approximately 3 dBA under normal, quiet conditions, and changes of 1 to 3 dBA are detectable under quiet, controlled conditions. Changes of less than 1 dBA are usually indiscernible. A change of 5 dBA is readily discernible to most people in an exterior environment. Based on the noise standards from Table 5.5-2, noise levels above 65 dBA CNEL are normally incompatible with sensitive receptors such residential uses, and noise environments in these areas would be considered degraded. Based on this, a significant impact would occur if the following traffic noise increases occur relative to the existing noise environment:

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

5.5.2.3 STATIONARY NOISE THRESHOLDS

As discussed above in Section 5.5.1.2, *Regulatory Background*, the City's noise ordinance establishes exterior noise levels at receiving residential property lines for both City of Huntington Beach and City of

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Westminster. These exterior noise standards are used for determining significance impact at nearby sensitive receptors.

5.5.2.4 VIBRATION THRESHOLDS

Construction Vibration

Under Section 8.28.010(B), the City of Westminster declares certain vibration levels to be a public nuisance and detrimental to the public health. However, the City of Westminster nor the City of Huntington Beach have not established specific limits for acceptable vibration damage levels for temporary construction activities. The FTA provides criteria for groundborne vibration at various building types, which are used for this analysis. These criteria are shown in Table 5.5-7, *Groundborne Vibration Criteria*. For the purposes of this analysis, the FTA criteria is applied to nearby sensitive receptors to determine impact significance.

Table 5.5-7 Groundborne Vibration 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.	Non-engineered timber and masonry buildings	0.2
IV.	Buildings extremely susceptible to vibration damage	0.12

Source: FTA 2018.
PPV = peak particle velocity

Operational Vibration

Under Section 17.230.015, *Industrial Zoning District Development Standards, Part B*, all land uses proposed in the M1 and M2 zoning shall be operated and maintained so as not to be injurious to public health, safety or welfare. No approved land uses shall generate ground vibration perceptible without instruments at any point along or outside the property line of the use, except for motor vehicles. Though, the Specific Plan is not within an Industrial Zone District, operational vibration standard from this section of the Westminster Municipal Code shall be applied to operational vibration analysis for significance determination.

5.5.3 Plans, Programs, and Policies

The following Project Design Features (PDFs) are from Chapter 5 of the Westminster Mall Specific Plan and designed to attenuate interior noise levels for habitable rooms.

5.5.3.1 PROJECT DESIGN FEATURES

Section 5.2.30 Noise Attenuation

PDF-1 Noise attenuation applies to any new development that includes residential or other noise sensitive uses. The City's General Plan Noise Element identifies two future noise contour

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levels on the Westminster Mall site, 70 dBA CNEL (closest to the freeway) and 65 dBA CNEL (transitioning midway in the property toward the single-family residential neighborhoods in Huntington Beach).

PDF-2 Applicants for new noise-sensitive development (e.g., residential, hospitals, etc.) must demonstrate to the Community Development Director that all habitable rooms would meet the 45 dBA CNEL interior noise standard required by the State Title 24 before the City issues building permits. This can be accomplished with enhanced construction design or materials, such as upgraded dual-glazed windows and/or upgraded exterior wall assemblies.

PDF-3 To ensure exterior noise compatibility, applicants proposing projects that fall within areas located within the 70 dBA CNEL contour lines must demonstrate that the noise levels for residential outdoor common areas and recreational areas are at or below 70 dBA CNEL to ensure compatibility with the ambient noise levels. Noise reduction measures could include increased setback from the freeway, shielding with noise barriers, or placing outdoor noise-sensitive areas behind buildings. For noise attenuation purposes, outdoor common or recreation areas do not include parking and loading areas, ornamental landscaping, or walking/biking trails.

5.5.3.2 REGULATORY REQUIREMENTS

RR NOI-1 Project related construction activity will be limited to the hours specified in the City of Westminster Municipal Code Section 8.28.060 and City of Huntington Beach Municipal Code Section 8.40.090.

RR NOI-2 The project will comply with the City of Westminster (Municipal Code Section 8.20.040) and City of Huntington Beach (Municipal Code Section 8.40.050) exterior noise standards, based on the receiving sensitive receptor's city code.

RR NOI-3 Any new loading areas shall be screened so that they are not visible from street frontages or any freeway corridor. A solid masonry wall shall be designed to screen loading areas and, where necessary, to mitigate noise impacts in accordance with the City of Westminster Municipal Code Section 17.300.035(D), *Screening of Loading Areas*.

5.5.4 Environmental Impacts

5.5.4.1 METHODOLOGY

This section analyzes impacts related to short-term construction noise and vibration, as well as operational noise and vibration due to buildout of the Specific Plan. Noise increases from vehicular traffic were assessed using a version of the U.S. Federal Highway Administration (FHWA) Traffic Noise Prediction Model and the traffic forecasts contained in the Transportation Impact Analysis (Appendix 5.9-1 of this DEIR).

As a result of the Supreme Court decision regarding the assessment of the environment's impacts on projects (*California Building Industry Association (CBLA) v. Bay Area Air Quality Management District (BAAQMD)*, 62 Cal.

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4th 369 (No. S 213478) issued December 17, 2015), it is generally no longer the purview of the CEQA process to evaluate the impact of existing environmental conditions on any given project. As a result, while the noise from existing sources is taken into account as part of the baseline, the direct effects of noise from nearby noise sources relative to land use compatibility of a future project is typically no longer a required topic for impact evaluation under CEQA. Generally, no determination of significance is required with the exception of certain school projects, project's affected by airport noise, and project's that would exacerbate existing conditions (i.e., projects that would have a significant operational impact). As required by PDF-1, noise levels will be considered in land use planning decisions to prevent future noise and land use incompatibilities. At the discretion of the City of Westminster Building Division, a project applicant may be required to obtain a detailed acoustical report outlining any necessary noise reduction features in the final design to comply with City and State CBC provisions for indoor and outdoor noise levels.

5.5.4.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.5-1: Construction activities would result in temporary noise increases in the vicinity of the Specific Plan Area that could exceed standards. [Threshold N-1]

Construction Noise

Two types of temporary noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. The second type of temporary noise impact is related to construction activities during the implementation of the Specific Plan. Construction is performed in distinct steps, each of which has its own mix of equipment, and, consequently, its own noise characteristics. Table 5.5-8 *Example Construction Equipment Noise Emission Levels*, lists typical construction equipment noise levels recommended for noise-impact assessments, based on a distance of 50 feet from the equipment from the FTA's Transit Noise and Vibration Impact Assessment Manual (FTA 2018). Project level details with specific construction equipment are not known at this time.

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Table 5.5-8 Example Construction Equipment Noise Emission Levels

Construction Equipment	Typical Noise Levels at 50 feet, dBA
Air Compressor	80
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Derrick	88
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	80
Paver	85
Pile-Driver (Impact)	101
Pile-Driver (Sonic)	95
Pneumatic Tool	85
Pump	77
Rail Saw	90
Rock Drill	85
Roller	85
Saw	76
Scarifier	83
Scraper	85
Shovel	82
Spike Driver	77
Tie Cutter	84
Tie Handler	80
Tie Insertter	85
Truck	84

Source: FTA 2018.

As shown in Table 5.5-8, construction equipment generates high levels of noise, generally ranging from 76 dBA to 101 dBA at a distance of 50 feet. Construction associated with the implementation of the Specific Plan would temporarily increase the ambient noise environment and would have the potential to affect noise-sensitive receptors in the vicinity of an individual project.

Noise generated by on-site construction equipment is based on the type of equipment used, its location relative to sensitive receptors, and the timing and duration of noise-generating activities. Each phase of

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construction involves different types of equipment and has distinct noise characteristics. Noise levels from construction activities are typically dominated by the loudest several pieces of equipment. The dominant equipment noise source is typically the engine, although work-piece noise (such as dropping of materials) can also be noticeable.

The noise produced during each construction phase is determined by combining the L_{eq} (as defined above in Section 5.5.1.1) contributions from each piece of equipment used at a given time, while accounting for the ongoing time variations of noise emissions (commonly referred to as the usage factor). Overall noise emissions vary considerably, depending on the specific activity being performed at any given moment. Noise attenuation due to distance, the number and type of equipment, and the load and power requirements to accomplish tasks at each construction phase would result in different noise levels from construction activities at a given receptor. Since noise from construction equipment is intermittent and diminishes at a rate of at least 6 dBA per doubling of distance (conservatively ignoring other attenuation effects from air absorption, ground effects, and shielding effects), the average noise levels at noise-sensitive receptors could vary considerably, because mobile construction equipment would move around the site and would have different loads and power requirements.

Because specific project-level construction information is not yet available, it is not possible to quantify the estimated construction noise levels at specific sensitive receptors due to a given project under the Specific Plan. In most cases, construction of individual developments associated with implementation of the Specific Plan would temporarily increase the environment's ambient noise in the vicinity of each individual project, potentially affecting existing and future nearby sensitive uses and potentially exceeding the threshold of 80 dBA L_{eq} , particularly if pile driving is needed for building foundations of taller structures.

Level of significance Before Mitigation: Potentially Significant.

Impact 5.5-2	Project implementation would result in long-term operation-related noise that would not exceed standards. [Threshold N-1]
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Mobile Noise Sources

As discussed above, traffic noise increases were calculated using a version of the FHWA's Traffic Noise Prediction Model based on existing and future traffic volumes and vehicle mix (auto, medium-duty trucks, and heavy-duty trucks) provided by the project traffic consultant (Fehr & Peers 2020). The FHWA model predicts noise levels through a series of adjustments to a reference sound level. These adjustments account for distances from the roadway, traffic volumes, vehicle speeds, vehicle mix, time of day splits, and number of lanes. Table 5.5-9, *Existing and Future Traffic Noise Levels*, shows the existing and future predicted noise levels at 50 feet from the nearest travel centerline and Table 5.5-10, *Plan-Related Increases in Traffic Noise*, shows the predicted traffic noise increases with implementation of the Specific Plan. Appendix 5.5-1 of the DEIR contains the traffic noise modeling inputs and outputs.

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Table 5.5-9 Existing and Future Traffic Noise Levels

Roadway Segment	Average Daily Traffic Volumes				dBA CNEL at 50 Feet			
	Existing	Existing Plus Project	Future No Project	Future Plus Project	Existing	Existing Plus Project	Future No Project	Future Plus Project
Westminster Boulevard – West of Edwards Street	29,540	29,540	30,750	31,490	74.6	74.7	74.8	74.9
Westminster Boulevard – Edwards Street to Goldenwest Street	27,450	27,450	28,630	28,760	74.4	74.4	74.6	74.6
Westminster Boulevard – East of Goldenwest Street	23,540	23,540	24,380	25,110	72.5	72.7	72.7	72.8
Edwards Street – North of Westminster Boulevard	15,530	15,530	32,940	17,580	70.7	70.9	74.0	71.3
Edwards Street – South of Westminster Boulevard	20,480	20,480	21,880	23,160	71.9	72.2	72.2	72.5
Edwards Street – North of Royal Oaks Drive	17,890	17,890	18,350	20,840	72.4	73.0	72.6	73.1
Edwards Street – Royal Oaks Drive to Mar Vista Drive	18,550	18,550	19,180	21,540	72.6	73.1	72.7	73.2
Edwards Street – Mar Vista to Bolsa Avenue	23,910	23,910	24,710	28,840	73.7	74.4	73.8	74.5
Edwards Street – South of Bolsa Avenue	22,020	22,020	23,410	24,050	73.3	73.5	73.6	73.7
Bolsa Avenue – East of Edwards Street	19,950	19,950	21,130	21,800	73.1	73.2	73.3	73.5
Bolsa Avenue – Edwards Street to Goldenwest Street	25,950	25,950	26,630	34,500	74.2	75.4	74.3	75.5
Bolsa Avenue – Goldenwest to Hazard Avenue	29,710	29,710	32,130	34,000	75.7	76.0	76.1	76.3
Bolsa Avenue – West of Chestnut	23,730	23,730	25,000	25,680	74.8	74.9	75.0	75.1
Goldenwest Street – North of Westminster	33,790	33,790	35,180	36,930	75.4	75.6	75.5	75.7
Goldenwest Street – Goldenwest to Hazard Avenue	33,860	33,860	34,940	37,040	75.3	75.8	75.4	75.7
Goldenwest Street – Hazard Avenue to Westminster Mall Road	42,600	42,600	43,530	47,640	76.4	77.0	76.5	76.9
Goldenwest Street – Westminster Mall Road to Bolsa Avenue	43,780	43,780	45,250	50,840	76.5	77.0	76.6	77.1
Goldenwest Street – Bolsa Avenue to Oxford Drive	44,440	44,440	46,000	48,240	77.6	77.8	77.7	77.9
Goldenwest Street – Oxford Drive to McFadden Avenue	42,260	42,260	43,130	45,360	77.4	77.6	77.4	77.7
Goldenwest Street – South of McFadden Avenue	40,990	40,990	42,000	44,240	77.2	77.5	77.3	77.6
Hazard – West of Goldenwest Street	7,940	7,940	8,400	8,940	65.3	65.5	65.5	65.8
McFadden Avenue – East of Goldenwest Street	23,020	23,020	24,460	24,460	74.6	74.6	74.8	74.8
McFadden Avenue – West of Goldenwest Street	26,950	26,950	28,770	28,770	75.2	75.2	75.5	75.5

Source: Traffic data provided by Fehr & Peers, 2020.

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Table 5.5-10 Plan-Related Traffic Noise Increases

Roadway Segment	dBA CNEL at 50 Feet				dBA CNEL Increase			
	Existing	Existing Plus Project	Future No Project	Future Plus Project	Project	Cumulative	Project Cumulative Contribution	Increase greater than 1.5 dBA?
Westminster Boulevard – West of Edwards Street	74.6	74.7	74.8	74.9	0.1	0.3	0.1	No
Westminster Boulevard – Edwards Street to Goldenwest Street	74.4	74.4	74.6	74.6	0.0	0.2	0.0	No
Westminster Boulevard – East of Goldenwest Street	72.5	72.7	72.7	72.8	0.1	0.3	0.1	No
Edwards Street – North of Westminster Boulevard	70.7	70.9	74.0	71.3	0.2	0.5	-2.7	No
Edwards Street – South of Westminster Boulevard	71.9	72.2	72.2	72.5	0.3	0.5	0.2	No
Edwards Street – North of Royal Oaks Drive	72.4	73.0	72.6	73.1	0.6	0.7	0.6	No
Edwards Street – Royal Oaks Drive to Mar Vista Drive	72.6	73.1	72.7	73.2	0.5	0.6	0.5	No
Edwards Street – Mar Vista to Bolsa Avenue	73.7	74.4	73.8	74.5	0.7	0.8	0.7	No
Edwards Street – South of Bolsa Avenue	73.3	73.5	73.6	73.7	0.1	0.4	0.1	No
Bolsa Avenue – East of Edwards Street	73.1	73.2	73.3	73.5	0.2	0.4	0.1	No
Bolsa Avenue – Edwards Street to Goldenwest Street	74.2	75.4	74.3	75.5	1.2	1.2	1.1	No
Bolsa Avenue – Goldenwest to Hazard Avenue	75.7	76.0	76.1	76.3	0.3	0.6	0.2	No
Bolsa Avenue – West of Chestnut	74.8	74.9	75.0	75.1	0.1	0.3	0.1	No
Goldenwest Street – North of Westminster	75.4	75.6	75.5	75.7	0.2	0.4	0.2	No
Goldenwest Street – Goldenwest to Hazard Avenue	75.3	75.8	75.4	75.7	0.5	0.4	0.3	No
Goldenwest Street – Hazard Avenue to Westminster Mall Road	76.4	77.0	76.5	76.9	0.7	0.5	0.4	No
Goldenwest Street – Westminster Mall Road to Bolsa Avenue	76.5	77.0	76.6	77.1	0.5	0.6	0.5	No
Goldenwest Street – Bolsa Avenue to Oxford Drive	77.6	77.8	77.7	77.9	0.2	0.4	0.2	No
Goldenwest Street – Oxford Drive to McFadden Avenue	77.4	77.6	77.4	77.7	0.2	0.3	0.2	No
Goldenwest Street – South of McFadden Avenue	77.2	77.5	77.3	77.6	0.2	0.3	0.2	No
Hazard – West of Goldenwest Street	65.3	65.5	65.5	65.8	0.3	0.5	0.3	No
McFadden Avenue – East of Goldenwest Street	74.6	74.6	74.8	74.8	0.0	0.3	0.0	No
McFadden Avenue - West of Goldenwest Street	75.2	75.2	75.5	75.5	0.0	0.3	0.0	No

See Appendix 5.5-1 for calculations

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Table 5.5-9 shows the existing CNEL at 50 feet for all study roadway segments exceeds 65 dBA CNEL. Therefore, noise increase of 1.5 dBA CNEL or greater would be considered significant, as discussed under Section 5.5.2, *Thresholds of Significance*. Table 5.5-10 shows that Plan-related increases would not exceed 1.5 dBA CNEL. Therefore, traffic noise impacts would be less than significant.

Stationary Noise Sources

Stationary noise sources can be generated from residential and mixed commercial, professional office, and hotel developments, such as heating and cooling mechanical systems (HVAC), human activity in open spaces, landscaping maintenance, and loading and unloading activities. Since the nearest sensitive receptors are in the City of Huntington Beach, the HBMC noise standards are used for analyzing these noise sources.

Mechanical Equipment

The details of the exact proposed development locations within the Specific Plan are unknown at this time. However, the distance from the edge of the Specific Plan boundary to the nearest residential property line is approximately 85 feet. Typical HVAC noise is 72 dBA at 3 feet. At a distance of 85 feet, HVAC noise would be reduced to approximately 43 dBA. This is below both the 50 dBA Leq and 70 dBA L_{max} nighttime HBMC for low-residential noise standards, and impacts related to HVAC noise would be less than significant.

Loading Docks

Commercial uses associated with the Specific Plan could have operational noise associated with truck loading and unloading activities. Noise generated by non-residential uses would generally be intermittent and would not add types of noise sources that are not already existing in the Plan Area. Therefore, loading/unloading noise sources would not noticeably increase the ambient noise levels in the vicinity of the Specific Plan Area. Additionally, the City requires that noise from new stationary sources comply with the City's noise ordinance, which limits noise at the property line of the impacted receptor. Therefore, stationary source noise impacts would be less than significant.

Level of Significance Before Mitigation: Less than significant.

Impact 5.5-3: The project would create short-term groundborne vibration that could exceed standards [Threshold N-2]

Construction Vibration Impacts

Construction activity at project sites within the Specific Plan would generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures, but can achieve the audible and perceptible ranges in buildings close to the construction site.

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However, groundborne vibration is almost never annoying to people who are outdoors, so it is usually evaluated in terms of indoor receivers (FTA 2018). Table 5.5-11, *Vibration Levels for Construction Equipment*, lists reference vibration levels for construction equipment.

Table 5.5-11 Vibration Levels for Construction Equipment

Equipment	Approximate PPV Vibration Level at 25 Feet (in/sec)
Pile Driver, Impact (Upper Range)	1.518
Pile Driver, Impact (Typical)	0.644
Pile Driver, Sonic (Upper Range)	0.734
Pile Driver, Sonic (Typical)	0.170
Vibratory Roller	0.210
Large Bulldozer	0.089
Caisson Drilling	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozer	0.003

Source: FTA 2018.
Notes: RMS = root-mean-square, PPV = peak particle velocity.

As shown in Table 5.5-11, vibration generated by construction equipment has the potential to exceed FTA criteria for architectural damage shown in Table 5.5-7 (e.g., 0.2 in/sec PPV for non-engineered timber and masonry buildings such as most residences). Construction details and equipment for future, project-level developments under the Specific Plan are not known at this time. If pile driving activity occurs within approximately 100 feet of nearby sensitive receptors, such as across Edwards Street and Bolsa Avenue, the threshold of 0.2 in/sec PPV could be exceeded. Therefore, this impact is considered potentially significant.

Operational Vibration Impacts

The Specific Plan proposes residential, mixed commercial, professional office, and hotel developments. Mixed commercial uses and hotel uses may result in loading and unloading activities for delivery of goods and products. These proposed land uses would not be associated with substantial operational vibration, and, therefore, this impact would be less than significant.

Level of Significance Before Mitigation: Potentially Significant

5.5.5 Cumulative Impacts

As shown in Table 5.5-10, cumulative traffic noise increases (which compares the Future Plus Project traffic condition to Existing traffic condition) would be up to 1.2 dBA CNEL or less on all study roadway segments. Since this does not exceed the 1.5 dBA threshold, cumulative traffic impacts would be less than significant.

5.5.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, Impact 5.5-2 would be less than significant.

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Without mitigation, the following impacts would be **potentially significant**:

- **Impact 5.5-1** Construction activities associated with buildout of the Specific Plan would result in a temporary increase in noise levels at sensitive receptors.
- **Impact 5.5-3** Vibration due to construction equipment could potentially exceed the 0.20 in/sec PPV threshold at nearby sensitive receptors.

5.5.7 Mitigation Measures

Impact 5.5-1

N-1 Prior to issuance of demolition, grading and/or building permits, the project applicant shall incorporate the following practices into the construction contract agreement to be implemented by the construction contractor during the entire construction phase:

- Per Section 8.28.060 of the Westminster Municipal Code and 8.40.090 Huntington Beach Municipal Code, construction activity is limited to the hours of 7:00 AM to 8:00 PM on Monday through Saturday. Construction is not allowed on Sundays and federal holidays. If construction outside of these hours is necessary, construction noise shall be limited to the City of Huntington Beach or City of Westminster municipal code exterior noise standards based on the location of the receiving land use.
- During the entire active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.
- Require that impact tools (e.g., jack hammers and hoe rams) be hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.
- Construction traffic shall be limited—to the extent feasible—to approved haul routes established by the City.
- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a

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noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the City.

- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level, or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.
- Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the noise standard after other measures have been considered, or occur at nighttime, or when the anticipated construction duration is greater than is typical (e.g., two years or more).

Impact 5.5-3

N-2 The City shall require a vibration impact assessment for proposed projects under the Specific Plan if pile driving would be required within 100 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur which may include, but are not limited to, the use of vibratory pile driving or drilling piles as opposed to pile driving. If alternative methods are found to be not feasible, construction vibration monitoring may be required.

5.5.8 Level of Significance After Mitigation

Mitigation Measure N-1 would minimize and reduce construction noise to the degree feasible, through the use of best available control technology, scheduling, noticing, location of equipment, and shielding for the duration of the construction period. However, because construction activities may occur near noise-sensitive receptors and because, depending on the equipment list, time of day, phasing and overall construction durations, noise disturbances may occur for prolonged periods of time, during the more sensitive nighttime hours, or may exceed the 80 dBA L_{eq} noise standard even with project-level mitigation, construction noise impacts associated with implementation of the Specific Plan are considered **significant and unavoidable**. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects analyzed at the project level.

Mitigation Measure N-2 would require a vibration impact assessment for proposed projects under the Specific Plan if pile driving would be required within 100 feet of an existing structure or sensitive receptor. If applicable,

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the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur. If alternative methods are found to be not feasible, construction vibration monitoring may be required. Therefore, with Mitigation Measure N-2, construction vibration impacts would be less than significant.

5.5.9 References

AirNav, LLC. 2019. Airport Information. Accessed January 22, 2020. <http://www.airnav.com/airports>.

California Department of Transportation (Caltrans). 2013, September. *Technical Noise Supplement ("TeNS")*.

Federal Highway Administration (FHWA). 2006, August. *Construction Noise Handbook*.

Federal Transit Administration (FTA). 2018, September. *Transit Noise and Vibration Impact Assessment*.

Fehr & Peers. May, 2020. *Draft Transportation Impact Analysis, Westminster Specific Plan*.

Governor's Office of Planning and Research. 2017. *State of California General Plan 2017 Guidelines*.

Occupational Safety and Health Administration. *OSHA Technical Manual*. Accessed March 17, 2020.
https://www.osha.gov/dts/osta/otm/new_noise/index.html

Huntington Beach, City of. March 2020. Huntington Beach Charter and Codes.
<http://www.qcode.us/codes/huntingtonbeach/>

Westminster, City of. October 2019. Westminster Municipal Code.
<http://qcode.us/codes/westminster/?view=desktop>.

_____. September 2016. Westminster General Plan Update. https://www.westminster-ca.gov/our_city/depts/cd/planning/general_plan/default.asp

_____. September 2016. Westminster General Plan Update Environmental Impact Report. Prepared by PlaceWorks.

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5.6 POPULATION AND HOUSING

This section of the Draft Environmental Impact Report (DEIR) examines the potential for socioeconomic impacts of the proposed Westminster Mall Specific Plan (‘WMSP’ or ‘Specific Plan’) project on the City of Westminster, including changes in population, employment, and demand for housing, particularly housing cost/rent ranges defined as “affordable.” According to Section 15382 of the CEQA Guidelines, “An economic or social change by itself shall not be considered a significant impact on the environment.” Socioeconomic characteristics should be considered in an EIR only to the extent that they create impacts on the physical environment.

5.6.1 Environmental Setting

5.6.1.1 REGULATORY BACKGROUND

State

Government Code Section 65915 – Density Bonus Law

The Density Bonus Law requires a city or county to provide a developer that proposes a housing development within the jurisdictional boundaries of that city or county with a density bonus and other incentives for concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to construct a specified percentage of units for very low-, low-, and moderate-income households.

Government Code Section 65583.1(a) – Accessory Dwelling Units

Government Code Section 65583.1(a) allows a city or county to identify sites for accessory dwelling units (ADUs) based on the number of ADUs developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the Housing and Community Development Department.

Regional

Southern California Association of Governments (SCAG)

SCAG is a regional council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, which encompass over 38,000 square miles. SCAG is the federally recognized metropolitan planning organization (MPO) for this region and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region’s MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in

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preparing regional planning documents. The City of Westminster is within the Orange County Council of Governments (OCCOG) subregion of SCAG.

Regional Transportation Plan/Sustainable Community Strategy

The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Connect SoCal Plan was adopted on September 3, 2020. Connect SoCal encompasses four principles—mobility, economy, healthy/complete communities, and environment—that are important to the region’s future (SCAG 2020). Connect SoCal explicitly lays out goals related to housing, transportation technologies, equity, and resilience in order to adequately reflect the increasing importance of these topics in the region.

Regional Housing Needs Assessment (RHNA)

The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods.

Communities use the RHNA in land use planning, prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment, and household growth.

Local

Westminster Municipal Code

Chapter 17.570, Affordable Housing Density Bonuses, of the Westminster Municipal Code, states that in all zoning districts where residential uses are permitted, the City Council shall implement the density bonus and other bonus incentive provisions of California Government Code 65915. Applications for a density bonus must be completed; notice and hearings regarding an application for a bonus density and other density incentives shall be provided in compliance with Chapter 17.630, Public Hearings and Administrative Review, of the Westminster Municipal Code; and requests for a density bonus and other incentives shall be reviewed by the Planning Commission who shall make a recommendation on which the City Council shall act upon by resolution.

The intent of Chapter 17.400.135, Residential Uses – Accessory Dwelling Units, is to ensure that accessory dwelling units and junior accessory dwelling units remain as an accessory use to a single-family residence and multifamily residences, that the parcels are organized to accommodate an accessory dwelling unit and/or junior accessory dwelling unit, and that such dwelling units do not adversely impact surrounding residents or the community.

Westminster General Plan

Development of housing in the City of Westminster is guided by the goals, objectives, and policies of the general plan and housing element. The City of Westminster Housing Element includes the following policies on population and housing (Westminster 2022):

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- **Policy H-1.1.** Promote a variety of dwelling unit types and affordability levels to provide housing for all household types, lifestyles, and income levels.
- **Policy H-1.2.** Promote mixed-use and infill housing development opportunities in the City's mixed-use areas, consistent with the City's adopted General Plan Land Use Map.
- **Policy H-1.5.** Maintain adequate capacity to accommodate the City's unmet Regional Housing Needs Allocation (RHNA) for all income categories throughout the planning period.
- **Policy H-2.1.** Increase housing opportunities and choices for lower and moderate-income Westminster households, as funding is available.
- **Policy H-2.6.** Encourage transit-oriented development consisting of higher residential densities, public gathering places, streetscape amenities, and commercial and entertainment uses within walking distance of planned high-frequency bus stops.
- **Policy H-2.9.** Promote cost-effective energy conservation measures in new construction and rehabilitated housing projects.
- **Policy H-3.1.** Identify and remove regulatory constraints as feasible to provide quality housing that meets the needs of Westminster's current and future residents.
- **Policy H-3.2.** Incentivize the development of affordable housing, as funding is available, to facilitate the development of housing for the City's lower and moderate-income households.
- **Policy H-3.3.** Support the use of regulatory incentives, such as density bonuses, fee waivers and parking reductions, to offset the costs of affordable housing.
- **Policy H-3.4.** Establish objective development standards to create greater certainty for developers and streamline the development review and permitting process.
- **Policy H-5.1.** Provide a regulatory environment in which housing opportunity is equal for all.
- **Policy H-5.2.** Encourage the equitable spatial distribution of affordable housing throughout the City, particularly where adequate support facilities exist (i.e., alternative transportation, jobs, etc.).
- **Policy H-5.4.** Educate the public on lower-income and special needs housing through existing annual reports or other forms of media.

5.6.1.2 EXISTING CONDITIONS

Population

Table 5.6-1, *Population Trends in the City of Westminster*, shows the population trends from 2010 to 2022, which has varied over the years.

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Table 5.6-1 Population Trends in the City of Westminster

Year	City of Westminster	
	Population	Percent Change
2010	88,921	N/A
2011	89,440	0.58%
2012	89,970	0.59%
2013	90,625	0.73%
2014	91,255	0.70%
2015	91,719	0.51%
2016	91,635	-0.09%
2017	91,785	0.16%
2018	91,417	-0.40%
2019	91,137	-0.31%
2020	90,857	-0.31%
2021	90,812	-0.05%
2022	90,393	-0.46%

Source: US Census Bureau 2022a, DOF 2022a.

Housing

Housing Growth Trends

Table 5.6-2, *Housing Growth Trends in the City of Westminster*, shows the rate of housing growth from 2010 to 2022, which has varied over the years.

Table 5.6-2 Housing Growth Trends in the City of Westminster

Year	City of Westminster	
	Housing Units	Percent Change
2010	27,851	N/A
2011	28,361	1.83%
2012	28,208	-0.54%
2013	28,392	0.65%
2014	28,282	-0.39%
2015	28,355	0.26%
2016	28,219	-0.48%
2017	28,544	1.15%
2018	28,313	-0.81%
2019	28,477	0.58%

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Table 5.6-2 Housing Growth Trends in the City of Westminster

Year	City of Westminster	
	Housing Units	Percent Change
2020	28,144	-1.17%
2021	28,059	-0.30%
2022	28,179	0.43%

Source: US Census Bureau 2022b, DOF 2022b.

Regional Housing Needs Assessment (RHNA)

As shown in Table 5.6-3, *City of Westminster 2021-2029 Regional Housing Needs Assessment*, the City of Westminster's RHNA allocation for the 2021-2029 planning period is 9,759 units (Westminster 2022).

Table 5.6-3 City of Westminster 2021-2029 Regional Housing Needs Assessment

Income Group	Total Housing Units Allocated	Percentage of Units
Extremely Low/Very Low	1,881	37%
Low	1,473	29%
Moderate	1,784	35%
Above Moderate	4,621	47%
Total	9,759	100%

Source: Westminster 2022

SCAG determines the Regional Housing Needs Allocation (RHNA) that is used to indicate the amount of housing anticipated to meet the needs of the region overall, and each city within the region. The figures are then included in the housing element of the General Plan. As shown in Table 5.6-3, the City's RHNA allocation for the 2021-2029 Housing Cycle is 9,759 units.

Employment

Employment Trends

According to the California Employment Development Department, the growth rate of employment in the City of Westminster increased from 2010 to 2019, and then decreased from 2019 to 2020, and then increased in 2021. The City of Westminster employment and annual percentage changes are shown in Table 5.6-4, *City of Westminster Employment Trends*.

Table 5.6-4 City of Westminster Employment Trends

Year	City of Westminster	
	Employment (persons)	Percent Change
2010	37,200	N/A

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Table 5.6-4 City of Westminster Employment Trends

Year	City of Westminster	
	Employment (persons)	Percent Change
2011	37,600	1.07%
2012	38,400	2.13%
2013	38,700	0.78%
2014	39,100	1.03%
2015	39,700	1.53%
2016	39,900	0.50%
2017	40,100	0.50%
2018	40,400	0.75%
2019	40,500	0.25%
2020	36,400	-10.12%
2021	37,400	2.75%

Source: EDD 2022

Existing Employment

Table 5.6-5, *City of Westminster; Industry by Occupation (2010 and 2020)*, shows the City's total workforce by occupation and industry in 2010 and 2020. According to the estimates calculated by the US Census, the City of Westminster had an employed civilian labor force (16 years and older) of 39,554 in 2010 and 41,715 in 2020. The three largest occupational categories during the 2010 period were manufacturing; educational services, and health care and social assistance; and retail trade; and during the 2020 period were educational services, and health care and social assistance; manufacturing; and retail trade.

Table 5.6-5 City of Westminster; Industry by Occupation (2010 and 2020)

Industry/Occupation	Number of Employees in 2010	Number of Employees in 2020
Agriculture, forestry, fishing and hunting, and mining	123	229
Construction	2,497	2,819
Manufacturing	7,691	6,181
Wholesale Trade	1,374	1,045
Retail trade	4,681	5,114
Transportation and warehousing, and utilities	1,651	1,893
Information	592	628
Finance and insurance, and real estate and rental and leasing	2,484	2,984
Professional, scientific, and management, and administrative and waste management services	3,442	3,777

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Educational services, and health care and social assistance	6,640	7,888
Arts, entertainment, and recreation, and accommodation and food services	3,888	4,022
Other services, except public administration	3,359	3,753
Public administration	1,132	1,382
Total	39,554	41,715

Source: US Census Bureau 2022c.

Note: Figures were rounded up to the nearest whole number/one decimal place. Employment figures count civilian employees 16 years and older.

Growth Projections

Southern California Association of Governments

SCAG undertakes comprehensive regional planning with an emphasis on transportation. The 2016-2040 RTP/SCS and 2020-2045 RTP/SCS provide projections of population, households, and total employment for the City of Westminster. Based on their share of California's and the region's employment growth, migration and immigration trends, and birth rates, SCAG projects the population, housing, and employment will grow at an increasing rate in the City of Westminster. These projections are summarized in Table 5.6-6, *SCAG Growth Projections for the City of Westminster*.

Table 5.6-6 SCAG Growth Projections for the City of Westminster

	City of Westminster			
	2020	2035	2040	2045
Population	92,200	92,800	92,800	98,300
Households	26,500	26,700	26,800	27,800
Housing Units ¹	25,175	25,365	25,460	26,410
Employment	25,500	26,300	26,400	27,400
Jobs-Housing Ratio	0.94	1.04	1.03	1.04

Source: SCAG 2016, SCAG 2020

¹ Housing units in SCAG projections are estimated based on number of households and a healthy vacancy rate of 5 percent

Table 5.6-6 does not take into account the RHNA for this cycle of housing element update. As projected, if the total RHNA of 9,759 dwelling units is built within the 2021-2029 housing element period, the population of Westminster would increase from a 2020 population of 92,200 to 125,381, a change of approximately 36 percent which is above the SCAG projections shown in Table 5.6-6.

Jobs-Housing Ratio

The jobs-housing ratio is a general measure of the number of jobs versus housing in a defined geographic area, without regard to economic constraints or individual preferences. The jobs-housing ratio as well as the type of jobs versus the price of housing, has implications for mobility, air quality, and the distribution of tax revenues. A project's effect on the jobs-housing ratio is one indicator of how it will affect growth and quality of life in the project area. SCAG applies the jobs-housing ratio at the regional and subregional levels in order

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to analyze the fit between jobs, housing, and infrastructure. A main focus of SCAG's regional planning efforts has been to improve this balance; however, jobs-housing goals and ratios are only advisory. There is no ideal jobs-housing ratio adopted in state, regional, or city policies. The American Planning Association (APA) is an authoritative resource for community planning best practices, including recommendations for assessing jobs-housing ratios. Although APA recognizes that an ideal jobs-housing ratio will vary across jurisdictions, its recommended target is 1.5, with a recommended range of 1.3 to 1.7 (Weitz).

5.6.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- P-1 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).
- P-2 Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

The Initial Study, included as Appendix A, substantiates impacts associated with the following thresholds would be less than significant:

- Threshold P-2

This impact will not be addressed in the following analysis.

5.6.3 Plans, Programs, and Policies

2016 Westminster General Plan

The General Plan identifies six distinct mixed-use districts where housing, shopping, employment, and public spaces would come together; the Westminster Mall site is one of these six districts. The preferred land use mix for the WMSP site, is 30 percent residential and 70 percent retail. The General Plan allows for densities of up to 40 dwelling units/acre (du/ac), with the ability to increase the density beyond 40 du/ac upon the approval of a General Plan Amendment.

Westminster Mall Specific Plan

The community recognized a need to revitalize this important commercial center while strategically providing a space for an increased range of housing options. As housing demand increases and because the City is generally built out, opportunities to create new housing in the City are limited; therefore, due to its size (approximately 92 acres), the Westminster Mall site is an ideal area to accommodate the City's growth.

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Project Design Features

The Westminster Mall Specific Plan includes the following Project Design Features (PDFs), from Chapter 5 of the WMSP, that have the potential to reduce impacts to population and housing.

Section 5.2.12 Affordable Housing Requirement

PDF-1 Ten percent (10%) of all housing units within the WMSP must be income restricted.

5.6.4 Environmental Impacts

5.6.4.1 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.6-1: The proposed project would directly result in population growth of approximately 8,373 residents and 2,990 employees in the project area. [Threshold P-1]

The following describes potential impacts associated with construction and operation of 2,000 to 3,000 residential units, 425 hotel rooms, and a total of 1.2 million square feet of non-residential uses (retail and office). As shown in Table 3-1, Land Use Development Assumptions for the Proposed Westminster Mall Specific Plan, the proposed nonresidential component of the project is reduced from an existing 1,396,070 square feet to 1,200,00 square feet, a reduction of 196,070 square feet over existing conditions. The proposed project would allow for 2,176 more housing units that are currently permitted on the site.

Construction

Construction of future projects on the site would require contractors and laborers. Because full buildout on the project site would likely be phased, and due to the size of the project, the city expects that the supply of general construction labor would be available from the local and regional labor pool and therefore additional worker housing would not be needed. Additionally, the current estimate of regional unemployment is 4 percent which suggests that new construction jobs would be drawn from the pool of local and regional labor (BLS 2022). Development of the proposed project would not result in a long-term increase in employment from short-term construction activities.

Population

As shown in Table 3-1, *Proposed Land Use Development Assumptions for the Proposed Westminster Mall Specific Plan and General Plan*, in Chapter 3, *Project Description*, future development under the proposed project would result in a maximum of approximately 8,373 residents if a total of 3,000 dwelling units were to be constructed. When compared to the 2022 estimated population of 90,393 people, future development of the proposed project would result in an approximately 9 percent increase of the 2022 population in the City of Westminster (DOF 2022a).

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As shown in Table 5.6-6, SCAG's 2045 estimated population for the City of Westminster is 98,300 which is an increase of 7,907 residents from the 2022 estimated population of 90,393 residents. The potential 8,373 residents would make up approximately 8.5 percent of the 2045 population projection for the city. If the maximum population as a result of project implementation is added to the existing population estimate, the resulting estimated population of 98,766 residents, which assumes all of the project's residents are new to the City, would exceed the year SCAG 2045 projection by 466. The RHNA associated with the statewide housing crisis has created an expectation that population projections for the region, and for the City will need to change. The current projections, shown in Tables 5.6-4 and 5.6-6 do not reflect the RHNA and the approximately 8,373 new residents at buildout. While it is possible that some of the residents could come from within the community thereby reducing the persons per unit and increasing the vacancy rate, it is unlikely that all the residents of the project will be from the existing community.

The estimated population increase of 8,373 exceeds the general plan estimate of 2,676 residents for the site. However, the intent of the proposed project is to generate population growth as shown in the WMSP, and as described in the City's General Plan. Because population growth is planned for the site, and the surrounding infrastructure can accommodate the potential growth as described in this EIR, this impact is considered less than significant.

Housing

The proposed project would allow for more housing opportunities to be provided in the city. The new units would increase housing in the city by 10 percent and would represent approximately 11.4 percent of the 2045 housing projection (26,410 units). Compared to the number of housing units in 2022 (28,179 units), the number of housing units would decrease by 1,769 by 2045. The maximum buildout of 3,000 units would exceed SCAG's 2020 projection by 6,004 units if added to the existing (2022) number of housing units in the City. However, the state of California has a shortage of housing, and in 2019, Governor Newsom signed several bills aimed to address the need for more housing, including the Housing Crisis Act of 2019 (Senate Bill 330). The proposed project would address the need for additional housing to accommodate population growth in the city and help meet its RHNA of 9,759 units. Additionally, as indicated in Section 4.3.13, *Affordable Housing Requirement*, in Chapter 5, *Development and Design Standards*, of the WMSP, 10 percent of all housing units within the WMSP would be income restricted, and any new housing development must provide its fair share contribution to affordable units.

While there is a potential for density bonuses to occur in the Specific Plan Area, density bonuses are not evaluated in the EIR because they require additional discretionary acts, commitments by the applicant regarding occupancy of the units, and are speculative. Future development that would apply for density bonuses would tier off this EIR. Although the construction of ADUs and JADUs is not a discretionary act, the physical design of incorporating ADUs and JADUs in the Specific Plan may be infeasible as the multifamily development will likely be several floors tall with little to no area for ADU or JADU improvements. The future townhomes under the proposed project would have garages that can be turned into ADUs/JADUs, but these garages may be the only parking spaces available for residents of the townhomes, and therefore, may not be a feasible option for the owner. Future physical impacts of creating ADUs would have already occurred upon development of the proposed project. While the addition of

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POPULATION AND HOUSING

ADUs/JADUs could increase population in the Specific Plan Area, VMT could be reduced as future residents would live within a mixed-use development. While impacts to parking may increase as a result of the increase in ADUs, these impacts would be limited to the Specific Plan Area.

Employment

As shown in Table 3-1, Land Use Development Assumptions for the Proposed Westminster Mall Specific Plan, buildout of the proposed project would result in approximately 2,990 employees, or roughly 500 fewer employees than the 3,490 estimated for the existing mixed-use designation on the site. Table 5.6-6, shows SCAG's 2045 estimated employment for the city of 27,400, which is a decrease of 1,000 employees from the 2021 estimated employment of 37,400. The potential 500 fewer employees anticipated at buildout of the proposed project represents 1.8 percent of the SCAG estimate. As with the SCAG housing projections, the employment projection in Table 5.6-6 do not reflect the 6th Cycle Housing Element RHNA. With a regional unemployment rate of 4 percent, it is likely that some of the jobs will come from the existing community, and even if all jobs are new to the City, the addition of 2,000 to 3,000 housing units would help offset the increase in employment (BLS 2022). Because of the mixed-use nature of the proposed project that include housing that would be suitable for employees of the project, the potential to generate jobs is not considered a significant impact.

Jobs-Housing Balance

A project's effect on the jobs-housing balance is an indicator of how it will affect growth and quality of life in the project area. Because the jobs-housing ratio for the City is jobs-poor (1.01 jobs per unit; see Table 5.6-6), the increase in the jobs-housing ratio from the potential 2,000 to 3,000 units and 2,990 jobs would be a slightly favorable result from a planning perspective (1.3 jobs per unit¹) because the proposed project would allow for more housing and jobs in the City.

Summary

The proposed project would be able to physically accommodate the increase in population growth. The General Plan assumed 824 units, 2,676 residents, and 3,490 employees; the proposed project would result in an increase of 2,176 dwelling units and 5,697 residents, and a decrease of 1,200 employees compared to the General Plan assumptions for the site. Under the General Plan, the WMSP site is assumed to have housing; however, the proposed project would result in an increase. Although the proposed project would increase the number of housing units, population, and employment within the city by 2,000 to 3,000 units, 8,373 residents, and 2,990 employees, the projected increases would help alleviate the state's housing shortage by providing housing proximate to Westminster's employment centers.

Level of Significance Before Mitigation: Impact 5.6-1 would be less than significant.

¹ 3,000 units (proposed) + 28,144 (2020 existing units) = 31,144 units
2,990 jobs (proposed) + 37,400 (2021 existing jobs) = 40,390 jobs
40,390 / 31,144 = 1.29

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5.6.5 Cumulative Impacts

The area considered for cumulative impacts is the City of Westminster. Impacts are analyzed using General Plan projections in SCAG's 2016 RTP/SCS and 2020 RTP/SCS Growth Forecasts. Related projects would be reviewed by the City, and development would be required to be consistent with adopted state regulations as well as the development standards and guidelines of the proposed project to minimize the effect of the increase in population on physical impacts on the environment. The housing crisis has resulted in a substantial increase in regional housing needs that have exceeded the SCAG population projections. As a result, the proposed project will generate growth in population, housing, and employment that is beyond the existing RTP/SCS. However, as a mixed-use project on an existing regional retail site, the proposed project will help the City meet its regional housing obligation and provide employment for new residents. The Westminster Mall site is unique to the city and is surrounded by urban development.

Therefore, the proposed project combined with related projects (see Table 4-2, *Related Cumulative Projects in the City of Westminster*) would not result in cumulatively considerable impacts to population and housing.

5.6.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.6-1.

5.6.7 Mitigation Measures

No mitigation measures are required.

5.6.8 Level of Significance After Mitigation

Impacts would be less than significant.

5.6.9 References

- Employment Development Department (EDD). 2022. Unemployment Rates (Labor Force).
<https://www.labormarketinfo.edd.ca.gov/cgi/dataanalysis/areaselection.asp?tablename=labforce>
- California Department of Finance. (DOF). 2022a. E-1 Cities, Counties, and the State Population Estimates with Annual Percent Change: January 1, 2021 and 2022.
<https://dof.ca.gov/forecasting/demographics/estimates-e1/>.
- _____. 2022b. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022.
<https://dof.ca.gov/forecasting/Demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2022/>.
- Southern California Association of Governments (SCAG). 2016. 2016–2040 RTP/SCS Final Growth Forecast by Jurisdiction. https://scag.ca.gov/sites/main/files/file-attachments/2016_2040rtpscs_finalgrowthforecastbyjurisdiction.pdf?1605576071

5. Environmental Analysis POPULATION AND HOUSING

- _____. 2020. 2020-2045 RTP/SCS Final Growth Forecast by Jurisdiction.
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579
- U.S. Bureau of Labor Statistics (BLS). 2022. Local Area Unemployment Statistics.
<https://www.bls.gov/web/metro/laummtrk.htm>.
- US Census Bureau. 2022a. Total Population. American FactFinder search B01003.
<https://data.census.gov/cedsci/table?text=B01003&t=Populations%20and%20People&g=1600000US0684550&tid=ACSDT1Y2017.B01003>
- _____. 2022b. Housing Units. American FactFinder search B25001.
<https://data.census.gov/cedsci/table?text=B25001&t=Housing%20Units&tid=ACSDT1Y2017.B25001>
- _____. 2022c. Industry by Occupation for the Civilian Employed Population 16 Years and Over. American FactFinder search S2405.
<https://data.census.gov/cedsci/table?q=Westminster%20city,%20California&t=Industry&tid=ACST5Y2020.S2405>
- Weitz, Jerry. 2003. Jobs-Housing Balance. Planning Advisory Service Report Number 516. American Planning Association.
- Westminster, City of. 2022, January 26. 2021-2029 Housing Element. <https://www.westminster-ca.gov/home/showpublisheddocument/4578/637794024744730000>

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5.7 PUBLIC SERVICES

This section addresses the potential for the Westminster Mall Specific Plan Project (‘WMSP’ or ‘Specific Plan’) impact to public services and facilities, including fire protection and emergency services, police protection, school services, and library services. Park facilities are addressed in Section 5.8, *Recreation*. Public and private utilities are service systems, including water, wastewater, and solid waste services and systems, are addressed in Section 5.10, *Utilities and Service Systems*.

5.7.1 Fire Protection and Emergency Services

5.7.1.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California Fire Code

The California Fire Code (CFC; California Code of Regulations, Title 24, Part 9) is based on the 2015 IFC and includes amendments from the State of California fully integrated into the code. The CFC contains fire safety-related building standards that are referenced in other parts of Title 24 of the California Code of Regulations. The CFC is updated once every three years; the 2019 CFC took effect on January 1, 2020.

California Health and Safety Code

Sections 13000 et seq. of the California Health and Safety Code include fire regulations for building standards (also in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

Local

City of Westminster Municipal Code

Section 15.22.010, *Adoption of 2019 Edition of the California Fire Code*, of the Westminster Fire Code (Chapter 15.22, *Fire Code*, of the Westminster Municipal Code) states that the 2019 edition of the California Fire Code shall be the Fire Code of the City.

City of Westminster General Plan

The Public Health and Safety Element of the City of Westminster General Plan contains policies that support the City’s fire and police services (Westminster 2016a):

- **PHS-1.1** – High Quality Police Services. Maintain a high-quality level of service and appropriate response times, consistent with community expectations and professional industry standards, for all Westminster Police services, including animal control, emergency operations, crime prevention and suppression, code enforcement, school safety, and traffic safety.

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- **PHS-1.5** – Development Review. Ensure that all new projects are designed with public safety in mind to prevent crime and minimize loss through fire incidents.
- **PHS-2.1** – California Fire Code. Require all development to comply with the provisions of the most recently adopted California Fire Code.
- **PHS-2.2** – Development Review. Continue to coordinate all development proposals with the Police Department and the Orange County Fire Authority to ensure that proposed projects incorporate Crime Prevention Through Environmental Design principles, and to determine if sufficient resources exist to meet any anticipated project-specific demand.
- **PHS-2.3** – Fire Station Facilities. Periodically consult with Orange County Fire Authority to ensure that their facilities are appropriately located throughout the community based on existing and proposed land uses.
- **PHS-2.5** – Interagency support. Participate in the mutual aid system and automatic aid agreements to back up and supplement capabilities to respond to emergencies.

Development Impact Fees

Policy LU-1.8, of the Land Use Element of the 2016 General Plan, states that new development is required to pay its proportionate share of the cost of providing and/or upgrading public facilities and services impacts by new development through impact fees. Currently, there are no fees, but if such fees are adopted, they would be applicable.

Existing Conditions

The Orange County Fire Authority (OCFA) is a Joint Powers Authority that provides fire service to 23 cities and all unincorporated areas in Orange County; OCFA has served the City since 1995 (Westminster 2019a). OCFA operates 77 fire stations throughout Orange County; services include: structural fire protection, emergency medical and rescue services, and education and hazardous material response. OCFA also participates in disaster planning as it relates to emergency operations, which includes high occupant areas and school sites and may participate in community disaster drills planned by others. Resources are deployed based upon a regional service delivery system, assigning personnel and equipment to emergency incidents without regard to jurisdictional boundaries. The equipment used by the department has the versatility to respond to both urban wildland emergency conditions. OCFA is divided into the following six departments (OCFA 2019a):

- The **Operations Department** is comprised of seven divisions and eleven battalions that include 79 fire stations. Operations provide regional emergency response to all fires, medical aids, rescues, hazardous materials incidents, wildland fire, aircraft fire and rescues services to John Wayne Airport, and other miscellaneous emergencies. Division 1 serves the City of Westminster.

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- The **Logistics Department** provides essential support functions to all departments of the Authority. Department responsibilities include coordinating all facilities maintenance, repairs, and construction, automotive and fleet maintenance, repairs, and acquisition.
- The **Human Resources Department** is committed to a work environment, free of harassment and discrimination, where employees can look forward to coming to work each day.
- The **Community and Risk Reduction Department**, formerly known as Fire Prevention, adopts and enforces codes and ordinances relative to fire and life safety issues, reviews plans and conducts inspections of construction projects, coordinates annual life safety inspections of all existing commercial buildings, provides long range analysis of impacts on resources associated with future land use and development, and investigates all fires.
- The **Corporate Communication Department** is responsible for both internal and external communications for OCFA. It also serves as liaison to the OCFA Board of Directors and OCFA's member-cities.
- The **Business Services Department** provides budget, payroll, accounting, and administrative support to the Authority; monitors cash balances, makes investments, and coordinates the annual Tax and Revenue Anticipation Note (TRAN); provides warehouse, purchasing, shipping, and receiving, and mail operations.

Table 5.7-1, *Fire Stations, Equipment, and Staffing Serving the Project Site*, lists the fire stations and equipment in the City that respond to service requests in the project vicinity.

Table 5.7-1 Fire Stations, Equipment, and Staffing Serving the Project Site

Station	Address	Equipment/Staffing
OCFA/City of Westminster Fire Department		
OCFA Station #64, Westminster Station #1	7351 Westminster Boulevard	Battalion 1, PM engine 64, 3 battalion chiefs, 3 fire captains, 3 fire apparatus engineers, 6 firefighters,
OCFA Station #65, Westminster Station #3	6061 Hefley Street	PM engine 65 3 fire captains, 3 fire apparatus engineers, 6 firefighters
OCFA Station #66, Westminster Station #2	15061 Moran Street	PM engine 66 3 fire captains, 3 fire apparatus engineers, 6 firefighters,

Source: Westminster 2019a; OCFA 2019b

Response Times

OCFA's 2006 Standards of Coverage identify the following response time performance goals for OCFA:

- Dispatch should notify resources of a core incident within 60 seconds from receipt of the call at the dispatch center, 80 percent of the time.

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- Response personnel shall initiate response within 90 seconds from notification, 80 percent of the time.
- Total response time for arrival of the first arriving response unit at a core incident should be within 7 minutes 20 seconds, 80 percent of the time (in urban areas, which include Westminster).
- Total response time for arrival of the first arriving advance life support response unit at a core medical incident should be within 10 minutes, 80 percent of the time (in urban areas).
- Response time for arrival of the first alarm assignment at a moderate risk structure fire incident should be 12 minutes, 80 percent of the time (in urban areas).
- Response time for arrival of the full first alarm assignment at a moderate risk rescue incident should be within 12 minutes, 80 percent of the time (in urban areas) (Westminster 2016a).

In 2021, OCFA had 11,020 Unit Responses to 8,822 incidents in Westminster: 149 fire, 6,885 EMS, and 1,791 Other Calls. The 2021 response times at the 80th percentile were 0:06:57 and at the 90th percentile were 0:07:48. During 2021, OCFA responses met and exceeded the OCFA standard response times.

Automatic- and Mutual-Aid Agreements

Fire-fighting agencies work together during emergencies. These arrangements are handled through automatic and mutual aid agreements, which obligate fire departments to help each other under predefined circumstances. Automatic aid agreements require the nearest fire company to respond to a fire regardless of the jurisdiction. Mutual aid agreements require fire department resources to respond outside of their district upon requests for assistance (Westminster 2016a).

The City of Westminster is part of an operational area group served by OCFA. The operational area is an element of the Standardized Emergency Management System, which promotes effective disaster management, response, and cooperation across jurisdictional boundaries. As a result of being part of an operational area group, all of the jurisdictions have mutual aid agreements that allow them to obtain additional emergency resources as needed from nonaffected members in the group. Each of these cities is signatory to a joint powers agreement that provides for the joint use and operation of machinery, equipment, vehicles, and personnel in the event of a fire, disturbance, or other local emergency that cannot be met solely by the requesting city or jurisdiction. The automatic aid agreements provide for automatic dispatch of surrounding agencies: when needed to replace units that are already responding to other calls (multiple alarms), in areas where two or more agencies border each other, or when the call type requires more units than local area can provide. Mutual aid calls for units over and above what a first alarm assignment provides, generally for large incidents (such as fire in a large shopping center or apartment complex). In both automatic aid and mutual aid agreements, fire units are provided free of charge for the first 12 hours. After 12 hours, the agency with jurisdiction reimburses the assisting agencies for their costs (Westminster 2016a).

The City of Westminster contracts with OCFA to provide services and owns the fire stations within the City (Westminster 2016a). Therefore, capital improvements are paid for through the City.

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Funding

Property taxes are OCFA's largest source of revenue and comprise approximately 63 percent of OCFA's general fund (OCFA 2021). Other sources of revenue include intergovernmental aid and charges for current services; the agency's adopted budget for fiscal year 2018/2019 is approximately \$449.1 million (OCFA 2021). Additionally, taxes are the largest source of revenue for the City of Westminster at 85.5 percent followed by charges for service and investment and rental. The largest tax source is sales tax followed by property tax; the City's total general fund budget is \$74 million for fiscal year 2022-2023.

Wildfire Hazard Zones

Due to the urban nature of Westminster and surrounding communities, there is very little risk of wildland fire hazards (fires in woodland, brushland, or grassland areas). Additionally, the project site is not in or near a wildfire hazard zone (see also Section 8.6, *Wildfire*).

5.7.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

FP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

5.7.1.3 PLANS, PROGRAMS, AND POLICIES

PPP PS-1 New buildings are required to meet the fire regulations outlined in California Health and Safety Code (Sections 13000 et seq.).

PPP PS-2 The project applicant is required to pay development impact fees (dispatch impact fees, fire impact fees, fire service fees) pursuant to Policy LU-1.8 of the City's General Plan, if fees are adopted.

PPP PS-3 As part of the project review process, OCFA will require approval of Building Plan Check for Site Plan and Emergency Access as well as approval of Fire Master Plan. Additional design features to address the OCFA's requirements will be incorporated as conditions of approval for the project.

PPP PS-4 The project is subject to review by OCFA and current editions of the CBC, CFC, and related codes.

PPP PS-5 A water supply system to supply fire hydrants and automatic fire sprinkler systems is required.

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- PPP PS-6 Fire department access shall be provided all around the building.
- PPP PS-7 If the project scope includes or requires the installation of traffic signals on public access ways, these improvements shall include the installation of optical preemption devices.
- PPP PS-8 Attic spaces shall be fully sprinklered.
- PPP PS-9 It is unlawful to occupy any portions of this apartment building until City building department and OCFA have conducted final inspections.
- PPP PS-10 Amenity roof decks will be treated as Assembly Occupancies.
- PPP PS-11 CBC High Rise provisions will be applicable if the building is over 75 feet.

There are no policies regarding fire protection services in the WMSP.

5.7.1.4 ENVIRONMENTAL IMPACTS

Impact 5.7-1: The proposed project could introduce new structures, 8,373 residents, and 2,990 employees into the Orange County Fire Authority service boundaries, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]

The closest fire stations to the project site are OCFA Station #64, Westminster Station #1 and OCFA Station #65, Westminster Station #3 which are both 0.9-mile northeast and northwest of the site, respectively. Firefighter staffing needs are determined by OCFA based on workload, response times, and reliability of actual or anticipated performance (Westminster 2016a). As the City of Westminster is a Cash Contract City with OCFA, funding for this project would be included in the service contract between OCFA and the City. The City pays for services of OCFA from the General Fund and not from property taxes, like Structural Fire Fund Cities. The contract increase for the City of Westminster is 4.5 percent per year.

Should additional fire stations be needed to serve the buildout of the proposed project, various localized environmental impacts related to construction of these stations may occur. Development and operation of new facilities may have an adverse physical effect on the environment, including impacts related to air quality, lighting, noise, and traffic. Future environmental review would occur if additional fire stations is needed to serve future development of the proposed project.

Appendix B of the WMSP sets forth action items for implementation of the WMSP. To be consistent with Land Use Policy LU-1.8 the WSMP states, Immediate Action 1.5: Establish Public Safety Services Funding Agreements: The City will seek to establish funding mechanisms and agreements to ensure that the cost of providing adequate police and fire services are funding by property owners. These costs will be calculated based on a third-party fiscal analysis and consistent with existing City-wide service standards The City may ask property owners to form a public safety services CFD to cover the cost of Specific Plan public safety services.

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Additionally, future development on the project site would be required to comply with the California Fire and Building Codes, City ordinances, and applicable state and federal standards. More specific consideration of these services and any desired augmentation to achieve best performance goals may be considered as part of the project review process and any conditions of approval for the project. As a result, impacts of the proposed project related to fire protection and emergency services would be less than significant.

Level of Significance Before Mitigation: Impact 5.7-1 would be less than significant.

5.7.1.5 CUMULATIVE IMPACTS

Growth within the City would increase demands for fire protection and emergency services. Other projects would also pay property, sales, and utility taxes and fees supporting the City's General Fund, part of which would be available for the operations and construction of new and/or expanded City-owned fire stations. Other projects that are found by the City to require increases in public safety equipment, facilities, and staffing would also be required to pay fair-share payments to the City for increased resources. Cumulative impacts would be less than significant after payment of taxes and fees by other projects and impacts of the proposed project would not be cumulatively considerable.

5.7.1.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.7-1.

5.7.1.7 MITIGATION MEASURES

No significant impacts were identified, and no mitigation measures are necessary.

5.7.1.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts of the proposed project on fire protection and emergency services would be less than significant.

5.7.2 Police Protection

5.7.2.1 ENVIRONMENTAL SETTING

Regulatory Background

Local

City of Westminster General Plan

The City of Westminster General Plan provides policies that support the City's fire and police services.

- **PHS-1.1 – High Quality Police Services.** Maintain a high quality level of service and appropriate response times, consistent with community expectations and professional industry standards, for all Westminster Police services, including animal control, emergency operations, crime prevention and suppression, code enforcement, school safety, and traffic safety.

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- **PHS-1.2 – Community Policing.** Empower Westminster residents and promote community-based policing through the Area Command service delivery model and other interactive programs, such as Neighborhood Watch, Citizens Police Academy, and ride-along.
- **PHS-1.3 – Partnerships.** Strengthen communication and coordination between residents; businesses; schools; community organizations; and local, state, and federal law enforcement agencies to ensure police services for the community are responsive to local needs.
- **PHS-1.4 – Resources.** Provide adequate funding to supply the Westminster Police Department with sufficient staff, equipment, facilities, technology, and resources to help achieve community expectations and professional industry service standards.
- **PHS-1.5 – Development Review.** Ensure that all new projects are designed with public safety in mind to prevent crime and minimize loss through fire incidents.
- **PHS-1.8 – Technology.** Keep abreast of technological advances that can make safety response teams more efficient, and implement where feasible.
- **PHS-2.1 – California Fire Code.** Require all development to comply with the provisions of the most recently adopted California Fire Code.
- **PHS-2.2 – Development Review.** Continue to coordinate all development proposals with the Police Department and the Orange County Fire Authority to ensure that proposed projects incorporate Crime Prevention Through Environmental Design principles, and to determine if sufficient resources exist to meet any anticipated project-specific demand.
- **PHS-2.3 – Fire Station Facilities.** Periodically consult with Orange County Fire Authority to ensure that their facilities are appropriately located throughout the community based on existing and proposed land uses.
- **PHS-2.5 – Interagency support.** Participate in the mutual aid system and automatic aid agreements to back up and supplement capabilities to respond to emergencies.

Development Impact Fees

Policy LU-1.8, of the Land Use Element of the 2016 General Plan, states that new development is required to pay its proportionate share of the cost of providing and/or upgrading public facilities and services impacts by new development through impact fees. Currently, there are no fees, but if such fees are adopted, they would be applicable.

Existing Conditions

Law enforcement and police protection services are provided by the Westminster Police Department (WPD) at 8200 Westminster Boulevard in the City of Westminster. The police department is organized into various units and divisions, including animal control and, code enforcement, and provides the following services:

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communications center, traffic unit, emergency preparedness, professional standards, crime analysis, operations news, detective bureau, forensic services, management services, property unit, and record bureau (Westminster 2019b). The WPD has divided the City into two distinct geographic areas and have designated these regions as the East and West Command Areas (Westminster 2019b). The project site is located in the West Command Area.

Response Times

The WPD's performance standards for responding to emergency and nonemergency calls within its service area are:

- Priority 1 calls (the most serious calls requiring immediate actions) under 5 minutes
- Priority 2 calls (report calls and calls less serious in nature) under 10 minutes (Westminster 2016a)

Response times in the City as of 2016 are 4.77 minutes for Priority 1 calls and 10.4 minutes for Priority 2 (and lower) calls; WPD does not implement an established standard for the number of officers per person in its service area (Westminster 2016a).

Funding

Services provided by WPD are largely paid for with funds from the City's general fund, which is primarily funded by property and sales tax revenues; in 2021, these two sources of revenue provided 80 percent of Westminster's general fund revenue (Westminster 2021). Law enforcement and fire services represent 76 percent of the City's General Fund (Westminster 2021).

The City's annual budget also includes a Special Police Services Revenue Fund which pays for regional and local narcotics suppression programs and federal and state grants related to crime prevention (Westminster 2021). The budgeted amount for this special fund was \$1.1 million in 2021 (Westminster 2021).

5.7.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- PP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

5.7.2.3 PLANS, PROGRAMS, AND POLICIES

- PPP PS-4 The project applicant is required to pay development impact fees pursuant to Policy LU-1.8., if these fees are adopted

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PUBLIC SERVICES

PPP PS-5 As part of the project review process, WPD may require project design features to improve security onsite. Additional design features to address WPD's service standards will be incorporated as conditions of approval for the project.

There are no policies regarding police protection services in the WMSP.

5.7.2.4 ENVIRONMENTAL IMPACTS

Impact 5.7-2: The proposed project would introduce new structures, 8,373 residents, and 2,990 employees into the Westminster Police Department service boundaries, thereby increasing the requirement for police protection facilities and personnel. [Threshold PP-1]

The projected growth as a result of future development on the project site would result in increased demands for police protection services provided by WPD. According to the 2016 General Plan Update DEIR, WPD consisted of 87 sworn personnel; based on the one officer to 985 resident's ratio in the General Plan Update DEIR, upon maximum buildout of the proposed project, a total of 101 police officers¹, or an additional 14 officers, would be needed. However, as per correspondence with the WPD, the existing police department is physically capable of accommodating increased demands from the proposed project.

Appendix B of the WMSP sets forth action items for implementation of the WMSP. To be consistent with Land Use Policy LU-1.8 the WSMP states, Immediate Action 1.5: Establish Public Safety Services Funding Agreements: The City will seek to establish funding mechanisms and agreements to ensure that the cost of providing adequate police and fire services is funding by property owners. These costs will be calculated based on a third-party fiscal analysis and consistent with existing City-wide service standards The City may ask property owners to form a public safety services CFD to cover the cost of Specific Plan public safety services.

Public safety in Westminster, including police protection services, is paid for from the City's general fund, whose revenues are collected from property, sales, and utility users' taxes (Westminster 2016a). While the WMSP contains provision for allowing the City to establish funding for police services, there is no direct fiscal mechanism that ensures funding for police services will grow exactly proportional to the increased need for police services resulting from population growth. Revenue sources that contribute to the City's general fund would be expected to grow in rough proportion to any increase in residential units and/or businesses on the project site. Portions of this revenue would be used to supply WPD with additional police officers, professional staff, equipment, etc. Furthermore, future development on the site would be reviewed by the City on an individual basis and required to comply with regulations in effect at the time building permits are issued.

The need for additional structures and personnel would be financed through the City's general fund and the proposed CFD of the WMSP, and the impacts of the proposed project would be less than significant.

¹ 90,857 (2020 population) + 8,373 (proposed residents) = 99,230 residents
90,857 / 985 (2016 ratio) = 100.7 officers = 101 officers
101 officers (needed) – 87 officers (existing 2016 officers) = 14 additional officers

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Level of Significance Before Mitigation: Impact 5.7-2 would be less than significant.

5.7.2.5 CUMULATIVE IMPACTS

Growth within the City would increase demands for police protection and services. Other projects would also pay property, sales, and utility taxes and fees supporting the City's general fund, part of which would be available for the Westminster Police Department's operations and construction of new and/or expanded police stations. Other projects that are found by the City to require increases in public safety equipment, facilities, and staffing would be less than significant after payment of taxes and fees by other projects and impacts of the proposed project would not be cumulatively significant.

5.7.2.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.7-2.

5.7.2.7 MITIGATION MEASURES

No mitigation measures are required.

5.7.2.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.7.3 School Services

5.7.3.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California State Assembly Bill 2926: School Facilities Act of 1986

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorizes a levy of impact fees on new residential and commercial/industrial development. The bill was expanded and revised in 1987 through the passage of AB 1600, which added Sections 66000 et seq. to the Government Code. Under this statute, payment of impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

California Senate Bill 50

Senate Bill (SB) 50, passed in 1998, provides a comprehensive school facility financing and reform program and enables a statewide bond issue to be placed on the ballot. Under the provisions of SB 50, school districts are authorized to collect fees to offset the costs associated with increasing school capacity as a result of development and related population increases. The funding goes to acquiring school sites, constructing new school facilities, and modernizing existing school facilities. SB 50 establishes a process for determining the

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amount of fees developers would be charged to mitigate the impact of development on school districts from increased enrollment. According to Section 65996 of the California Government Code, development fees authorized by SB 50 are deemed to be “full and complete school facilities mitigation.”

Under this legislation, there are three levels of developer fees that may be imposed upon new development by the governing school district. Level I fees are assessed based upon the proposed square footage of residential, commercial/industrial, and/or parking structure uses. Level II fees require the developer to provide one-half of the costs of accommodating students in new schools, and the state provides the remaining half. To qualify for Level II fees, the governing board of the school district must adopt a School Facilities Needs Analysis and meet other prerequisites in accordance with Section 65995.6 of the California Government Code. Level III fees apply if the state runs out of bond funds, allowing the governing school district to impose 100 percent of the cost of school facility or mitigation minus any local dedicated school monies on the developer.

Local

Development Impact Fees

Pursuant to Government Code Section 65995, on April 19, 2022, the Board of the Huntington Beach Union High School District resolve to increase developer fee rates as follows: \$4.79 per square foot for residential construction and \$0.78 per square foot for commercial/industrial construction (HBUHSD 2022).

Existing Conditions

Enrollment and Capacity

The following school districts serve the project site:

- The Westminster School District (WSD) consists of 13 elementary schools, three junior high school, and one early childhood/special education school, and serves approximately 9,500 students in Westminster, as well as section of the surrounding and encompassing cities of Huntington Beach, Garden Grove, and Midway City (WSD 2019).
- The Huntington Beach Union High School District (HBUHSD) consists of six high schools and three alternative Education Schools and serves approximately 16,000 students (HBUHSD 2019).

Table 5.7-2, *School Enrollment and Capacity*, provides the enrollment and capacity per school that would serve the project site.

Table 5.7-2 School Enrollment and Capacity

School Level	Enrollment	Capacity
Westminster School District		
Elementary	5,696	6,713
Middle	2,502	2,782
Nonpublic Nonsectarian Schools	5	-

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Total	8,203	9,495
Huntington Beach Union High School District		
High School	15,082	-
Nonpublic Nonsectarian Schools	16	-
Total	15,098	-

Source: CDE 2022a; CDE 2022b; Cooperative Strategies 2018a

As shown in the Table above, WSD has excess capacity under existing conditions. Although the statistics on capacity was not provided for HBUHSD, correspondence received from the District, for the General Plan EIR, indicated that HBUHSD would have adequate capacity to serve existing needs in its service areas (Westminster 2016a).

5.7.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- SS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for school services.

5.7.3.3 PLANS, PROGRAMS, AND POLICIES

- PPP PS-6 Pursuant to AB 2926, new development is required to pay development impact fees to assist in providing school facilities to serve students generated by new development.
- PPP PS-7 Pursuant to SB 50, new development is required to offset the costs associated with increasing school capacity, where the funds collected go to acquiring school sites, constructing new school facilities, and modernizing existing school facilities.

There are no policies regarding school services in the WMSP.

5.7.3.4 ENVIRONMENTAL IMPACTS

Impact 5.7-3: The proposed project would generate new students who would impact the school enrollment capacities of Westminster School District and Huntington Beach Union School District. [Threshold SS-1]

Future development on the project site could result in a 2,000 to 3,000 dwelling units, which would generate a maximum of approximately 8,373 residents.

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The State Allocation Board Office of Public School Construction regulates enrollment projections for the state's public school districts. The State Allocation Board provides a methodology for determining the number of elementary, middle, and high school students that would be generated by new residential development. The statewide average student yield factors are as follows:

- Elementary School District – 0.5 students per dwelling unit
- High School District – 0.2 students per dwelling unit
- Unified School District – 0.7 students per dwelling unit (DGS 2008).

As shown in Table 5.7-3, *Estimated Project Student Generation*, the proposed project would result in 4,200 new students in the project area.

Table 5.7-3 Estimated Project Student Generation

School Type	Rate (Students per Unit)	Additional Units	Additional Students
Elementary School District	0.5	3,000	1,500
High School District	0.2	3,000	600
Unified School District	0.7	3,000	2,100
Total			4,200

Source: DGS 2008

These additional students would impact existing school enrollment capacities at WSD and HBUHSD. Overall, these schools would have a remaining capacity of 9,495 students. However, future classroom capacity could be required to serve the project site's larger student population. Future development as a result of the proposed project would be required to pay development impact fees to these school districts, consistent with SB 50. The school construction funding program under SB 50 was established by the legislature to constitute "full and complete mitigation of the impacts" on the provision of adequate school facilities (Government Code § 65995[h]). SB 50 establishes two potential limits for school districts, depending on the availability of new school construction funding from the state and the particular needs of the individual school districts. SB 50 also relieves jurisdictions of the authority to deny approval of a legislative or adjudicative action under CEQA in reference to real estate development based on the inadequacy of school facilities.

Although future development on the project site could result in an increase of 4,200 students, per state law, payment of impact fees in compliance with SB 50 would reduce impacts to an acceptable level, and impacts would be less than significant.

Level of Significance Before Mitigation: Impact 5.7-3 would be less than significant.

5.7.3.5 CUMULATIVE IMPACTS

Growth within the City would increase demands for school services. Other projects would also pay property, sales, and utility taxes and fees supporting the City's General fund, part of which would be available for WSD and HBUHSD's operations and construction of new and/or expanded school facilities. Other projects that are found by the City to require increases in public safety equipment, facilities, and staffing would also be

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required to pay impact fees to the City for increased resources. Cumulative impacts would be less than significant after payment of taxes and impact fees by other projects and impacts of the proposed project would not be cumulatively considerable.

5.7.3.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.7-3.

5.7.3.7 MITIGATION MEASURES

No mitigation measures are required.

5.7.3.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.7.4 Library Services

5.7.4.1 ENVIRONMENTAL SETTING

Regulatory Background

There are no applicable federal, state, or local regulations regarding library services.

Existing Conditions

The Westminster Branch Library is part of the Orange County Public Library community library network, which includes 33 branches throughout Orange County (OCPL 2019). The Westminster Branch Library is at 8180 13th Street in the City of Westminster.

According to the Westminster General Plan EIR, the Westminster Library occupies an 18,446-square-foot space and has over 120,000 volumes in its collection, as of 2016. Residents of the project area also have access to a circulation of 2,024,865 volumes in the 33-branch OCPL system, which provides residents of Orange County with access to books, periodicals, and other materials (Westminster 2016a). Members of the system have access to the network's entire holdings, including 2.5 million books, 48,500 government publications, 75,000 magazines, 92,700 videos/DVDs, 50,000 cassette/CD books, 13,000 e-books, and 2,246 historical photos. Resources at the Westminster Public Library are directly funded by the county, supplemented by fundraising of the Friends of the Westminster Library, a local nonprofit organization.

The OCPL uses a performance standard of 0.2 square foot per capita for library space, 1.3 volumes per capita for library collections, and a circulation per capita of 4.5 (Westminster 2016a). A library's collection consists of the total accumulation of books and other materials owned by a library; its circulation is the activities around lending of library books and other materials.

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5.7.4.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- LS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library services.

5.7.4.3 PLANS, PROGRAMS, AND POLICIES

- PPP PS-9 New development is required to pay Orange County library impact fees to offset the costs of providing additional library resources.

There are no policies regarding library services in the WMSP.

5.7.4.4 ENVIRONMENTAL IMPACTS

Impact 5.7-4: The proposed project would introduce 8,373 residents to the project site, which would increase the service needs for the Westminster Branch Library. [Threshold LS-1]

The only library in the City of Westminster, Westminster Branch Library, is approximately 1.4 miles northeast of the project site. OCPL uses a performance standard of 0.2 square feet per capita for library space, 1.3 volumes per capita for library collections, and a circulation per capita of 4.5; therefore, future development on the project site would require an additional 1,675 square feet of library space, 10,885 volumes for library collections, and 37,679 circulations. It should be noted that the OCPL also provides a wide range of electronic and digitized resources that do not require physical library space. Funding would be required to provide the additional books to meet the service standard. Generally, impact fees are assessed on new development to help pay for public infrastructure required to accommodate the new development. The larger tax based afforded by future development on the project site would contribute to the County's general fund, which would pay for capital improvements and new resources in the OCPL system. Although there is no direct fiscal mechanism that ensures that funding for library services will grow exactly proportional to the need for services, property taxes would be expected to grow roughly proportional to any increase in development on the project site. Therefore, the proposed project would have a less than significant impact on library services.

Level of Significance Before Mitigation: Impact 5.7-4 would be less than significant.

5.7.4.5 CUMULATIVE IMPACTS

Growth within the City would increase demands for library services. Other projects would also pay property, sales, and utility taxes and fees supporting the City's General Fund, part of which would be available for the operations and development of new and/or expanded facilities. Other projects that are found by the City to

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require increases to library services would also be required to pay fair-share payments to the City for increased resources. Cumulative impacts would be less than significant after the payment of taxes by other projects. Impacts of the proposed project would not be cumulatively considerable.

5.7.4.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impact would be less than significant: 5.7-4.

5.7.4.7 MITIGATION MEASURES

No mitigation measures are required.

5.7.4.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.7.5 References

California Department of Education (CDE). 2022a. 2021-2022 Enrollment by Grade. Westminster Report (30-66746).

<https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=3066746&agglevel=district&year=2021-22>

_____. 2022b. 2021-2022 Enrollment by Grade. Huntington Beach Union High Report (30-66548).

<https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=3066548&agglevel=district&year=2021-22>

California Department of General Services (DGS). 2009. Form SAB 50-01, Enrollment Certification/Projection School Facility Program. State Allocation Board

<https://www.dgsapps.dgs.ca.gov/OPSC/ab1014/sab50-01instructions.pdf>

Cooperative Strategies. 2018a, February 22. Commercial/Industrial Development School Fee Justification Study. Westminster School District.

<https://1.cdn.edl.io/P9XRASiTubJO0ww1FD7ahmXDnSW3wFBOVw8rZEDeB3SEAX0L.pdf>

_____. 2018b, February 22. Residential Development School Fee Justification Study. Westminster School District. <https://1.cdn.edl.io/4RWigjulg3tgUv2PrQ4YkjsY0jtaYxypk84K5mhkHTKwEUyg.pdf>

Huntington Beach Union High School District (HBUHSD). 2019. Our Schools.

<https://www.hbuhd.edu/apps/pages/schools>

_____. 2022. Notice of Developer Fees Increase. <https://4.files.edl.io/afec/04/25/22/161231-d1385790-8d62-4d59-8c3f-0886357e3919.pdf>.

5. Environmental Analysis

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Orange County Fire Authority (OCFA). 2021, July. Orange County Fire Authority FY 2021/2022 Adopted Budget. <https://www.ocfa.org/Uploads/Transparency/OCFA%202021-2022%20Adopted%20Budget.pdf>

_____. 2019a. Departments. <https://www.ocfa.org/AboutUs/Departments/Departments.aspx>

_____. 2019b. Operations Division 1. <https://www.ocfa.org/aboutus/departments/OperationsDirectory/Division1.aspx>

Orange County Public Libraries (OCPL). 2019. About OCPL. <http://www.ocpl.org/services/about>

Westminster, City of. 2016a, July. City of Westminster General Plan EIR – Public Services.

_____. 2016b, September. City of Westminster General Plan. <https://www.westminster-ca.gov/civicax/filebank/blobdload.aspx?blobid=11158>

_____. 2021, June 30. City of Westminster Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2021. <https://www.westminster-ca.gov/home/showpublisheddocument/4954/637859572496100000>.

_____. 2019a. Fire Department. https://www.westminster-ca.gov/our_city/depts/fire/default.asp

Westminster School District (WSD). 2019. Home. https://www.wsdk8.us/apps/pages/index.jsp?uREC_ID=343857&type=d&pREC_ID=751113

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5.8 RECREATION

This section of the draft environmental impact report (DEIR) evaluates the potential for implementation of the Westminster Mall Specific Plan (‘WMSP or ‘Specific Plan’) to result in impacts to recreation facilities and parks in the City of Westminster.

5.8.1 Environmental Setting

5.8.1.1 REGULATORY BACKGROUND

State

California Public Park Preservation Act

The primary instrument for protecting and preserving parkland is California’s Public Park Preservation Act of 1971. Under the Public Resources Code, cities and counties may not acquire any real property that is in use as a public park for any nonpark use unless compensation, land, or both are provided to replace the parkland acquired. This provides for no net loss of parkland and facilities.

Local

City of Westminster General Plan

The goals and policies of the City of Westminster General Plan promote the maintenance and development of a high-quality parks and provision of recreational programming that meets the physical, mental, and social needs of all Westminster residents and their varying life stages and lifestyles. The following are goals and policies from the Parks and Recreation Element of the Westminster General Plan that pertain to the proposed project:

Goal PR-1: Park Facilities and Open Space – A diverse system of safe and accessible local public park and recreation facilities that meets the varied needs of the Westminster community.

- **PR-1.1. Park Types.** Provide a range of park types and amenities to meet the active and passive recreational needs of all Westminster residents, regardless of age, ability, or income.
- **PR-1.2 Parkland Standards.** Achieve a minimum parkland standard of three acres per 1,000 City residents. Parkland includes traditional parks and recreation facilities, multiuse pathways, off-street bicycle lanes (for example, the Hoover Bicycle Route), and joint-use facilities throughout the city (such as school facilities).
- **PR-1.3 Service Area Radius.** Focus new park facilities in areas that are outside ¼-mile walking radius from an existing or proposed park or bike trail and enhance options for residents to access these facilities through safe walking, bicycling, and transit routes. Physical barriers such as I-405 and SR-22 should also be considered when evaluating service area and access.

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- **PR-1.4 New Facilities.** Pursue the development of new parks and recreational facilities at utility easements, flood control channels, railroad rights-of-way, vacant parcels, and underutilized facilities.
- **PR-1.5 Open Space in Nonresidential Development.** Encourage nonresidential development, including commercial centers, industrial uses, and public facilities, to provide on-site open space for employees.
- **PR-1.6 Safety.** Enhance park safety through playground design, crime prevention technology, night lighting, natural surveillance, unobtrusive landscaping, and increased police and community-based patrols.
- **PR-1.7 Accessible Facilities.** Require that new park facility construction and existing facility retrofits meet accessibility standards defined by the Americans with Disabilities Act (ADA) and playground safety requirements (Senate Bill 2733).
- **PR-1.8 Park Design.** Encourage new and existing parks to incorporate sustainable landscape and development practices that limit water usage and energy consumption, such as drought-resistant landscaping and low impact development standards.
- **PR-1.9 Community Input.** Ensure that programs and facilities in parks reflect the priorities of residents in the surrounding neighborhoods. Regularly conduct community outreach, workshops, and ongoing conversation with neighborhoods to solicit public input on park issues.
- **PR-1.10 Quality Parks.** Design parks with attention to place-making elements that foster social interaction and community pride by incorporating design elements (art, landscape, monuments, murals, play equipment, benches) based on a unique theme with each park. Where possible, local and historical cultural elements should be reflected in the park's design.

Goal PR-2: Parks and Recreation Facility Management – Park and recreational facilities that are well maintained and safe to meet the short- and long-term recreational needs of the City.

- **PR-2.1 Parks and Recreational Facilities Master Plan.** Use the City's parks and recreational facilities master plan to guide future capital improvement projects, recreational programs, and maintenance needs.
- **PR-2.2 Parkland Dedication.** Require new developments to provide adequate, usable, and permanent open space on-site, off-site, or via in-lieu fees.
- **PR-2.3 Incentives.** Incentivize developers of multifamily residential and mixed-use projects to provide on-site, publicly accessible open space and recreational facilities; incentives could include density bonuses, expedited development review, and the reduction of on-site parking.
- **PR-2.4 Partnerships.** Establish creative partnerships with local and regional agencies, private developers, and institutions to develop new, nontraditional types of open space, such as plazas, pocket parks, parklets, rooftop gardens, and enhanced streetscapes.

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- **PR-2.5 Joint-Use Agreements.** Work with local school districts, private developers, institutional uses, nonprofits, and other organizations to develop joint-use agreements to expand the park and recreation facility offerings in the City.
- **PR-2.6 Regional Needs Assessment.** Collaborate with the Orange County Parks and Recreation Department to understand the park and recreational needs of the region and explore opportunities for Westminster to address regional needs to the extent possible.
- **PR-2.7 Funding.** Explore conventional and creative funding options for the construction, maintenance, rehabilitation, programming, and periodic modernization of Westminster's parks, including development impact fees, private donations, gifts, and endowments, bond measures, special districts, and federal and state grants.
- **PR-2.8 Park Maintenance.** Conduct regular park maintenance and facility inspections on park buildings, playground equipment, and recreational fields to allow for their continued public use and enjoyment.
- **PR-2.9 Departmental Collaboration.** Require the collaboration amongst those City departments responsible for park facilities in Westminster—including Community Services and Recreation, Community Development, and Public Works—when evaluating existing park and recreational facilities, planning future park and facility needs, and when seeking grant funding.

City of Westminster Parks & Recreation Facilities Master Plan

In March 2020, the City adopted the Parks & Recreation Facilities Master Plan to aid in implementation of the General Plan policies regarding park and open space. The Master Plan acknowledges that the General Plan goal of 3.0 acres per 1,000 population will be difficult to achieve and establishes a minimum and desired ratio of parkland for new development. The following policies from the Master Plan apply to the proposed Project.

- A.1.b. Desired Level of Service:** Strive to provide 1.75 acres of parkland per 1,000 residents, which could be achieved by implementing all new park, trail and open space acquisitions recommended in the Master Plan. Where feasible, exceed this through new development to support the General Plan policy and proposed parkland standard of 3 acres per 1,000 City residents.
- A.1.c. Minimum Level of Service:** Implement priority projects over the next 10 years to provide a minimum of 1.4 acres of parkland per 1,000 City residents.
- A.8.a. Local Trail Connectivity:** Prioritize local trail development that provides east-west connectivity and connections to parks and public facilities, as per recommendations in this Master Plan.
- A.8.b. Regional Trail Connectivity:** Develop trails to connect Westminster residents to regional parks and the regional trail system.

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- A.8.c. Trail Collaboration:** Collaborate with adjacent cities, water and flood control districts, utility row and other entities to enhance trail connectivity in and surrounding Westminster.
- D.3.f. Quimby Act:** Consider the use of both Quimby and Impact Fees to fund new park development, with Quimby Fees based on a minimum of 3 acres per 1,000 residents.
- E.3.e. Westminster Mall Specific Plan:** Refer to the Specific Plan for more detailed recommendations regarding the provision of parks, open space, trails, programs and events in the Westminster Mall Redevelopment Area.

Westminster Municipal Code

The purpose of Chapter 3.62, *Parks and Recreation Development Impact Fee Program* is to implement the goals, objectives, and policies of the City of Westminster's General Plan when new residential development is constructed within the City limits.

According to Section 2.56.060, Department of Community Services and Recreation, of Chapter 2.56, Commission—Powers and duties generally, of the Westminster Municipal Code, the duties of the Community Services and Recreation Commission shall be to act in an advisory capacity to the City Council in the following matters:

- Matters pertaining to the acquisition and development of parks, recreational, cultural and human service facilities;
- The beautification and improvement of the environment of the city;
- The promotion of cultural arts within the city;
- To plan and coordinate all activities and human service needs and programs for the community;
- To solicit to the fullest extent possible the cooperation of the school authorities and public and private agencies interested in youth program activities;
- To hold at least six meetings per year or meet at the pleasure of the city council;
- Perform such other duties as may be prescribed by the city council. (Ord. 2379 § 1, 2005)

Park Development Fees

According to Section 3.62.040, Parks and Recreation Mitigation Requirement, of the Westminster Municipal Code, the current Parks and Recreation Development Impact Fee is as follows:

- Single-Family Residential Development: \$13,760/unit
- Multi-Family Residential Development: \$10,158/unit

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5.8.1.2 EXISTING CONDITIONS

There are 24 parks and recreational facilities in the City, and a total of 121 acres dedicated to parks and open space (Westminster 2016). The City includes 12 neighborhood parks (less than 3 acres) and 12 community parks (more than 3 acres) with parks ranging in size from Oasis Park at 0.25 acre to the 12-acre Russell C. Paris Park. These facilities offer a range of amenities, including basketball courts, softball fields, picnic tables, barbecue pits, and children's jungle gyms. Of the 6,836 acres in the City, 98.6 acres, or 1.44 percent, are designated as parkland and recreational facilities. The Westminster Community Services and Recreation Department manages parks and recreation facilities. Table 5.8-1, *Westminster Parks and Recreational Facilities*, shows the locations, acreages, and amenities of these facilities.

Table 5.8-1 Westminster Parks and Recreational Facilities

Facility	Acreage	Tot lot	Basketball	Picnic	Restroom	Memorial	Activity Building	BBQs	Shade	Museum	Handball	Softball	Tennis	Splash Pad	Skate park	Community Services Building	Outdoor Fitness Area	Senior Center
Neighborhood Parks (less than 3 acres)																		
Oasis Park 8612 Oasis Ave.	0.3	X																
Virginia K. Boos Park 13811 Haileigh St.	0.5	X	X															
Sid Goldstein Community Park 14180 All American Way	1.5	X		X	X	X												
Margie L. Rice Park 6060 Hefley St.	1.5	X		X	X													
Goldenwest Park 13200 Siskiyou St.	1.7	X		X			X	X	X									
Cloverdale Park 97821 Cloverdale Ave.	1.8	X		X				X										
Coronet Park 15252 Oakcliff Dr.	1.9	X	X	X														
Cascade Park 14100 Cascade St.	2	X		X				X										
Newcastle Park 14720 Kent St.	2.2	X	X	X				X										

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Table 5.8-1 Westminster Parks and Recreational Facilities

Facility	Acreage	Tot lot	Basketball	Picnic	Restroom	Memorial	Activity Building	BBQs	Shade	Museum	Handball	Softball	Tennis	Splash Pad	Skate park	Community Services Building	Outdoor Fitness Area	Senior Center
Leaora L. Blake Park 8612 Westminster Blvd.	2.3									X								
Westminster Village Park 5300 Tattershall St.	2.5	X	X	X					X		X							
Bowling Green Park 14700 Bowling Green St.	2.9	X	X	X			X	X										
Community Parks (more than 3 acres)																		
Frank G. Fry Park 7482 21 st St.	3.3	X		X														
Elden F. Gillespie Park 9801 McFadden Ave.	3.5	X	X	X	X		X	X				X	X					
John Land Park 15151 Temple St.	3.5	X		X				X	X									
College Park 15422 Vermont St.	3.9	X	X	X				X										
Bolsa Chica Park 13660 University St.	4.9	X	X	X	X		X	X	X				X					
Buckingham Park 6502 Homer St.	5	X		X	X							X						
Tony Lam Park 8301 McFadden Ave.	5	X		X	X		X	X	X			X	X					
Sigler Park 7200 Plaza St.	6	X	X	X	X		X	X			X	X		X				
Liberty Park 13900 Monroe St.	8.7	X	X	X	X		X	X	X		X				X			
Westminster Park 14402 Magnolia St.	8.7	X	X		X			X			X	X						

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Table 5.8-1 Westminster Parks and Recreational Facilities

Facility	Acreage	Tot lot	Basketball	Picnic	Restroom	Memorial	Activity Building	BBQs	Shade	Museum	Handball	Softball	Tennis	Splash Pad	Skate park	Community Services Building	Outdoor Fitness Area	Senior Center
Russell C. Paris Park 8600 Palos Verdes Ave.	12	X		X				X										
Civic Center 8200 Westminster Blvd.	13															X	X	X
Total	98.6																	
Source: Westminster 2016																		

Parkland Ratios and Joint-Use Agreements

According to Policy PR-1.2, Parkland Standards, of the Parks and Recreation Element, the City aims to achieve a minimum of parkland standard of 3 acres per 1,000 City residents (Westminster 2016). In 2016, the City's existing parkland ratio reflected approximately 1 acre of parkland per 1,000 residents (Westminster 2016). Recognizing that the General Plan Goal of 3 acres per 1,000 population may not be possible in all development projects, the City's Parks & Recreation Facilities Master Plan establishes both a minimum ratio of 1.4 acres per 1,000 population, and a desired ratio of 1.75 acres per 1,000 population. Table 5.1-2, *Open Space Requirements for the WMSP Site Based on Plan Type*, summarizes the amount of open space land required by plan type for the WMSP site.

Table 5.8-2 Open Space Requirements for the WMSP Site Based on Plan Type

Plan Type	Required Acres
General Plan – 3 acres per 1,000 population	25.12
Park Plan Desired – 1.75 acres per 1,000 population	14.65
Park Plan Minimum – 1.40 acres per 1,000 population	11.72

In order to meet the challenge of serving the community's diverse parks and recreational needs, Policy PR-2.5, Joint-Use Agreements, of the Parks and Recreation Element, calls for the City to work with local school districts, private developers, institutional uses, nonprofits, and other organizations to develop joint-use agreements to expand the park and recreation facility offerings in the City (Westminster 2016).

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5.8.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

- R-1 Would 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.
- R-2 Includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

5.8.3 Plans, Programs, and Policies

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for recreation impacts are identified below.

- PPP REC-1 The project will pay Parks and Recreation Development Impact Fees in accordance with Section 3.62.040, Parks and Recreation Mitigation Requirement, of the Westminster Municipal Code.

Project Design Features

The Westminster Mall Specific Plan includes the following Project Design Features (PDFs), from Chapter 5 and Chapter 7 of the WMSP, establishes the method for achieving open space on the project site. The Specific Plan includes several types of open space including an urban plaza, mixed-use neighborhood park, and a portion of the U.S. Navy Railroad Trail (Westminster Nature Activity Trail) adjacent to the project site. The combination of the specific plan open space requirements totals 9.5 acres and is shown on Figure 5.15, *Open Space Location and Sizing*, in Chapter 5 of the WMSP.

In addition to the programmed open space, 10 percent of the land area for all development within the WMSP is required to provide some form of public/private open space. Of this requirement, 25 percent is expected to be private (i.e. balconies, patios) and the remaining 75 percent must either be public open space or private common open space. With a total site of approximately 100 acres, the total development-required open space will be 7.5 acres. Table 5.8-3, *WMSP On-Site Open Space Requirements*, summarizes the required on-site open space program established in the WMSP.

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Table 5.8-3 WMSP On-Site Open Space Requirements

Type	Minimum Acres
Specific Open Space Program Requirements	
Cultural Park/Urban Plaza	3.0
Mixed-Use Neighborhood Park	2.5
Westminster Nature Activity Trail	1.0
Internal Community Paseo	1.5
Bolsa Promenade	1.5
Sub Total	9.5
Project Development Requirements	
Public/Private Common	7.50
Linear Park	0.45 (20,000 square feet)
Grand Total	17.45

Source: Table 5.5 WMSP

Section 5.2.15 Open Space Requirements

- PDF-1 Public open spaces shall include flexible areas for public gatherings, such as lawn area or a paved plaza, at a scale that maintains intimacy, form, and character and contributes to a well-connected public realm.
- PDF-2 Public plazas shall be located at intersections of streets or adjacent to midblock pedestrian crossings and be prominently integrated with internal sidewalks and streets. Plazas at corners are encouraged to include outdoor dining space for adjacent restaurants.
- PDF-3 A public open space such as a corner plaza, public art, or architectural landmark form shall be provided at the intersection of Bolsa Avenue and Edwards Street to enhance the attractiveness of the Gateway.
- PDF-4 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.

Section 7.2.6 Open Space

- PDF-5 Open spaces shall include a visual focal feature or overall aesthetic in design that coordinates buildings, signs, landscaping, and outdoor furniture, public art, and amenities to create a pleasant pedestrian environment.

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- PDF-6 Public open space shall be oriented to maximize the visual and physical link from public sidewalks and pedestrian corridors.
- PDF-7 Open spaces should provide both shaded and sunlit areas during different times of the day. Shade is provided to reduce heat island effects and promote human comfort. Shade can be provided by trees, shading structures, trellises, awnings, canopies, or umbrellas integrated into the building or above open spaces.
- PDF-8 Private Open Space: Residential balconies shall be large enough to be occupied. See requirements for minimum sizes in Chapter 5, Development and Design Standards, of the WMSP.

Off-Site Recreation

The City of Westminster Parks and Recreation Facilities Master Plan identifies the Westminster Nature Activity Trail as an important city and regional recreational feature. The Master Plan also notes that the construction of the Trail should be coordinated with the Westminster Mall and the City of Huntington Beach. As described, the improvements would include “Acquisition, development, landscaping, irrigation, support amenities, outdoor fitness equipment and enhancement of a 1.1 mile, east-west, off-street trail extending from Hoover Street Trail/Mendez Memorial Bikeway, by the Westminster Mall redevelopment area, includes pedestrian/bicycle traffic signal system at five street crossings.” The estimated cost for this part of the trail is approximately \$6.1 million and would add approximately 9.4 acres to the City’s open space system. The proposed WMSP requires that the difference between the desired 1.75-acre/1,000 residents of the Parks and Recreation Facilities Master Plan, and the 3.0-acres per 1,000 residents of the General Plan, be addressed off-site. This can take the form of in-lieu fees or acquiring the U.S. Navy Railroad Trail property and dedicating a portion of the improved trail to the City.

5.8.4 Environmental Impacts

5.8.4.1 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.8-1: The proposed project would generate 8,373 residents that would increase the use of existing park and recreational facilities. [Threshold R-1]

As proposed, the WMSP meets the desired 1.4 acres per 1,000 resident ratio established by the Parks and Recreation Facilities Master Plan. Table 5.8-3 shows that 9.5 acres will be programmed by the WMSP, and that an additional 7.95 acres will be provided as unprogrammed but required open space. The total of 17.45 acres represent a ratio of 2.08-acres per 1,000 which exceeds the desired parkland ratio established in the Parks and Recreation Master Plan.

The difference between the 17.45 acres of open space provided as part of the WMSP and the 25.12 acres required by the General Plan will be met through payment of the City’s Parks and Recreation Fees. The City

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has adopted both the Parks and Recreation Facilities Master Plan that identifies park and open space lands, and Chapter 3.62 Parks and Recreation Development Impact Fee Program in the Westminster Municipal Code. The combination of on-site open space provided by the proposed project, and payment of in-lieu fees ensures that all park and open space needs for the proposed project are met, therefore this impact is less than significant.

Level of Significance Before Mitigation: Impact 5.8-1 would be less than significant.

Impact 5.8-2: Project implementation could result in environmental impacts to provide new and/or expanded recreational facilities. [Threshold R-2]

The WMSP provides 17.45 acres of onsite open space for a ratio of 2.08 acres per 1,000 population that exceeds the Parks and Recreation Master Plan desired ratio of 1.74 acres per 1,000 residents. The difference between the Parks Master Plan ratio of 1.47 acres per 1,000 and the General Plan goal of 3.0 acres per thousand will be met through payment of the City's Parks and Recreation Development Impact Fee. The combination of on-site open space and payment of the impact fee will ensure that open space is constructed to City standards, and that the community-wide recreation system is improved consistent with the Master Plan. As the requirement for open space is included in the proposed WMSP, and payment of the impact fee is required by chapter 3.62 of the City's Municipal Code, no mitigation is necessary.

Level of Significance Before Mitigation: Impact 5.8-2 would be less than significant.

5.8.5 Cumulative Impacts

Growth within the City would increase demands for parks and recreational facilities. Future projects outside of the WMSP would also pay property, sales, and utility taxes and development impact fees supporting the City's General Fund, part of which would be available for the operations and development of new parks and recreational facilities. Other projects that are found by the City to require increases in parklands would also be required to pay fair-share payments to the City for increased resources. The City currently has a deficiency of 179 acres of parks (excluding open space areas and joint-use facilities). Cumulative impacts would be less than significant after payment of taxes, impact fees, and fair-share payments by other projects. Impacts of the proposed project would not be cumulatively considerable.

5.8.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.8-1 and 5.8-2.

5.8.7 Mitigation Measures

No mitigation measures are required.

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5.8.8 Level of Significance After Mitigation

Impacts would be less than significant.

5.8.9 References

Westminster, City of. 2016, September. City of Westminster General Plan. <https://www.westminster-ca.gov/home/showpublisheddocument/522/637422753110100000>

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5.9 TRANSPORTATION

This section of the draft environmental impact report (DEIR) evaluates the potential for implementation of the Westminster Mall Specific Plan (“WMSP” or “Specific Plan”) to result in transportation and traffic impacts in the City of Westminster. The analysis in this section is based in part on the following technical report:

- *Final Transportation Impact Analysis Westminster Mall Specific Plan*, Fehr and Peers, November 2020

A complete copy of this study is included as Appendix 5.9-1 to this Draft EIR.

5.9.1 Environmental Setting

5.9.1.1 REGULATORY BACKGROUND

State Regulations

Senate Bill 743

On September 27, 2013, SB 743 was signed into law, starting a process that fundamentally changed transportation impact analysis as part of CEQA compliance. The legislature found that with the adoption of SB 375, the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of GHG emissions, as required by the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32).

SB 743 eliminates auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as the sole basis for determining significant impacts under CEQA. Pursuant to the CEQA Guidelines, the new criteria “shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, a diversity of land uses” (Public Resources Code Section 21099(b)(1)).

Pursuant to SB 743, the Natural Resources Agency adopted revisions to the CEQA Guidelines to implement SB 743 on December 28, 2018. The revised CEQA Guidelines establish new criteria for determining the significance of transportation impacts. Under the new Guidelines, VMT-related metric(s) that evaluate the significance of transportation-related impacts under CEQA for development projects, land use plans, and transportation infrastructure projects are required beginning on July 1, 2020; the City of Westminster adopted their VMT threshold on June 24, 2020. The legislation does not preclude the application of local general plan policies, zoning codes, conditions of approval, or any other planning requirements that require evaluation of LOS, but these metrics may no longer constitute the sole basis for determining transportation impacts under CEQA.

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Regional Regulations

Southern California Association of Governments

2020 Regional Transportation Plan/Sustainable Communities Strategy

The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Connect SoCal Plan was adopted on September 3, 2020. Connect SoCal encompasses four principles—mobility, economy, healthy/complete communities, and environment—that are important to the region’s future. Connect SoCal explicitly lays out goals related to housing, transportation technologies, equity, and resilience in order to adequately reflect the increasing importance of these topics in the region.

The SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas (GHG) emissions from transportation (excluding goods movement). The SCS is meant to provide growth strategies that would achieve the regional GHG emissions reduction targets identified by the California Air Resources Board. However, the SCS does not require that local general plans, specific plans, or zoning be consistent with the SCS; instead, it provides incentives to governments and developers for consistency.

Orange County Transportation Authority Congestion Management Plan

The Orange County Transportation Authority (OCTA) is the subregional planning agency for Orange County. In June 1990, the Proposition 111 gas tax increase required California’s urbanized areas (areas with populations of 50,000 or more), to adopt a Congestion Management Program (CMP). The CMP is intended to link transportation, land use, and air quality decisions and to address the impact of local growth on the regional transportation system. Compliance with CMP requirements ensures a city’s eligibility to compete for state gas tax funds for local transportation projects. The Orange County CMP was established in 1991, and the most recent CMP was adopted in 2017. The CMP requires that a traffic impact analysis (TIA) be conducted for any project generating 2,400 or more daily trips, or 1,600 or more daily trips for projects that directly access the CMP Highway System. Per the CMP guidelines, this number is based on the desire to analyze any impacts that comprise 3 percent or more the existing CMP highway system facilities’ capacity. The CMP highway system includes specific roadways—including state highways and super streets (now known as smart streets)—and CMP arterial monitoring locations/intersections. Therefore, the CMP TIA requirements relate only to the designated CMP highway system.

California Department of Transportation

Intersections

Intersections within the City associated with freeway on-ramps and off-ramps fall under Caltrans jurisdiction. Caltrans is the primary state agency responsible for transportation issues. Caltrans approves the planning, design, and construction of improvements for all state-controlled facilities. Caltrans has established standards for roadway traffic flow and developed procedures to determine if state-controlled facilities require improvements.

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Caltrans utilizes the Highway Capacity Manual 6 (HCM 6) methodology to evaluate intersections within its jurisdiction. LOS criteria for unsignalized intersections differ from LOS criteria for signalized intersections as signalized intersections are designed for heavier traffic and therefore a greater delay. Unsignalized intersections are also associated with more uncertainty for users, as delays are less predictable, which can reduce users' delays tolerance.

For state-controlled intersections, LOS standards and impact criteria specified by Caltrans will apply. Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities; it does not require that LOS D (shall) be maintained. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. Caltrans has determined that all state-owned facilities that operate below LOS D should be identified and improved to an acceptable LOS. The Caltrans Traffic Impact Study Guidelines does state that if an existing state-owned facility operates at less than LOS D, the existing service level should be maintained.

Freeway Segments

The basic freeway segment criteria are based on peak hour HCM 6 density analysis. Freeway merge and diverge segment analysis is based on peak hour HCM 6 density analysis for freeway-to-arterial interchanges. According to HCM 6 methodology, the ramp merge and diverge segments focus on an influential area of 1,500 feet, including the acceleration or deceleration lane(s) and adjacent freeway ramps.

Local Regulations

City of Westminster General Plan

The City of Westminster Mobility Element outlines the vision, goals, policies, and implementation measures required to improve and enhance the City of Westminster transportation system. The City has adopted LOS D as the minimum acceptable standard for facilities where automobiles are prioritized. On streets where automobiles are not prioritized, LOS E is considered acceptable, as outlined in Policy M-1.3 of the City's General Plan.

As indicated in the Mobility Element of the General Plan, although LOS will continue to be used as a metric in the City of Westminster to show consistency with this General Plan on auto-priority streets, the City will need to monitor SB 743 and update the City's significance criteria to identify appropriate VMT thresholds for identifying impacts to the transportation system.

Since the City of Westminster thresholds of significance related to VMT is generally consistent with the Office of Planning and Research (OPR) Technical Advisory, the TIA is consistent with the Draft Caltrans Guidelines.

City of Westminster Municipal Code

- **Chapter 3.58 Traffic Impact Fees.** The Traffic Impact Fees Ordinance will raise revenues sufficient to enable the City to construct circulation system improvements that increase roadway capacity within the City of Westminster such that traffic generated by development and redevelopment of land within the

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City will not result in unacceptable levels of congestion of the circulation system. The Ordinance contains a fair and equitable method of determining the extent to which the development or redevelopment of land will generate traffic volumes and establishes a fair and equitable method for distribution of costs of circulation system improvements necessary to accommodate the traffic volumes generated by such development.

- **Chapter 10.20 Traffic-Control Devices.** Traffic-control devices will be placed and maintained when and as required to properly regulate traffic or to guide or warn traffic.

5.9.1.2 EXISTING CONDITIONS

Methodology

Intersection Analysis

The Highway Capacity Manual (HCM) 6th Edition methodology is considered the state-of-the-practice methodology for evaluating intersection operations. The HCM 6th Edition Methodology estimates a quantitative delay at intersections. After the quantitative delay estimates are complete, the methodology assigns a qualitative letter grade that represents the operations of the intersection. These grades range from level of service (LOS) A (minimal delay) to LOS F (excessive congestion). LOS E represents at-capacity operations. Descriptions of the LOS letter grades are provided in Table 5.9-1, *Intersection LOS Criteria*.

Table 5.9-1 Intersection LOS Criteria

LOS	Description	Signalized Delay (Seconds)	V/C Ratio
A	Operations with very low delay occurring with favorable progression and/or short cycle length.	≤ 10.0	<0.61
B	Operations with low delay occurring with good progression and/or short cycle lengths.	> 10.0 to 20.0	0.61 to 0.70
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures being to appear.	> 20.0 to 35.0	0.71 to 0.80
D	Operations with longer delays due to combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	> 35.0 to 55.0	0.81 to 0.90
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.	> 55.0 to 80.0	0.91 to 1.00
F	Operation with delays unacceptable to most drivers occurring due to over saturation, poor progression, or very long cycle lengths.	>80.0	>1.00

Source: Fehr and Peers 2020

Freeway Analysis

Freeways mainline and ramps were evaluated using a Highway Capacity Software (HCS) equivalent tool, which applies methodologies contained in the HCM 6th Edition. The LOS was calculated for each study facility based on density in number of vehicles per hour per lane. Table 5.9-2, *Basic, Merge, Diverge, and Weave*

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Freeway Segment LOS Threshold, below describes the LOS thresholds for freeway sections identified in the HCM 6th Edition.

Table 5.9-2 Basic, Merge, Diverge, and Weave Freeway Segment LOS Threshold

LOS	Description	Density (vplpm) ¹	
		Mainline (Basic)	Ramp / Weave
A	Free-flow speeds prevail. Vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream.	≤ 11	≤ 10
B	Free-flow speeds are maintained. The ability to maneuver with the traffic stream is only slightly restricted.	> 11 to 18	> 10 to 20
C	Flow with speeds at or near free-flow speeds. Freedom to maneuver within the traffic stream is noticeably restricted, and lane changes require more care and vigilance on the part of the driver/	> 18 to 26	> 20 to 28
D	Speeds decline slightly with increasing flows. Freedom to maneuver with the traffic stream is more noticeably limited, and the driver experiences reduced physical and psychological comfort.	> 26 to 35	> 28 to 35
E	Operation at capacity. There are virtually no usable gaps within the traffic stream, leaving little room to maneuver. Any disruption can be expected to produce a breakdown with queuing.	> 35 to 45	> 35 to 45 ²
F	Represents a breakdown in flow.	> 45	> 45 ²

Source: Fehr and Peers 2020

Notes:

¹ Density is reported in vehicles per lane per mile.

² The maximum density for ramp junctions and weaving sections under LOS E is not defined in the HCM. The maximum density for basic segments of 45 vplpm was assumed to apply to ramp junctions and weaving sections.

Existing Roadway Facilities

Regional Roads

- **Interstate 405 (I-405) San Diego Freeway.** I-405 freeway is a north-south facility beginning in the San Fernando Valley and terminating in the City of Irvine. Within the City limits, the freeway has ten lanes, including two high-occupancy vehicles lanes, with a posted speed limit of 65 miles per hour. The I-405 freeway borders the project site to the northeast.

Local Roads

Roadway classifications for the following study area roadways are defined in the Mobility Element of the City's General Plan.

- **Bolsa Avenue.** Bolsa Avenue is classified as an Arterial Roadway between Euclid Street and Brookhurst Street and between Magnolia Street and Edwards Street, and as a Multi-Way Boulevard between Brookhurst Street and Magnolia Street. Bolsa Avenue is identified as part of the regional master plan of arterial highways (MPAH) for vehicle movement, and as part of the Orange County Transportation Authority Congestion Management Program (CMP). The City's General Plan has identified Bolsa Avenue as an auto priority route and a high priority transit route. Bolsa Avenue is an east-west facility and has

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four to six lanes with a posted speed limit of 40-45 miles per hour. It borders the project site to the south.

- **Edwards Street.** Edwards Street is classified as a Connector Street between 1st Street and Westminster Boulevard, a School Street between Westminster Boulevard and Bestel Avenue, and a Bicycle Corridor between Bestel Avenue and Garden Grove Boulevard. Edwards Street is a north-south facility with four lanes and a posted speed limit of 35 miles per hour. The City's General Plan has identified Edwards Street as an auto priority route and a bicycle and pedestrian priority route. It borders the project site to the west.
- **Goldenwest Street.** Goldenwest Street is classified as a School Street between McFadden Avenue and Edinger Avenue and as an Arterial between Edinger Avenue and Garden Grove Boulevard. Goldenwest Street is a north-south facility within six lanes and a posted limited of 40 miles per hour. The City's General Plan has identified Goldenwest Street as an auto priority route and a high priority transit route. It is located east of the project site.
- **Westminster Boulevard.** Westminster Boulevard is classified as a Multi-Way Boulevard between Hoover Street and I-405, and as an Arterial between I-405 and Bolsa Chica Road, Bushard Street and Hoover Street. Westminster Boulevard is an east-west facility and has four lanes with a posted speed limit of 45 miles per hour. The City's General Plan has identified Westminster Boulevard as a bicycle and pedestrian priority route, an auto priority route, and a transit priority route. It is located north of the project site.
- **Hazard Avenue.** Hazard Avenue is classified as a Bicycle between Euclid Street and Hoover Street, and as a Connector Street between Hoover Street and Goldenwest Street. Hazard Avenue is an east-west facility and has three to four lanes with a posted speed limit of 40 miles per hour. The City's General Plan has identified Hazard Avenue as a bicycle and pedestrian priority route and an auto priority route. It is located northwest of the project site.
- **McFadden Avenue.** McFadden Avenue is classified as a School Street between Euclid Street and Hortense Drive, and as a Connector Street between Hortense Drive and Goldenwest Street. McFadden Avenue is an east-west facility and has four lanes with a posted speed limit of 40-45 miles per hour. The City's General Plan has identified McFadden Avenue as a bicycle and pedestrian priority route and an auto priority route. It is located south of the project site.

Existing Transit Facilities

There are ten transit lines that currently operate within the study area. The lines are operated by the Orange County Transportation Authority (OCTA).

- **Route 21 (Buena Park – Huntington Beach).** Route 21 is in north-south direction from the Buena Park Metrolink Station to the Warner Loop at Pacific Coast Highway (PCH) 1 in Huntington Beach. Route 21 is along the western edge of the study area via Valley View Street and Bolsa Chica Road and has a bus stop at Graham Street/McFadden Avenue.

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- **Route 25 (Fullerton to Huntington Beach).** Route 25 is in the north-south direction from the Buena Pacific Coast Highway/1st Street stop in Huntington Beach to the Fullerton Park-and-Ride lot. Route 25 travels along Goldenwest Street and has stops at Buena Park Metrolink Station, and Westminster Mall.
- **Route 60-560 (Long Beach to Tustin).** Route 60 is in the east-west direction from the Veterans Affairs (VA) Hospital/California State University, Long beach (CSULB) Area to Larwin Square. Route 60 goes through the northern portion of the study area via Westminster Boulevard and has bus stops at Westminster Boulevard/Goldenwest Street and Westminster Boulevard/Beach Boulevard.
- **Route 64 (Huntington Beach to Tustin).** Route 64 is in the east-west direction from Larwin Square in Tustin to Boeing in Huntington Beach. Route 64 travels along 1st Street/Bolsa Avenue and has stops at Beach Boulevard/Bolsa Avenue and Harbor Boulevard/1st Street.
- **Route 64X (Huntington Beach to Tustin).** Route 64X is an express route in the east-west direction from Larwin Square in Tustin to the Westminster Mall area in Westminster. Route 64X travels along 1st Street/Bolsa Avenue and has stops at Beach Boulevard/Bolsa Avenue and Harbor Boulevard/1st Street.
- **Route 66 (Huntington Beach to Irvine).** Route 66 is in the east-west direction from Irvine Valley College to Boeing in Huntington Beach. Route 66 goes through the southern portion of the study area via McFadden Avenue and has bus stops at McFadden Avenue/Euclid Street, McFadden Avenue/Beach Boulevard, and the Goldenwest Transportation Center Area/Park-and-Ride.

Within the project area, Class II bike lanes currently exist along:

- Edwards Street between Homer Street and Bolsa Avenue
- McFadden Avenue between Bolsa Chic Street and Gothard Street
- Bolsa Avenue between Edwards Street and Bolsa Chica Street

There are no existing Class III or Class IV bicycle facilities in the immediate vicinity of the project site.

Existing Pedestrian Facilities

Throughout the City of Westminster, sidewalks are generally provided on both sides of the street, except for roadways near freeways and interchanges. However, sidewalks are missing directly adjacent to the project area, where pedestrians were not originally prioritized. Sidewalks provide access to local activity centers and are buffered in some neighborhood areas. Throughout the City, there is little shading and no slope on the sidewalks. Sidewalks that exist along Bolsa Avenue and Edwards Street do not have a landscaped buffer between the sidewalk and the adjacent vehicle travel lane. All driveway intersections provide crosswalks, except for the intersection I-405 and Westminster Mall Road.

Existing Truck Routes

The City of Westminster has Bolsa Avenue and Westminster Avenue listed as designated truck routes. Magnolia Street and Westminster Avenue are also listed as designated truck routes by the City of Westminster,

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though these are farther from the project site. Regionally, Interstate 405 is designated as Surface Transportation Assistance Act (STAA) truck routes.

Intersection Operations

While LOS is no longer an environmental issue, the project impacts on LOS have been included here to show compliance with the General Plan, and with the project objectives of the WMSP. Existing traffic volumes, lane configurations, and signal timings were used to evaluate operations at the study intersections for existing AM and PM peak hour conditions. The results are summarized in Table 5.9-3, *Existing (2019) Conditions Intersection Level of Service*, showing LOS at the study intersections.

Table 5.9-3 Existing (2019) Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
1	Edwards Street & Westminster Blvd	Signalized	AM	50.1	D
			PM	44.3	D
2	Goldenwest Street & Westminster Blvd	Signalized	AM	38.9	D
			PM	37.0	D
3	Goldenwest & Hazard Ave	Signalized	AM	43.4	D
			PM	29.0	C
4	Edwards Street & Royal Oak Dr	Signalized	AM	18.5	B
			PM	13.6	B
5	Edwards Street & Mar Vista Dr	Signalized	AM	23.6	C
			PM	12.0	B
6	Edwards Street & Bolsa Ave	Signalized	AM	38.6	D
			PM	39.4	D
7	West Dr & Bolsa Ave	Signalized	AM	1.4	A
			PM	6.2	A
8	Victoria Lane & Bolsa Ave	Signalized	AM	3.0	A
			PM	17.7	B
9	East Dr & Bolsa Ave	Signalized	AM	1.5	A
			PM	3.2	A
10	I-405 Ramps & Westminster Mall	Signalized	AM	5.9	A
			PM	6.7	A
11	Goldenwest St & Westminster Mall	Signalized	AM	6.6	A
			PM	6.3	A
12	Goldenwest St & Bolsa Ave	Signalized	AM	27.6	C
			PM	36.9	D
13	Chestnut St & Bolsa Ave	Signalized	AM	13.5	B
			PM	16.2	B
14	Goldenwest St & Oxford Dr	Signalized	AM	3.2	A
			PM	5.9	A

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ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
15	Goldenwest St & McFadden Ave	Signalized	AM	38.7	D
			PM	41.5	D
16 ¹	Edwards St & Project Driveway	Signalized	AM	-	-
			PM	-	-

Source: Fehr & Peers 2020

Notes

Intersections were analyzed using HCM 6th Edition Methodology.¹ Intersection of Edwards St & Project Driveway does not exist in the no project scenario.

As shown in the Table, all study intersections currently operate acceptably at LOS D or better during the AM and PM Peak hour.

Freeway Facility Operations

Table 5.9-4, *I-405 Freeway Operations – Existing Year (2019) Conditions*, presents the results of the freeway basic, merge, and diverge assessment for the I-405 freeway. Existing freeway mainline volumes from the Westminster General Plan were grown using an annual growth rate for 2019 conditions.

Table 5.9-4 I-405 Freeway Operations – Existing Year (2019) Conditions

Segment	Type	AM			PM		
		V/C	Density	LOS	V/C	Density	LOS
I-405 Southbound							
Between Westminster Blvd On-Ramp and Goldenwest St Off-Ramp	Basic	0.45	-	F	0.66	-	F
Goldenwest St Off-Ramp	Diverge	0.51	-	F	0.71	-	F
Goldenwest St Off-Ramp to Bolsa Ave On-Ramp	Basic	0.36	-	F	0.56	-	F
Bolsa Ave On-Ramp	Merge	0.46	-	F	0.65	-	F
Between Bolsa Ave On-Ramp and Beach Blvd Off-Ramp	Basic	0.41	-	F	0.73	28.48	D
I-405 Northbound							
Between Beach Blvd On-Ramp and Bolsa Ave Off-Ramp	Basic	0.83	32.79	D	0.76	-	F
Bolsa Ave Off-Ramp	Diverge	0.84	33.79	D	0.79	-	F
Bolsa Ave Off-Ramp to Goldenwest St	Basic	0.75	29.19	D	0.67	-	F
Goldenwest St Off-Ramp	Merge	0.74	27.88	C	0.71	-	F
Between Goldenwest St On-Ramp and Westminster Blvd Off-Ramp	Basic	0.78	30.68	D	0.75	-	F

Source: Fehr & Peers 2020

Notes:

Calculated using methodologies consistent with the HCM 6th Edition.

Density reported as passenger cars per mile per lane

HCM 6th Edition cannot accurately estimate density greater than 45 pc/mpl. Therefore, density is not reported for LOS F.**Bold** indicates unacceptable operations.

As shown in the Table, 10 freeway segments currently operate at an unacceptable LOS during at least one of the AM or PM Peak Hours:

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- | | |
|--|---|
| ■ I-405 Southbound North of Goldenwest St Off-Ramp | ■ I-405 Northbound, South of Bolsa Ave Off-Ramp |
| ■ I-405 Southbound Goldenwest St Off-Ramp | ■ I-405 Northbound, Bolsa Ave Off-Ramp |
| ■ I-405 Southbound Goldenwest St Off-Ramp to Bolsa Ave On-Ramp | ■ I-405 Northbound, Bolsa Ave Off-Ramp to Goldenwest St On-Ramp |
| ■ I-405 Southbound Bolsa Ave On-Ramp | ■ I-405 Northbound, Goldenwest St On-Ramp |
| ■ I-405 Southbound South of Bolsa Ave On-Ramp | ■ I-405 Northbound, North of Goldenwest St On-Ramp |

Future Year Roadway Improvement Assumptions

The following intersection configuration improvements have been assumed under the cumulative conditions, based on plans from the I-405 Improvement Project consistent with modeling efforts from the Westminster General Plan update:

- Westminster Mall and I-405 Ramps
 - Southbound approach from two through lanes and one free-right lane to four through lanes and one free right lane.
 - Northbound approach from three through lanes to four through lanes.
- Bolsa Avenue and Goldenwest Street:
 - Southbound approach from one left turn lane, two through lanes, and one through/right shared lane to two left turn lanes, three through lanes, and one right turn lane.
 - Northbound approach from two left turn lanes, two through lanes, and one through/right shared lane to two left turn lanes, three through lanes, and one right turn lane.
- Bolsa Avenue and Chestnut Street
 - Eastbound approach from one left turn and two through lanes to left turn lane and three through lanes.

Project Planned Intersection Improvements

As indicated in the TIA, the Westminster Mall Specific Plan (WMSP) plans to develop traffic calming treatments to improve circulation and safety within the study area. These traffic calming treatments are assumed to be implemented with the proposed project and are analyzed in all plus project scenarios. The following intersection lane configurations represent the project design features at the project access locations: (Intersection numbers are from Table 5.9-3)

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4. Edwards Street and Royal Oak Drive: Installation of a gullwing treatment that will restrict through movements along the minor legs. The following turning movements were updated to reflect this improvement:
 - Southbound approach: One left-turn lane and one right-turn lane.
 - Northbound approach: One left-turn lane and one right-turn lane
5. Edwards Street and Mar Vista Drive: Closure of eastbound driveway to remove project access at this intersection.
8. Victoria Lane and Bolsa Avenue: Installation of gullwing treatment that will restrict through movements along the minor legs. The following turning movements were updated to reflect this improvement:
 - Westbound approach: One left-turn lane and one right-turn lane
 - Eastbound approach: One left-turn lane and one right-turn lane
16. Edwards Street and Westminster Mall Drive: Installation of new signalized intersection approximately 600 feet north of the intersection of Mar Vista Drive and Edwards Street that would provide mall access. This improvement contains the following turning movements:
 - Southbound: One left-turn lane and two through lanes
 - Northbound: One through lane and one shared through right-turn lane
 - Westbound: One left-turn lane and one right-turn lane

Onsite Connectivity

Pedestrian facilities in the WMSP include sidewalks and mixed-use paths. The WMSP envisions improved connectivity within the site; particularly along the Primary Internal Circulation Street and on future internal roadway connections within the site. As indicated in the WMSP, a connected internal circulation system would provide accessibility to and within the site without exiting onto the regional roadway network. The WMSP aims to create an internal Main Street or downtown area. Additionally, future development within the site shall consider pedestrian access to the Westminster Nature Activity Trail, internal community areas, and destinations within the site to ensure safe and convenient access to these areas. Some key elements of the WMSP include providing internal circulation onsite that would be multi-modal and prioritize pedestrian orientation, internal roadways would be designed to provide complete streets to accommodate all users of all ages and all abilities, and the design of internal streets should provide adequate queuing distances from intersections and gateways along Bolsa Avenue and Edwards Street.

Project Trip Generation

Table 5.9-5, *Westminster Mall Specific Plan Project Trip Generation Estimates*, summarizes the anticipated daily, AM, and PM peak hour of adjacent street traffic trips generated by the proposed project. Raw ITE trips are presented, and internalization and pass-by reductions are applied. A trip reduction was assumed to account for existing trips produced by the Westminster Mall site; and a 50 percent reduction in existing trips produced by the Westminster Mall was assumed to account for vacant retail stores.

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Table 5.9-5 Westminster Mall Specific Plan Project Trip Generation Estimates

Land Use	Units	ITE Code	Quantity	Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Multi-Family Residential	DUs	222	3,00	16,320	281	799	1,080	805	515	1,320
Office	KSF	710	180	1,753	180	29	209	33	174	207
Hotel	Rooms	310	425	3,553	118	82	200	130	125	255
Retail	KSF	820	1,020	43,554	607	372	979	1,816	1,968	3,784
Net Raw Project Trips				65,180	1,186	1,282	2,468	2,784	2,782	5,566
Reductions										
Internal Capture (16% Daily, 22% AM, 25% PM)				-10,690	-398	-431	-829	-1,008	-1,002	-2,004
Net Project Trips				54,490	788	851	1,639	1,782	1,780	3,562
Existing Retail (50%) Reduction										
Existing Retail (Subtracted from Net Trips)	KSF	820	680	25,670	396	243	639	1,224	1,347	2,591
Retail Reductions				-1,770	-46	-27	-73	-107	-115	-222
Net Existing Retail Trips				23,900	350	216	566	1,137	1,232	2,369
Total Project Trips										
Net Project Trips				30,590	438	635	1,073	645	548	1,193
Source: Fehr and Peers 2020										

5.9.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- T-1 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- T-2 A project is considered to have a significant impact if the project generated total daily VMT/SP that exceeds a threshold of 15% below the existing total daily VMT/SP for the County.
- T-3 Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- T-4 Result in inadequate emergency access.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant:

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- Threshold T-3
- Threshold T-4

These impacts will not be addressed in the following analysis.

5.9.3 Plans, Programs, and Policies

PPP TRAF-1 The proposed project is required to pay development impact fees to the City of Westminster pursuant to Chapter 3.58, Traffic Impact Fees, of the Municipal Code.

Project Design Features

The Westminster Mall Specific Plan includes the following Project Design Features (PDFs) that have the potential to support multimodal transit and reduce vehicle miles traveled.

Section 5.2.9 Building Form and Frontage

PDF-1 Building entries shall face the primary public street with pedestrian access provided from sidewalks to all building entries, parking areas, and publicly accessible open spaces. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.

Section 5.2.12 Affordable Housing Requirement

PDF-2 Ten percent (10%) of all housing units within the WMSP must be income restricted.

Section 5.2.15 Open Space Requirement

PDF-3 Public open space, trails, pathways and bicycle trails shall be constructed for each development in a manner that will be generally accessible to the public and that will interconnect with similar facilities in adjacent developments so as to form an integrated system of open space and trails connecting activity centers, important views and destinations in the WMSP project area.

Section 5.2.28 Parking Standards

PDF-4 Electric vehicle charging facilities are required and must comply with the applicable provisions of the Westminster Municipal Code.

PDF-5 Minimum bicycle parking for residential and non-residential uses shall adhere to the standards provided in Table 5.7, Bicycle Parking Requirements, of the WMSP. In addition to the bicycle parking identified in the table, the WMSP site supports future mobility options including scooters and bikeshare stations.

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Section 5.2.29 Transportation Demand Management (TDM) and Transportation Management Association (TMA) Establishment

PDF-6 All projects with new construction or that will generate more than 50 peak hour trips will be required to:

- The applicant and/or property owner shall join the TMA/TMO and shall ensure that all tenants are TMA/TMO members for the first 25 years from date of final inspection or certificate of occupancy.
- The applicant shall submit for the approval of the City Traffic Engineer or his/her designee a Transportation Demand Management (TDM) plan that complies with the plan's TDM requirements.
- A TMA or TMO with authority to implement strategies pertaining to trip reduction through transportation demand management shall be created within the project area. Responsibilities of the TMA/TMO shall include but are not limited to: operation of all shared parking subject to the TMA program; providing signage; real-time information and other wayfinding mechanisms; coordinating and offering programs to promote biking, walking, ridesharing, telecommuting and other trip reduction strategies; data collection; and coordination of pricing for parking. The TMA/TMO shall actively engage existing and future parking lot and garage owners to lease, sell, or make spaces publicly accessible in order to be added to the district's pool of shared parking.

5.9.4 Environmental Impacts

Impact 5.9-1: The proposed project is consistent with adopted programs, plans, ordinances, and policies, addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities in the City. [Threshold T-1]

Although SB 743 eliminates auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as the sole basis for determining significant impacts under CEQA, an LOS analysis is included in the DEIR to show consistency with the General Plan which identifies LOS D as the minimum acceptable standard for facilities where automobiles are prioritized, and LOS E is considered acceptable on streets where automobiles are not prioritized.

Existing Year (2019) Plus Project Conditions

Intersection Operations

The intersection LOS results are summarized in Table 5.9-6, *Existing (2019) Plus Project Conditions Intersection Level of Service*, for Existing Year (2019) Plus Project Conditions. While LOS is no longer a method of determining significant environmental impact, the information is provided here to demonstrate compliance with City General Plan policies and the objectives of the WMSP.

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Table 5.9-6 Existing (2019) Plus Project Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
1	Edwards Street & Westminster Blvd	Signalized	AM	52.4	D
			PM	45.8	D
2	Goldenwest Street & Westminster Blvd	Signalized	AM	39.8	D
			PM	37.6	D
3	Goldenwest & Hazard Ave	Signalized	AM	47.5	D
			PM	30.0	C
4	Edwards Street & Royal Oak Dr	Signalized	AM	15.2	B
			PM	12.5	B
5	Edwards Street & Mar Vista Dr	Signalized	AM	14.4	B
			PM	13.8	B
6	Edwards Street & Bolsa Ave	Signalized	AM	43.8	D
			PM	43.5	D
7	West Dr & Bolsa Ave	Signalized	AM	5.7	A
			PM	7.3	A
8	Victoria Lane & Bolsa Ave	Signalized	AM	27.8	C
			PM	19.9	B
9	East Dr & Bolsa Ave	Signalized	AM	5.0	A
			PM	5.4	A
10	I-405 Ramps & Westminster Mall	Signalized	AM	6.1	A
			PM	7.3	A
11	Goldenwest St & Westminster Mall	Signalized	AM	7.4	A
			PM	7.3	A
12	Goldenwest St & Bolsa Ave	Signalized	AM	33.6	C
			PM	40.6	D
13	Chestnut St & Bolsa Ave	Signalized	AM	13.5	B
			PM	16.3	B
14	Goldenwest St & Oxford Dr	Signalized	AM	3.0	A
			PM	5.6	A
15	Goldenwest St & McFadden Ave	Signalized	AM	46.2	D
			PM	42.7	D
16	Edwards St & Project Driveway	Signalized	AM	8.2	A
			PM	8.3	A

Source: Fehr & Peers 2020

Intersections were analyzed using HCM 6th Edition Methodology.

As shown in the Table above, all intersections operate acceptably at LOS D or better.

Freeway Facility Operations

Table 5.9-7, I-405 Freeway Operations – Existing Year (2019) Plus Project Conditions, shows the results of the freeway basic, merge, and diverge assessment for the I-405 freeway.

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Table 5.9-7 I-405 Freeway Operations – Existing Year (2019) Plus Project Conditions

Segment	Type	AM			PM		
		V/C	Density	LOS	V/C	Density	LOS
I-405 Southbound							
Between Westminster Blvd On-Ramp and Goldenwest St Off-Ramp	Basic	0.45	-	F	0.67	-	F
Goldenwest St Off-Ramp	Diverge	0.52	-	F	0.74	-	F
Goldenwest St Off-Ramp to Bolsa Ave On-Ramp	Basic	0.35	-	F	0.55	-	F
Bolsa Ave On-Ramp	Merge	0.49	-	F	0.67	-	F
Between Bolsa Ave On-Ramp and Beach Blvd Off-Ramp	Basic	0.41	-	F	0.74	28.93	D
I-405 Northbound							
Between Beach Blvd On-Ramp and Bolsa Ave Off-Ramp	Basic	0.83	32.79	D	0.77	-	F
Bolsa Ave Off-Ramp	Diverge	0.84	33.79	D	0.82	-	F
Bolsa Ave Off-Ramp to Goldenwest St	Basic	0.75	29.19	D	0.67	-	F
Goldenwest St Off-Ramp	Merge	0.74	27.88	C	0.73	-	F
Between Goldenwest St On-Ramp and Westminster Blvd Off-Ramp	Basic	0.78	30.68	D	0.76	-	F

Source: Fehr & Peers 2020

Notes:

Calculated using methodologies consistent with the HCM 6th Edition.

Density reported as passenger cars per mile per lane

HCM 6th Edition cannot accurately estimate density greater than 45 pc/mpl. Therefore, density is not reported for LOS F.

Bold indicates unacceptable operations.

As shown in the Table above, the following 10 study freeway segments on I-405 are forecast to operate below acceptable LOS D during at least one peak hour with the addition of project traffic:

- I-405 Southbound North of Goldenwest St Off-Ramp
- I-405 Northbound, South of Bolsa Ave Off-Ramp
- I-405 Southbound Goldenwest St Off-Ramp
- I-405 Northbound, Bolsa Ave Off-Ramp
- I-405 Southbound Goldenwest St Off-Ramp to Bolsa Ave On-Ramp
- I-405 Northbound, Bolsa Ave Off-Ramp to Goldenwest St On-Ramp
- I-405 Southbound Bolsa Ave On-Ramp
- I-405 Northbound, Goldenwest St On-Ramp
- I-405 Southbound South of Bolsa Ave On-Ramp
- I-405 Northbound, North of Goldenwest St On-Ramp

Opening Year (2023) Conditions

Intersection Operations

The intersection LOS results are summarized in Table 5.9-8, *Opening Year (2023) Conditions Intersection Level of Service*, for Opening Year (2023) Conditions.

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ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
1	Edwards Street & Westminster Blvd	Signalized	AM	51.1	D
			PM	44.8	D
2	Goldenwest Street & Westminster Blvd	Signalized	AM	39.3	D
			PM	37.3	D
3	Goldenwest & Hazard Ave	Signalized	AM	45.4	D
			PM	29.2	C
4	Edwards Street & Royal Oak Dr	Signalized	AM	18.7	B
			PM	13.6	B
5	Edwards Street & Mar Vista Dr	Signalized	AM	24.1	C
			PM	12.0	B
6	Edwards Street & Bolsa Ave	Signalized	AM	38.8	D
			PM	38.2	D
7	West Dr & Bolsa Ave	Signalized	AM	1.4	A
			PM	6.2	A
8	Victoria Lane & Bolsa Ave	Signalized	AM	3.0	A
			PM	17.9	B
9	East Dr & Bolsa Ave	Signalized	AM	1.5	A
			PM	3.1	A
10	I-405 Ramps & Westminster Mall	Signalized	AM	5.9	A
			PM	6.7	A
11	Goldenwest St & Westminster Mall	Signalized	AM	6.6	A
			PM	6.3	A
12	Goldenwest St & Bolsa Ave	Signalized	AM	27.9	C
			PM	37.2	D
13	Chestnut St & Bolsa Ave	Signalized	AM	13.6	B
			PM	16.3	B
14	Goldenwest St & Oxford Dr	Signalized	AM	3.2	A
			PM	5.9	A
15	Goldenwest St & McFadden Ave	Signalized	AM	45.7	D
			PM	42.6	D
16 ¹	Edwards St & Project Driveway	Signalized	AM	-	-
			PM	-	-

Source: Fehr & Peers 2020

Notes:

Intersections were analyzed using HCM 6th Edition Methodology.¹ Intersection of Edwards St & Project Driveway does not exist in the no project scenario.

As shown in the Table, no intersection deficiencies were identified.

Freeway Facility Operations

Table 5.9-9, *I-405 Freeway Operations – Opening Year (2023) Conditions*, presents the results of the freeway basic, merge, and diverge assessment for the I-405 freeway.

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Table 5.9-9 I-405 Freeway Operations – Opening Year (2023) Conditions

Segment	Type	AM			PM		
		V/C	Density	LOS	V/C	Density	LOS
I-405 Southbound							
South of Bolsa Ave On-Ramp	Basic	0.47	-	F	0.68	-	F
Goldenwest St Off-Ramp	Diverge	0.53	-	F	0.74	-	F
Goldenwest St Off-Ramp to Bolsa Ave On-Ramp	Basic	0.38	-	F	0.58	-	F
Bolsa Ave On-Ramp	Merge	0.48	-	F	0.67	-	F
South of Bolsa Ave On-Ramp	Basic	0.42	-	F	0.75	29.52	D
I-405 Northbound							
South of Bolsa Ave Off-Ramp	Basic	0.84	33.56	D	0.78	-	F
Bolsa Ave Off-Ramp	Diverge	0.85	34.34	D	0.82	-	F
Bolsa Ave Off-Ramp to Goldenwest St On-Ramp	Basic	0.76	29.76	D	0.69	-	F
Goldenwest St Off-Ramp	Merge	0.75	28.32	D	0.73	-	F
Between Goldenwest St On-Ramp and Westminster Blvd Off-Ramp	Basic	0.80	31.32	D	0.78	-	F

Source: Fehr & Peers 2020

Notes:

Calculated using methodologies consistent with the HCM 6th Edition.

Density reported as passenger cars per mile per lane

HCM 6th Edition cannot accurately estimate density greater than 45 pc/mpl. Therefore, density is not reported for LOS F.

Bold indicates unacceptable operations.

As shown in the Table, the following 10 study freeway segments on I-405 are forecast to operate below acceptable LOS D during at least one peak hour with the addition of project traffic.

- I-405 Southbound North of Goldenwest St Off-Ramp
- I-405 Northbound, South of Bolsa Ave Off-Ramp
- I-405 Southbound Goldenwest St Off-Ramp
- I-405 Northbound, Bolsa Ave Off-Ramp
- I-405 Southbound Goldenwest St Off-Ramp to Bolsa Ave On-Ramp
- I-405 Northbound, Bolsa Ave Off-Ramp to Goldenwest St On-Ramp
- I-405 Southbound Bolsa Ave On-Ramp
- I-405 Northbound, Goldenwest St On-Ramp
- I-405 Southbound South of Bolsa Ave On-Ramp
- I-405 Northbound, North of Goldenwest St On-Ramp

The I-405 freeway operations under both the 2019 and 2023 conditions operate below the acceptable LOS D. The change in density increases as under the 2023 conditions as shown in Table 5.9-10, *I-405 Freeway Operations – Change in Density 2019 and 2023 Conditions*.

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Table 5.9-10 I-405 Freeway Operations – Change in Density 2019 and 2023 Conditions

Segment	2019 Conditions Density	2023 Conditions Density	Change in Density
I-405 Southbound			
South of Bolsa Ave On-Ramp	28.48	29.52	1.04
I-405 Northbound			
South of Bolsa Ave Off-Ramp	32.79	33.56	0.77
Bolsa Ave Off-Ramp	33.79	34.34	0.55
Bolsa Ave Off-Ramp to Goldenwest St On-Ramp	29.19	29.76	0.57
Goldenwest St Off-Ramp	27.88	28.32	0.44
Between Goldenwest St On-Ramp and Westminster Blvd Off-Ramp	30.68	31.32	0.64

Opening Year (2023) Plus Project Conditions

Intersection Operations

The intersection LOS results are summarized in Table 5.9-11, *Opening Year (2023) Plus Project Conditions Intersection Level of Service*, for Opening Year (2023) Plus Project Conditions.

Table 5.9-11 Opening Year (2023) Plus Project Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
1	Edwards Street & Westminster Blvd	Signalized	AM	53.7	D
			PM	46.3	D
2	Goldenwest Street & Westminster Blvd	Signalized	AM	40.2	D
			PM	37.9	D
3	Goldenwest & Hazard Ave	Signalized	AM	49.6	D
			PM	30.2	C
4	Edwards Street & Royal Oak Dr	Signalized	AM	15.2	B
			PM	12.5	B
5	Edwards Street & Mar Vista Dr	Signalized	AM	14.6	B
			PM	13.8	B
6	Edwards Street & Bolsa Ave	Signalized	AM	44.3	D
			PM	43.8	D
7	West Dr & Bolsa Ave	Signalized	AM	3.8	A
			PM	7.3	A
8	Victoria Lane & Bolsa Ave	Signalized	AM	24.5	C
			PM	19.9	B
9	East Dr & Bolsa Ave	Signalized	AM	4.5	A
			PM	5.4	A
10	I-405 Ramps & Westminster Mall	Signalized	AM	6.1	A
			PM	7.4	A
11	Goldenwest St & Westminster Mall	Signalized	AM	7.5	A
			PM	7.3	A
12	Goldenwest St & Bolsa Ave	Signalized	AM	34.0	C
			PM	40.9	D

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Table 5.9-11 Opening Year (2023) Plus Project Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
13	Chestnut St & Bolsa Ave	Signalized	AM	13.6	B
			PM	16.4	B
14	Goldenwest St & Oxford Dr	Signalized	AM	2.9	A
			PM	5.5	A
15	Goldenwest St & McFadden Ave	Signalized	AM	47.4	D
			PM	44.0	D
16	Edwards St & Project Driveway	Signalized	AM	8.2	A
			PM	8.2	A

Source: Fehr & Peers 2020

Intersections were analyzed using HCM 6th Edition Methodology.

As shown in the Table, no intersection deficiencies were identified.

Freeway Facility Operations

Table 5.9-12, *I-405 Freeway Operations – Opening Year (2023) Plus Project Conditions*, shows the results of the freeway basic, merge, and diverge assessment for the I-405 freeway.

Table 5.9-12 I-405 Freeway Operations – Opening Year (2023) Plus Project Conditions

Segment	Type	AM			PM		
		V/C	Density	LOS	V/C	Density	LOS
I-405 Southbound							
North of Goldenwest St Off-Ramp	Basic	0.47	-	F	0.69	-	F
Goldenwest St Off-Ramp	Diverge	0.54	-	F	0.77	-	F
Goldenwest St Off-Ramp to Bolsa Ave On-Ramp	Basic	0.37	-	F	0.57	-	F
Bolsa Ave On-Ramp	Merge	0.50	-	F	0.69	-	F
South of Bolsa Ave On-Ramp	Basic	0.43	-	F	0.77	30.01	D
I-405 Northbound							
South of Bolsa Ave Off-Ramp	Basic	0.85	34.04	D	0.80	-	F
Bolsa Ave Off-Ramp	Diverge	0.87	35.10	E	0.85	-	F
Bolsa Ave Off-Ramp to Goldenwest St On-Ramp	Basic	0.76	29.69	D	0.69	-	F
Goldenwest St Off-Ramp	Merge	0.78	29.26	D	0.76	-	F
North of Goldenwest St On-Ramp	Basic	0.81	31.87	D	0.79	-	F

Source: Fehr & Peers 2020

Notes:

Calculated using methodologies consistent with the HCM 6th Edition.

Density reported as passenger cars per mile per lane

HCM 6th Edition cannot accurately estimate density greater than 45 pc/mpl. Therefore, density is not reported for LOS F.

Bold indicates unacceptable operations.

As shown in the Table, the following 10 study freeway segments on I-405 are forecast to operate below LOS D during at least one peak hour with the addition of project traffic.

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- I-405 Southbound North of Goldenwest St Off-Ramp
- I-405 Northbound, South of Bolsa Ave Off-Ramp
- I-405 Southbound Goldenwest St Off-Ramp
- I-405 Northbound, Bolsa Ave Off-Ramp
- I-405 Southbound Goldenwest St Off-Ramp to Bolsa Ave On-Ramp
- I-405 Northbound, Bolsa Ave Off-Ramp to Goldenwest St On-Ramp
- I-405 Southbound Bolsa Ave On-Ramp
- I-405 Northbound, Goldenwest St On-Ramp
- I-405 Southbound South of Bolsa Ave On-Ramp
- I-405 Northbound, North of Goldenwest St On-Ramp

The I-405 freeway operations under both the 2019 and 2023 conditions operate below the acceptable LOS D, except for I-405 Northbound, Bolsa Avenue Off-Ramp which operates at LOS C in 2019 conditions and worsens to LOS E in 2023 conditions. The change in density increases as under the 2023 conditions as shown in Table 5.9-13, *I-405 Freeway Operations – Change in Density 2019 and 2023 Plus Project Conditions*.

Table 5.9-13 I-405 Freeway Operations – Change in Density 2019 and 2023 Plus Project Conditions

Segment	2019 Conditions Density	2023 Conditions Density	Change in Density
I-405 Southbound			
South of Bolsa Ave On-Ramp	28.93	30.01	1.08
I-405 Northbound			
South of Bolsa Ave Off-Ramp	32.79	34.04	1.25
Bolsa Ave Off-Ramp	33.79	35.10	1.31
Bolsa Ave Off-Ramp to Goldenwest St On-Ramp	29.19	29.69	0.5
Goldenwest St Off-Ramp	27.88	29.26	1.38
Between Goldenwest St On-Ramp and Westminster Blvd Off-Ramp	30.68	31.87	1.19

Pedestrian and Bicycle Facilities

The City is planning for a future Class I bicycle facility along the Westminster Nature Activity Trail, just north of the project site. This bicycle facility would utilize the existing rail corridor to connect Seal Beach into Westminster and ultimately connect to the City's Planned Class IV bikeway along Hoover Street. A portion of Westminster Nature Activity Trail's improvement is included as a part of the specific plan and includes connectivity directly to the Westminster Nature Activity Trail. Additionally, the City plans to provide a Class I bikeway from the current terminus of Hoover Street south (under I-405) to McFadden Avenue and provide a connection to Golden West College. This will ultimately provide accessibility for bicycles from the project site to Golden West College to be accommodated completely through Class I and Class IV bicycle facilities. Additionally, the Westminster Mall Specific Plan would also improve biking and walking environments by

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improving connectivity to the future Westminster Nature Activity Trail facility and providing better accessibility for bicycles and pedestrians from neighborhoods to the project site, and to destinations beyond. As indicated in the City's General Plan, Edwards Street, Westminster Boulevard, Hazard Avenue, and McFadden Avenue are identified as bicycle and pedestrian priority routes.

Summary

As shown in the tables above, no operational deficiencies would occur at any intersection during the Existing Plus Project, Opening Year, and Opening Year Plus Project scenarios. Additionally, the 10 freeways identified above would operate at an unacceptable LOS during all scenarios. With passage of SB 743, changes to LOS are no longer considered a significant impact. The proposed project plans to develop traffic calming treatments at four intersections (Intersections #4, #5, #8, and #16) to improve circulation and safety within the study area. These intersection improvements will include upgrades to ADA and pedestrian facilities, which would be consistent with General Plan's designation for Edwards Street as a pedestrian priority route. None of these improvements would impact the local bicycle network. Therefore, this impact is considered less than significant.

Level of Significance Before Mitigation: Impact 5.9-1 would be less than significant.

Impact 5.9-2: Project-related trip generation in combination with existing and proposed cumulative development would not be consistent with CEQA Guidelines § 15064.3, subdivision (b). [Threshold T-2]

Project-Generated VMT Assessment

Project-level VMT was analyzed using the base year and future year travel demand model and were interpolated to represent the baseline conditions (Existing Year (2019) Conditions). Table 5.9-14, *Project-Generate VMT Per Service Population*, summarizes the VMT/SP for both the proposed project and Orange County.

Table 5.9-14 Project-Generate VMT Per Service Population

Scenario	VMT/SP
Orange County Existing (2019) Conditions	29.75
Project Generated VMT	28.66
Comparison	(-1.09) -4%

Source: Fehr and Peers 2020

The proposed project, at full buildout, would generate VMT at a rate that is approximately 4 percent below the County average. Therefore, the proposed project would result in a significant impact for project generated VMT even though it would reduce the total VMT to/from the existing mall site.

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The development of the WMSP would result in a VMT per service population that is approximately 4 percent lower than the Orange County baseline. Based on the City's TIA guidelines, the project results in a significant impact because the proposed project would generate VMT/SP higher than 15 percent below the Orange County average threshold. All future projects with new construction that would generate more than 50 peak hour trips would be required to develop and submit a Transportation Demand Management (TDM) plan which would incorporate strategies to reduce daily and peak hour vehicle trips. However, many TDM programs are tenant and employer specific, and although the proposed project establishes a Transportation Management Association (TMA) or Transportation Management Organization (TMO) that would encourage property owners and tenants to work together to monitor trip generation and implement TDM strategies and programs, impacts would be significant and unavoidable as tenant participation at the site, as well as other factors outside the control of the project sponsor, are uncertain.

TDM Programs

TDM Programs – Implement TDM strategies to reduce the number of project vehicle trips or reduce trip lengths. The TIA did test a potential TDM program using the methodology identified by the California Air Pollution Control Officers Association (CAPCOA) with updated VMT reduction information from research prepared for the California Air Resources Board (CARB). Strategies tested include:

1. Implement parking restrictions to limit visitors parking in nearby neighborhoods.
2. Develop carpool and vanpool programs
3. Promote unbundled parking programs that would allow parking spaces to be sold or rented separately without inclusion into rental cost
4. Encourage shared parking between property owners and renters to increase parking utilization during off-peak parking demand hours
5. Consider a parking reduction of up to 15% of the required spaces including a parking study to support reduction
6. Market programs to educate visitors, residents, and employees about alternatives to driving
7. Develop bicycle connections that will provide access to proposed bicycle facilities outlined in the City's Active Transportation Plan, such as the proposed Westminster Nature Activity Trail facility, which is located within the project area
8. Encourage the development of programs that subsidize transit for employees to reduce project vehicle trips
9. Incentivize and promote Carshare programs
10. Promote paid parking programs for on-site parking spaces to promote high turnover at the most desirable locations, especially curbside spaces along a potential internal Main Street area.

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Implementation of the TDM strategies and programs noted above were estimated to reduce the project's overall VMT from 7% to 22%, depending on the tenant of the complex. The CAPCOA methodology does not account for the following TDM strategies that may also be included in the TDM plan of this project, which could further reduce VMT:

1. Provide telecommuting or work-at-home programs, where appropriate
2. Develop a "park once" policy to encourage employees, residents, and visitors to park once and walk to multiple destinations within the project area

In addition to the TDM strategies above, Bolsa Avenue, Goldenwest Street, and Westminster Boulevard are transit priority routes, and Edwards Street, Westminster Boulevard, Hazard Avenue, and McFadden Avenue are bicycle and pedestrian priority routes. These roadways could further reduce VMT in the WMSP area.

Level of Significance Before Mitigation: Impact 5.9-2 would be potentially significant.

5.9.5 Cumulative Impacts

Cumulative (2040) No Project Conditions

Intersection Operations

The intersection LOS results are summarized in Table 5.9-15, *Cumulative Year (2040) Conditions Intersection Level of Service*, for Cumulative Year (2040) Conditions.

Table 5.9-15 Cumulative Year (2040) Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
1	Edwards Street & Westminster Blvd	Signalized	AM	49.3	D
			PM	45.8	D
2	Goldenwest Street & Westminster Blvd	Signalized	AM	37.4	D
			PM	38.1	D
3	Goldenwest & Hazard Ave	Signalized	AM	26.6	C
			PM	30.1	C
4	Edwards Street & Royal Oak Dr	Signalized	AM	21.1	C
			PM	14.8	B
5	Edwards Street & Mar Vista Dr	Signalized	AM	27.9	C
			PM	14.4	B
6	Edwards Street & Bolsa Ave	Signalized	AM	35.0	C
			PM	38.8	D
7	West Dr & Bolsa Ave	Signalized	AM	1.7	A
			PM	7.3	A
8	Victoria Lane & Bolsa Ave	Signalized	AM	4.7	A
			PM	17.0	B
9	East Dr & Bolsa Ave	Signalized	AM	1.1	A
			PM	3.3	A

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Table 5.9-15 Cumulative Year (2040) Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
10	I-405 Ramps & Westminster Mall	Signalized	AM	5.9	A
			PM	7.6	A
11	Goldenwest St & Westminster Mall	Signalized	AM	5.8	A
			PM	6.1	A
12	Goldenwest St & Bolsa Ave	Signalized	AM	25.3	C
			PM	35.2	D
13	Chestnut St & Bolsa Ave	Signalized	AM	13.1	B
			PM	16.9	B
14	Goldenwest St & Oxford Dr	Signalized	AM	4.1	A
			PM	6.5	A
15	Goldenwest St & McFadden Ave	Signalized	AM	39.4	D
			PM	46.6	D
16 ¹	Edwards St & Project Driveway	Signalized	AM	-	-
			PM	-	-

Source: Fehr & Peers 2020

Notes:

Intersections were analyzed using HCM 6th Edition Methodology.

¹ Intersection of Edwards St and Project Driveway does not exist in the no project scenario.

Under the Cumulative Year (2040) Conditions, no intersections were identified as operating at a deficient level.

Freeway Operation Analysis

Table 5.9-16, I-405 Freeway Operations – Cumulative Year (2040) Conditions, presents the results of the freeway basic, merge, and diverge assessment for the I-405 freeway.

Table 5.9-16 I-405 Freeway Operations – Cumulative Year (2040) Conditions

Segment	Type	AM			PM		
		V/C	Density	LOS	V/C	Density	LOS
I-405 Southbound							
Between Westminster Blvd On-Ramp and Goldenwest St Off-Ramp	Basic	0.53	20.67	C	0.68	26.63	D
Goldenwest St Off-Ramp	Diverge	0.62	25.41	C	0.74	30.17	D
Goldenwest St Off-Ramp to Bolsa Ave On-Ramp	Basic	0.46	17.77	B	0.60	23.26	C
Bolsa Ave On-Ramp	Merge	0.54	20.79	C	0.65	24.67	C
Between Bolsa Ave On-Ramp and Beach Blvd Off-Ramp	Basic	0.46	17.77	B	0.59	23.10	C
I-405 Northbound							
Between Beach Blvd On-Ramp and Bolsa Ave Off-Ramp	Basic	0.68	26.63	D	0.69	26.95	D
Bolsa Ave Off-Ramp	Diverge	0.73	29.63	D	0.75	30.38	D
Bolsa Ave Off-Ramp to Goldenwest St	Basic	0.61	23.66	C	0.61	23.63	C
Goldenwest St Off-Ramp	Merge	0.59	22.64	C	0.65	24.55	C
Between Goldenwest St On-Ramp and Westminster Blvd Off-Ramp	Basic	0.68	26.72	D	0.75	29.31	D

Source: Fehr & Peers 2020

Notes:

Calculated using methodologies consistent with the HCM 6th Edition.

Density reported as passenger cars per mile per lane.

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As shown in Table, all the freeway segments operate acceptably (LOS D or better) during the AM and PM peak hours.

Cumulative (2040) Plus Project Conditions

Intersection Operations

The intersection LOS results are summarized in Table 5.9-17, *Cumulative Year (2040) Plus Project Conditions Intersection Level of Service*, for Cumulative Year (2040) Plus Project Conditions.

Table 5.9-17 Cumulative Year (2040) Plus Project Conditions Intersection Level of Service

ID	Intersection	Traffic Control	Peak Hour	Delay	LOS
1	Edwards Street & Westminster Blvd	Signalized	AM	51.1	D
			PM	47.4	D
2	Goldenwest Street & Westminster Blvd	Signalized	AM	38.0	D
			PM	38.7	D
3	Goldenwest & Hazard Ave	Signalized	AM	28.8	C
			PM	31.3	C
4	Edwards Street & Royal Oak Dr	Signalized	AM	17.9	B
			PM	14.0	B
5	Edwards Street & Mar Vista Dr	Signalized	AM	27.2	C
			PM	6.3	A
6	Edwards Street & Bolsa Ave	Signalized	AM	37.7	D
			PM	46.2	D
7	West Dr & Bolsa Ave	Signalized	AM	4.1	A
			PM	8.5	A
8	Victoria Lane & Bolsa Ave	Signalized	AM	27.7	C
			PM	19.9	B
9	East Dr & Bolsa Ave	Signalized	AM	3.4	A
			PM	4.5	A
10	I-405 Ramps & Westminster Mall	Signalized	AM	6.2	A
			PM	8.6	A
11	Goldenwest St & Westminster Mall	Signalized	AM	6.3	A
			PM	6.9	A
12	Goldenwest St & Bolsa Ave	Signalized	AM	30.7	C
			PM	38.1	D
13	Chestnut St & Bolsa Ave	Signalized	AM	13.0	B
			PM	17.1	B
14	Goldenwest St & Oxford Dr	Signalized	AM	4.0	A
			PM	6.3	A
15	Goldenwest St & McFadden Ave	Signalized	AM	39.7	D
			PM	48.5	D
16	Edwards St & Project Driveway	Signalized	AM	9.8	A
			PM	8.8	A

Source: Fehr & Peers 2020
Intersections were analyzed using HCM 6th Edition Methodology.

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Under the Cumulative Year (2040) Plus Project Conditions, no intersections were identified as operating at a deficient level.

Freeway Operation Analysis

Table 5.9-18, *I-405 Freeway Operations – Cumulative Year (2040) Plus Project Conditions*, shows the results of the freeway basic, merge, and diverge assessment for the I-405 freeway.

Table 5.9-18 I-405 Freeway Operations – Cumulative Year (2040) Plus Project Conditions

Segment	Type	AM			PM		
		V/C	Density	LOS	V/C	Density	LOS
I-405 Southbound							
North of Goldenwest St Off-Ramp	Basic	0.54	21.24	C	0.69	27.11	D
Goldenwest St Off-Ramp	Diverge	0.64	26.21	C	0.77	31.27	D
Goldenwest St Off-Ramp to Bolsa Ave On-Ramp	Basic	0.46	18.16	C	0.60	23.27	C
Bolsa Ave On-Ramp	Merge	0.60	22.81	C	0.67	25.49	C
South of Bolsa Ave On-Ramp	Basic	0.47	18.31	C	0.60	23.44	C
I-405 Northbound							
South of Bolsa Ave Off-Ramp	Basic	0.69	26.89	D	0.70	27.31	D
Bolsa Ave Off-Ramp	Diverge	0.75	30.32	D	0.77	31.38	D
Bolsa Ave Off-Ramp to Goldenwest St	Basic	0.60	23.58	C	0.60	23.51	C
Goldenwest St Off-Ramp	Merge	0.62	23.58	C	0.67	25.35	C
North of Goldenwest St On-Ramp	Basic	0.69	27.08	D	0.76	29.74	D

Source: Fehr & Peers 2020

Notes:

Calculated using methodologies consistent with the HCM 6th Edition.

Density reported as passenger cars per mile per lane.

As shown in the Table, no study freeway segments are forecast to operate at a deficient level.

Project Effect on VMT

The project's effect on VMT was calculated using the Cumulative Year (2040) No Project and With Project model results to determine if the project increases VMT/SP in the City. The project site is located in close proximity to the City of Huntington Beach and, if VMT per service population was only calculated within the City limits, the true effect outside of those City limits may not be fully accounted for in this analysis. As such, VMT on all roadways within a ten-mile radius of the project were evaluated for the project's cumulative effect on VMT. Table 5.9-19, *10-Mile Influence Area Cumulative VMT Per Service Population Boundary Method*, summarizes the results of the VMT calculations.

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Table 5.9-19 10-Mile Influence Area Cumulative VMT Per Service Population Boundary Method

Scenario	VMT/SP
Future (2040) No Project	13.93
Future (2040) Plus Project	13.92
Change	-0.01 (1 %)
Source: Fehr and Peers 2020	

The development of the project would reduce the WMSP influence area's VMT/SP by approximately 1 percent. Based on the City's significance criteria, the project would not result in a significant project-effect impact based on the project.

5.9.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.9-1.

Without mitigation, the following impacts would be **potentially significant**:

- **Impact 5.9-2** The project would conflict with CEQA Guidelines Section 15064.3, subdivision (b).

5.9.7 Mitigation Measures

Impact 5.9-2

The WMSP proposed the establishment of a Transportation Management Association (TMA) or Transportation Management Organization (TMO) that will encourage property owners and tenants to work together to monitor trip generation and implement TDM strategies and programs. All projects with new construction that will generate more than 50 peak hour trips shall be required to develop and submit a TDM plan. The TDM strategies and programs shall be designed to reduce daily and peak hour vehicle trips, as forecast for the project in this transportation impact assessment.

TDM programs are very tenant and employer specific. For example, providing a shuttle service to office use can vary extensively based on the tenant of that office building. As such, at the time of entitlement, it is very difficult to fully capture the actual VMT reduction associated with implementation of the TDM program. It is also possible that the initial tenant will later change and the TDM programs may not transfer to the new tenant.

5.9.8 Level of Significance After Mitigation

Impact 5.9-2

It should be noted that, the TDM strategies evaluated do not take into consideration some foreseeable travel changes, including increased use of transportation network companies, such as Uber and Lyft, nor the potential for autonomous vehicles. Although the technology for autonomous vehicles is expected to be

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available over the planning horizon, the federal and State legal and policy frameworks are uncertain. Initial modeling of an autonomous future indicates that with automated and connected vehicles, the capacity of the existing transportation system would increase as vehicles can travel closer together; however, these efficiencies are only realized when a high percentage of vehicles on the roadway are automated and connected. There is also the potential for VMT to increase with zero-occupancy vehicles on the roadway. In addition, there is no requirement for people to work and/or shop within walking distance of where they live; the shopping and offices envisioned as part of the proposed project may draw customers and employees from the region as a whole. Although the project provides opportunities to reduce VMT, it cannot mandate that residents reduce VMT.

Additionally, the Senate Bill 150 (SB 150) report produced by CARB identified that VMT reductions anticipated in the RTP/SCS's prepared throughout the state have not achieved their anticipated VMT reductions and VMT has largely grown in the state. This can be caused by a variety of factors that are outside of an tenants' control, such as the cost of fuel, income levels, health factors (as seen with the COVID-19 outbreak), among other factors.

Given the uncertainty in tenant participation at the site and the uncertainty in other factors that are outside of the control of the project sponsor, the ability to achieve an additional 7 percent VMT reduction for the site cannot be guaranteed and the impact is considered **significant and unavoidable**.

5.9.9 References

Fehr and Peers. 2020, November. Final Transportation Impact Analysis (TIA) Westminster Mall Specific Plan.

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5.10 UTILITIES AND SERVICE SYSTEMS

This section of the Draft Environmental Impact Report (DEIR) addresses the potential for implementation of the Westminster Mall Specific Plan (“WMSP or Specific Plan”) to impact utilities and service systems in the City of Westminster. Utilities and services systems include water supply and distribution systems; wastewater (sewage) conveyance and treatment; storm drainage systems; solid waste collection and disposal services; and other public utilities. Impacts to hydrology (e.g., flooding) and water quality can be found in Section 8.7, *Hydrology and Water Quality*. Cumulative impacts are based on the service area of the utilities: Orange County Sanitation District (OCSD), City of Westminster Water Utility, Orange County Flood Control District (OCFD), and Orange County Waste and Recycling. The analysis in this section is based in part on the following technical studies:

- Westminster Mall Specific Plan Infrastructure Technical Report for Hydrology, Sewer, Water, and Water Quality, Fuscoe Engineering, April 10, 2020
- Water Supply Assessment (WSA) Westminster Mall Specific Plan, PlaceWorks, April 2020

These technical studies are included as Appendices 5.10-1 and 5.10-2, respectively, to this DEIR.

5.10.1 Wastewater Treatment and Collection

5.10.1.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal

Clean Water Act and National Pollution Elimination Discharge System

The federal Clean Water Act requires that wastewater be treated before it is discharged to Waters of the United States (US Code Title 33, Sections 1251 et seq.). Requirements for waste discharges from publicly owned treatment works to navigable waters are addressed in National Pollution Elimination Discharge System (NPDES) regulations under the Clean Water Act. NPDES permits for such discharges in the project region are issued by the Santa Ana Regional Water Quality Control Board.

Local

Orange County Sanitation District Capital Facilities Charges

The OCSD Capital Facilities Charge (Ordinance No. OCSD-40) is imposed when a property newly connects to the OCSD system or a previously connected property expands its use. Revenue generated from the charge is used for the acquisition, construction, and reconstruction of OCSD’s wastewater collection, treatment, and disposal facilities; to repay principal and interest on debt instruments; or to repay federal or state loans for the construction and reconstruction of sewage facilities, together with costs of administration and provisions for necessary reserves.

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2022 Sewer System Master Plan

The 2022 Sewer System Master Plan provides the Midway City Sanitary District with a comprehensive assessment of its sewer system and its ability to accommodate current and future wastewater collection needs.

Existing Conditions

Wastewater Treatment

Wastewater from the City is treated by the Orange County Sanitary District (OCSD) at plants in Fountain Valley and Huntington Beach (Westminster 2016). OCSD comprises of 20 cities, four special districts, including the MCSD, and one representative from the Orange County Board of Supervisors (OCSD 2018). OCSD provides wastewater collection, treatment, and recycling for approximately 2.6 million people living within a 479-square-mile area of central and northwestern Orange County (OCSD 2018). OCSD treats approximately 185 million gallons per day (mgd) of wastewater from residential, commercial, and industrial sources that are treated at Plant No. 1 in Fountain Valley (120 mgd) and Plant No. 2 in Huntington Beach (65 mgd) (OCSD 2018).

Wastewater Collection

The sewer system in the City of Westminster is maintained by MCSD and OCSD. The MCSD, serving an area of approximately 10.4 square miles with a population of approximately 103,000, operates a sanitary sewer system that includes approximately 892,155 lineal feet of gravity sewer pipelines, ranging in size from 8 to 18 inches, four sewage lift stations, and 3,399 manholes, which conveys wastewater to trunk sewers and regional treatment plants owned and operated by the Orange County Sanitation District (OCSD) (MCSD 2022). Ultimate disposal is by OCSD via ocean outfall pipelines or used in the Ground Water Replenishment System (GWRS).

Pump Stations

The District currently operates and maintains four lift stations and 5,907 feet of force main sewer line. All four lift stations - Westminster, Hammon, Willow and Brookhurst are submersible stations and have guide rails to raise the pumps for maintenance or repairs. Westminster, Hammon, Willow and Brookhurst Pump Station Facility Improvements were completed in April 2009. All stations are controlled by a Supervisory Control and Data Acquisition system (MCSD 2022).

5.10.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

- U-1 Would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

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- U-2 Would require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- U-5 Would result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

5.10.1.3 PLANS, PROGRAMS, AND POLICIES

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for utility and service systems impacts are identified below.

- PPP USS-1 The project will pay the Capital Facilities Charge collected by OCSD, which is used for the acquisition, construction, and reconstruction of OCSD's wastewater collection, treatment, and disposal facilities; to repay principal and interest on debt instruments; or to repay federal or state loans for the construction and reconstruction of sewage facilities, in accordance with Ordinance No. OCSD-40.

There are no policies regarding wastewater treatment and collection in the WMSP.

5.10.1.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.10-1: Project-generated wastewater could be adequately treated by the wastewater service providers for the project. [Thresholds U-1, U-2 (part), and U-5]

Impact Analysis: Future development as a result of the proposed project would require the installation of new or expanded sewer laterals and mains in order to accommodate the additional future development onsite.

As shown in Table 5.10-1, *Westminster Mall Wastewater Generation*, under the existing conditions, average daily sewer flows are estimated at 0.07 million gallons per day (mgd) for the project site. The sewer flows from the project site connect to a 15-inch MCSD sewer main, flowing north within Edwards Street before connecting to the OCSD Holder-Miller trunk line.

Table 5.10-1 Westminster Mall Wastewater Generation

Existing Conditions	Proposed Project	Net Change
Average Sewer Flow (gpd)		
70,623	556,026	485,403
Source: Fuscoe 2020 gpd = gallons per day		

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Buildout of the proposed project has the potential to increase sewer flows by approximately 0.49 mgd within the project site. The increased sewer flows would connect through an existing 15-inch MCSD line before connecting to the OCSD Miller-Holder trunk line north of the Specific Plan boundary. The Miller-Holder trunk line drains to OCSD Regional Treatment Plant No. 2. The proposed increases in sewer flows could also impact OCSD sewer trunk lines downstream of the project site boundary.

The MCSD Sewer System Master Plan found that the system for the entire service area has a capacity of 18 mgd and existing operating flows of 5 mgd. The proposed increase of 0.49 mgd would not exceed the available regional capacity of MCSD's system (Fuscoe 2020). Under the proposed project, all onsite sewer infrastructure is anticipated to be demolished and replaced with new infrastructure sized for the proposed land uses. Proposed sewer infrastructure would continue to tie into the existing 15-inch MCSD line. While the 15-inch line is currently in good condition with no capacity issues noted, a project-specific sewer study would be required, prior to construction, to model impacts from the proposed project buildout to determine if any new deficiencies would occur. In the case of noted deficiencies or potential deficiencies, MCSD has processes in place to work with developers of the WMSP to upsize the deficient segments (Fuscoe 2020).

MCSD utilizes development fees for new connections and proposed flow increases to improve existing low capacity sewer lines and upsize existing lines. While development fees come through MCSD, the MCSD works with OCSD to finalize fees for new sewer connections. Any future development in the Specific Plan area will be required to pay additional fees associated with the increase in wastewater flows.

Correspondence with OCSD staff concluded that the proposed increases in sewer flows from the WMSP would cause no regional sewer capacity issues (Fuscoe 2020). Although OCSD has no deficient lines serving the Specific Plan area, it utilizes development fees to cover associated costs with providing any incremental expansions in service or infrastructure as a result of new development that increases the quantity or flow rate of wastewater discharge. Potential impacts to OCSD facilities and associated OCSD review requirements and connection fees will need to be analyzed on a project by project basis. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Impacts to wastewater treatment systems and sewer infrastructure, Impact 5.10-1, would be less than significant.

5.10.1.5 CUMULATIVE IMPACTS

Wastewater Treatment Capacity Impacts

The area considered for cumulative impacts to sewage services is OCSD, which serves 2.6 million people. Because the proposed project would represent less than 1 percent of the average daily influent of both treatment plants and the secondary treatment capacity of Plant No. 1, OCSD is expected to have adequate wastewater treatment capacity for wastewater generation by cumulative developments in its service area. No significant cumulative impact is anticipated, and buildout of the proposed project would not contribute to a significant cumulative impact.

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Sewer Line Impacts

Implementation of individual projects would require project-specific analyses during final design to evaluate sewer capacities related to the individual project. For regional impacts to OCSD facilities, individual projects would pay Capital Facilities Fee Charges to the OCSD; such fees would reduce cumulative impacts to sewers. Costs for installing and upgrading City of Westminster sewers are paid from sewer service fees, and onsite improvements would be implemented as part of the proposed project. Thus, payment of OCSD sewer fees would also reduce cumulative impacts to sewers. No cumulatively considerable impact to sewers would occur, and proposed project buildout would not contribute to such an impact.

5.10.1.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.10-1.

5.10.1.7 MITIGATION MEASURES

No mitigation measures are required.

5.10.1.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.10.2 Water Supply and Distribution Systems

5.10.2.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California Water Code

To assist with water suppliers, cities, and counties in integrating water and land use planning, the state passed Senate Bill (SB) 610, which is codified in the California Water Code Section 10910. The lead agency preparing a CEQA document shall identify any water system whose service area includes the project site and any water system adjacent to the project site that is, or may become, a public water system that may supply water for the project. If the lead agency is not able to identify any public water system that may supply water for the project, then the lead agency shall prepare a water assessment.

Urban Water Management Planning Act

The Urban Water Management Planning Act of 1983, California Water Code Sections 10610 et seq., requires preparation of a plan that:

- Plans for water supply and assesses reliability of each source of water, over a 20-year period, in 5-year increments.

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- Identifies and quantifies adequate water supplies, including recycled water, for existing and future demands in normal, single-dry, and multiple-dry years.
- Implements conservation and the efficient use of urban water supplies. Significant new requirements for quantified demand reductions have been added by the Water Conservation Act of 2009 (SBX7-7), which amends the act and adds new water conservation provisions to the Water Code.

The Urban Water Management Planning Act states that every urban water supplier that provides water to 3,000 or more customers or provides over 3,000 acre-feet of water per year (afy) should make every effort to ensure the appropriate level of reliability in its water service to meet the needs of its various categories of customers during normal, dry, and multiple-dry years. The City of Westminster adopted its 2015 UWMP in May 2016.

Principles Governing CEQA Analysis of Water Supply

In *Vineyard Area Citizens for Responsible Growth, Inc., v. City of Rancho Cordova* (February 1, 2007), the California Supreme Court articulated the following principles for analysis of future water supplies for projects subject to CEQA:

- To meet CEQA's informational purposes, the EIR must present sufficient facts to decision makers to evaluate the pros and cons of supplying the necessary amount of water to the project.
- CEQA analysis for large, multiphase projects must assume that all phases of the project will eventually be built, and the EIR must analyze, to the extent reasonably possible, the impacts of providing water to the entire project. Tiering cannot be used to defer water supply analysis until future phases of the project are built.
- CEQA analysis cannot rely on "paper water." The EIR must discuss why the identified water should reasonably be expected to be available. Future water supplies must be likely rather than speculative.
- When there is some uncertainty regarding future availability of water, an EIR should acknowledge the degree of uncertainty, include a discussion of possible alternative sources, and identify the environmental impacts of such alternative sources. Where a full discussion still leaves some uncertainty about long-term water supply, mitigation measures for curtailing future development in the event that intended sources become unavailable may become a part of the EIR's approach.
- The EIR does not need to show that water supplies are definitely ensured, because such a degree of certainty would be "unworkable, as it would require water planning to far outpace land use planning." The requisite degree of certainty of a project's water supply varies with the stage of project approval. CEQA does not require large projects, at the early planning phase, to provide a high degree of certainty regarding long-term future water supplies.
- The EIR analysis may rely on existing urban water management plans, as long as the project's demand was included in the water management plan's future demand accounting. As the proposed project was not

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accounted for in the UWMP, a Water Supply Assessment (WSA) (see Appendix 5.10-2) was prepared for the proposed project, which references several documents, including the UWMP.

- The ultimate question under CEQA is not whether an EIR establishes a likely source of water, but whether it adequately addresses the reasonably foreseeable impacts of supplying water to the project.

Regional

Orange County Municipal National Pollutant Discharge Elimination System (NPDES) Storm Water Permit – Water Code Section 13383 Order to Submit Method to Comply with Statewide Trash Provisions

The State Water Resources Control Board (State Water Board) adopted statewide Trash Provisions to address the impacts trash has on beneficial uses of surface waters. The Trash Provisions establish a statewide water quality objective for trash and a prohibition of trash discharge, or deposition where it may be discharged, to surface waters or the State. For Phase I Co-Permittees that have regulatory authority over Priority Land Uses, the Trash Provisions require implementation of the prohibition through requirements incorporated into Phase I MS4 Permits and/or through monitoring and reporting orders, by June 2, 2017. Since the Trash Provisions have not yet been implemented through the Orange County MS4 Permit, the Santa Ana Regional Board implemented the initial steps of the Trash Provisions through orders in accordance with Water Code section 13383, as specific in the Trash Provisions. The City of Westminster is one of the cities in Orange County to receive this order.

Local

2020 Urban Water Management Plan

The City's UWMP was submitted to the California Department of Water Resources (DWR) to satisfy the UWMP Act of 1983 (Act) and subsequent California Water Code (Water Code) requirements. The City is a retail water supplier that provides to its residents and other customer using the imported potable water supply obtained from its regional wholesaler, Municipal Water District of Orange County (MWDOC) and local groundwater from the Orange County Groundwater Basin (OC Basin), which is managed by the Orange County Water District (OCWD). The 2020 UWMP provides an assessment of the present and future water supply sources and demands within the City's service area. It also presents a new 2020 Water Shortage Contingency Plan (WSCP) designed to prepare for and respond to water shortages.

Existing Conditions

Approximately 71 percent of the City's water demand is residential, and commercial, industrial, and dedicated landscape use account for 26.7 percent of the total demand (Westminster 2016). The City receives its water from two main sources, local well water from the Lower Santa Ana River Groundwater basin, which is managed by the Orange County Water District (OCWD) and imported water from the Municipal Water District of Orange County (MWDOC). MWDOC is Orange County's wholesale supplier and is a member agency of the Metropolitan Water District of Southern California (Metropolitan). Metropolitan is responsible for providing high quality potable water throughout its service area.

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The City has 10 active service wells and a 16 million gallon reservoir facility and manages 258.5 miles of water main system with 20,755 service connections (Westminster 2021). Imported water from MWDOC is supplied to the City through three “feeder” pipelines. Two pipelines (OC-09 and OC-35) are owned and operated by the West Orange County Board (WOCWB), and the third pipeline (OC-53) is owned and operated by the City (Westminster 2021).

Water Demand

The City’s total water demand in FY 2019-2020 for potable water was 10,653 acre-feet per year (AFY) (Westminster 2021). Residential water use accounted for 75.5 percent of the City’s water demands and is projected to decrease through the 25-year planning horizon.

Table 5.10-2, *Total Water Demands*, shows the total demand for potable water in the City from 2020 to 2045. The City has no plans to provide recycled water in its service area.

Table 5.10-2 Total Water Demands

Source	afy					
	2020	2025	2030	2035	2040	2045
Potable and Raw Water	10,653	11,080	11,022	10,938	10,837	10,836
Source: Westminster 2021						

Water Supply

The City meets all of its demands with a combination of imported water and local groundwater (Westminster 2021). The City works together with two primary agencies, MWDOC and OCWD, to ensure a safe and reliable water supply that will continue to serve the community in periods of drought and shortage. The sources of imported water supplies include water from the Colorado River and the State Water Project.

The City’s main water supply is groundwater from the OC Basin. Imported water makes up the rest of the City’s water portfolio; in FY 2019-2020, the City relied on 77 percent groundwater and 23 percent imported water (Westminster 2021). Planned sources of water in the City are shown in Table 5.10-3, *Projected Water Supplies*.

Table 5.10-3 Projected Water Supplies

Source	afy				
	2025	2030	2035	2040	2045
Groundwater (Orange County Groundwater Basin)	9,418	9,369	9,297	9,211	9,211
Purchased or Imported (MWDOC)	1,662	1,653	1,641	1,626	1,625
Total	11,080	11,022	10,938	10,837	10,836
Source: Westminster 2021.					

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Tables 5.10-4 through 5.10-6 show a comparison between supply and demand for projected years between 2025 and 2045 for normal years, single dry year, and multiple dry years, respectively. As shown in these Tables, the available supply would meet the projected demand of the City due to conservation measures and diversified supply (Westminster 2021).

Table 5.10-4 Normal Year Supply and Demand Comparison

Source	afy				
	2025	2030	2035	2040	2045
Supply totals	11,080	11,022	10,938	10,837	10,836
Demand totals	11,080	11,022	10,938	10,837	10,836
Difference	0	0	0	0	0

Source: Westminster 2021

Table 5.10-5 Single Dry Year Supply and Demand Comparison

Source	afy				
	2025	2030	2035	2040	2045
Supply totals	11,745	11,683	11,595	11,487	11,486
Demand totals	11,745	11,683	11,595	11,487	11,486
Difference	0	0	0	0	0

Source: Westminster 2021

Table 5.10-6 Multiple Dry Years Supply and Demand Comparison

Source		afy				
		2025	2030	2035	2040	2045
First Year	Supply totals	11,475	11,733	11,666	11,573	11,487
	Demand totals	11,475	11,733	11,666	11,573	11,487
	Difference	0	0	0	0	0
Second Year	Supply totals	11,473	11,720	11,648	11,552	11,487
	Demand totals	11,473	11,720	11,648	11,552	11,487
	Difference	0	0	0	0	0
Third Year	Supply totals	11,564	11,708	11,630	11,530	11,487
	Demand totals	11,564	11,708	11,630	11,530	11,487
	Difference	0	0	0	0	0
Fourth Year	Supply totals	11,655	11,696	11,612	11,509	11,486
	Demand totals	11,655	11,696	11,612	11,509	11,486
	Difference	0	0	0	0	0
Fifth Year	Supply totals	11,475	11,683	11,595	11,487	11,486
	Demand totals	11,475	11,683	11,595	11,487	11,486
	Difference	0	0	0	0	0

Source: Westminster 2021

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5.10.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

- U-2 Would require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- U-4 Would not have sufficient water supplies available to serve the project from existing entitlements and resources, and new and/or expanded entitlements would be needed.

5.10.2.3 PLANS, PROGRAMS, AND POLICIES

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for utility and service systems impacts are identified below.

- PPP USS-2 Landscaping installed onsite shall conform to the California Green Building Standards Code and municipal code 17.310 standards to increase landscape water efficiency and conserve water use.
- PPP USS-3 Plumbing fixtures installed onsite shall conform to California Green Building Standards Code requirements to increase water efficiency and reduce urban per capita water demand.
- PPP USS-4 The project would comply with the City's Water Conservation and Water Supply Shortage Program to reduce water consumption through conservation, enable effective water supply planning, ensure reasonable and beneficial use of water, prevent waste of water, and maximize the efficient use of water to avoid and minimize the effect and hardship of water shortage to the greatest extent possible, in accordance with Chapter 13.14 of the City's Municipal Code.

There are no policies regarding water supply and distribution systems in the WMSP.

5.10.2.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.10-2: Water supply and delivery systems are adequate to meet project requirements. [Thresholds U-2 (part) and U-4]

A water supply assessment (WSA) was prepared for the proposed project as the project is a mixed-use and would allow for more than 500 dwelling units and more than 500,000 square feet of floor space to be constructed. As a result of the proposed project, the existing 10-inch and 12-inch waterlines located within the Navy Trail right-of-way to the north of the project site would need to be upsized to 14-inch waterlines, and the City's standard requirement of a 15-foot easement above the line would be implemented. Once the

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proposed land use is finalized for the Specific Plan, the City will run their hydraulic model to determine any deficiencies within City water lines serving the property (Fuscoe 2020).

The proposed project would connect to the City's water main for domestic water use. The existing water demand for the Westminster Mall is estimated to be approximately 70,150 gallons/day or 78.6 acre-feet/year (AFY), as shown in Table 5.10-7, *Westminster Mall Specific Plan Project Estimated Water Demand*. The indoor water demand for the proposed project is estimated to be approximately 588,828 gallons/day (660 AFY), as shown in Table 5.10-7; the increase in water demand is 581 AFY (PlaceWorks 2020). This increase in water use is due to the residential land use. These results are conservative because they do not account for the 20 percent reduction in water use with new construction, as per CALGreen Building Code Standards, and the reduction in outdoor water use per the City's Landscape Standards as specified in Municipal Code Chapter 17.310 (PlaceWorks 2020).

Table 5.10-7 Westminster Mall Specific Plan Project Estimated Water Demand

	Existing		Project	
	Gallons/Day	AFY	Gallons/Day	AFY
Retail/Office	46,832	52.5	41,323	46.3
Hotel	-	-	53,125	59.5
Condo/Townhouse	-	-	55,578	62.3
Apartments Mid-Rise	-	-	196,824	220.5
Apartments High-Rise	-	-	214,170	240
Landscaping	23,318	26.1	27,808	31.1
Total	70,150	78.6	588,828	659.7

Source: PlaceWorks 2020

As documented in Tables 5.10-4 through 5.10-6, the City is able to meet all customers' demands with significant reserves held by MWD, local groundwater supplies, and conservation measures in multiple dry years from 2020 to 2040 (PlaceWorks 2020). Table 5.10-5 shows that the water demand would decrease from 11,745 AFY to 11,486 AFY from 2025 to 2045, and Table 5.10-6 shows that water demand would fluctuate throughout the years. The supplies also include local groundwater supplies that are available to the City through OCWD by a pre-determined pumping percentage. For single dry and multiple dry years, the City would supplement a demand increase of six percent from normal demand with significant reserves held by MWD, local groundwater supplies, and conservation (PlaceWorks 2020). Moreover, imported water represents approximately 35 percent of the total water supply within the MWDOC service area. MWDOC and its retail agencies work together to improve the water reliability within the service area by developing additional local supplies and by implementing water use efficiency programs. According to the UWMP, the City has the capacity to meet demands under normal, single, dry, and multiple dry years through the year 2045.

Most of the potable water supplied by the City comes from groundwater; the OC Basin is not adjudicated and as such, pumping from the OC Groundwater Basin is managed through a process that uses financial incentives to encourage groundwater producers to pump a sustainable amount of water. OCWD's goal is to

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achieve and maintain a stable 75 percent Basin Production Percentage (BPP). However, the OCWD reevaluates the BPP annually, based on groundwater conditions, availability of imported water supplies, and OC Groundwater Basin management objectives. A BPP of 77 percent is currently being proposed for the water year 2019-2020; analysis of groundwater conditions, available supplies to the OC Groundwater Basin, and the project pumping demands indicate that this level of pumping could be sustained for 2019-2020 without detriment to the Basin.

Table 5.10-8, *Projected Increase in Water Demand for the City of Westminster (Year 2040)*, shows the supply and demand for water in the City.

Table 5.10-8 Projected Increase in Water Demand for the City of Westminster (Year 2040)						
	2019 Existing Residential Units	2040 Projected Residential Units	Increase in Water Demand (gpd)	2019 Existing Non-Residential SF	2040 Proposed Non-Residential SF	Increase in Water Demand (gpd)
Mixed-Use Civic Center	521	628	17,120	529,111	1,823,119	35,648
Mixed-Use Westminster Boulevard/Downtown	222	951	116,640	739,403	604,110	-3,727
Mixed-Use Corridor	263	407	23,040	316,758	551,201	6,459
Mixed-Use Westminster Mall	0	3,000	480,000	1,195,000	1,200,000	53,263 ^b
Mixed-Use Little Saigon	855	1,944	174,240	1,293,522	3,292,670	55,073
Mixed-Use Northwest District	811	1,060	39,840	0	673,075	18,542
Remainder of the City	25,277	23,414	-298,080	7,957,222	10,859,283	79,947
Total	27,949^a	31,404	552,800	12,031,016	19,003,458	245,205
Available Water Supply (2020)						11,577 AFY
Total Increase in Water Demand (2040)						894 AFY
Total Water Demand (2040)						12,471 AFY
Available Water Supply (2040)						12,527 AFY
Source: PlaceWorks 2020						
SF = Square Feet; DU = Dwelling Units; gpd = Gallons per day; AFY = Acre-feet per year						
^a The total number of dwelling units for the year 2019 was obtained from the California Department of Finance.						
^b The water demand for the hotel rooms amounts to 53,125 gpd and is included in this number.						

As shown in Table 5.10-8, the total increase in water demand for the year 2040 is 798,005 gpd (894 AFY); adding 894 AFY to the available water supply for 2020 result in a total water demand of 12,421 AFY in 2040 (PlaceWorks 2020). The 2015 UWMP predicts an available water supply of 12,577 AFY. Therefore, the City can accommodate the proposed project's water demand, in addition to the water demand of future development within the City, in the year 2040.

The WSA concludes that the City will have sufficient water supplies available during normal, single dry, and multiple dry years through the year 2040 to meet all projected water demands associated with its existing and future customers, including the proposed project. Therefore, impacts would be less than significant.

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Level of Significance Before Mitigation: Impact 5.10-2 would be less than significant.

5.10.2.5 CUMULATIVE IMPACTS

As shown in the WSA, the City of Westminster has adequate water supplies to support planned developments in the City. The available water supply will meet the projected demand of the City due to conservation measures and diversified supply. As described above, the City would be able to meet the water demands of the proposed project in addition to existing and cumulative demands. Therefore, the proposed project would not result in a significant impact to water supplies and treatment facilities, individually or cumulatively.

5.10.2.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.10-2

5.10.2.7 MITIGATION MEASURES

No mitigation measures would be required.

5.10.2.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.10.3 Storm Drainage Systems

5.10.3.1 ENVIRONMENTAL SETTING

Regulatory Background

Regional

Municipal Stormwater (MS4) Permit

The project area lies within the jurisdiction of Santa Ana Regional Water Quality Control Board (Region 8) and is subject to the waste discharge requirements of the North Orange County Municipal Separate Sewer (MS4) Permit (Order No. R8-2009-0030) and NPDES Permit No. CAS618030, as amended by Order No. R8-2010-0062. The County of Orange, incorporated cities of Orange County, and the Orange County Flood Control District are co-permittees under the MS4 Permit. Pursuant to the MS4 Permit, the co-permittees were required to develop and implement a drainage area management plan as well as local implementation plans, which describe urban runoff management programs for the local jurisdictions. The City of Westminster, as a permittee under the General MS4 permit, has legal authority for enforcing the terms of the permit in its jurisdiction.

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Stormwater Program: Trash Implementation Program

On April 7, 2015, the State Water Resources Control Board adopted an amendment to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) to control trash and Part 1, Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan). Together, they are collectively referred to as the “Trash Amendments.” The Trash Amendments include six elements: (1) water quality objectives, (2) applicability of amendments, (3) prohibition of discharge, (4) implementation provisions, (5) time schedule, and (6) monitoring and reporting requirements. Following adoption, the Trash Amendments were submitted to both the California Office of Administrative Law (OAL) and the U.S. Environmental Protection Agency (EPA) for review and approval. The OAL approved the Trash Amendments on December 2, 2015. The EPA approved the Trash Amendments on January 12, 2016.

The Trash Amendments apply to all Phase I and II permittees under the NPDES municipal separate storm sewer systems (MS4) permits who retain regulatory authority over Priority Land Uses. The State Water Resources Control Board Executive Director sent separate 13383 Orders to traditional and nontraditional Small MS4 permittees on June 1, 2017. Regional Water Quality Control Boards, as the permitting authority, issued to their Phase I permittees either Water Code 13383 or 13267 orders that contain region-specific requirements, which may differ from the State Water Resources Control Board orders.

The Trash Amendments apply to all surface waters of the state and prohibit the discharge of trash to surface waters of the state as well as the depositing of trash where it may be discharged into surface waters of the state. Priority land uses are developed sites that include high density residential (10 or more dwelling units/acre); industrial; commercial; mixed urban; public transportation stations and stops; alternative areas determined by the permittees; and other areas determined by the state.

2003 Drainage Area Management Plan (DAMP)

The DAMP is implemented by Orange County, Orange County Flood Control District (OCFCD), and incorporated cities (permittees), including Westminster. Through the DAMP, permittees intend to continue to improve existing stormwater quality practices and, where necessary, address identified problems and implement new practices (OCPW 2003).

Local

City of Westminster Municipal Code

Chapter 8.30, Water Quality, states that the City is to participate in the improvement of water quality and comply with federal requirements for the control of urban pollutants to storm water runoff, which enters the network of storm drains through Orange County.

2004 City of Westminster Master Plan of Drainage Update

The 2004 Stormwater Master Plan includes hydrologic modeling for the City of Westminster storm drain lines to determine existing capacity. The Master Plan divided the City into 93 major basins that discharge into County storm drains and mapped 151,184 lineal feet of the City’s storm drain system with pipe diameters

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that equal to or greater than 24 inches in diameter. Of the 131,959 feet of modeled drains, 95.7 percent were pipe sections, 1.7 percent were Box sections with the remaining 2.6 percent being open channel sections. The analysis included computation of 2-, 5-, 10-, 25-, 50-, and 100-year storm events and the flow capacity of the existing storm drain systems to determine where improvements are recommended.

The analysis found a number of deficient segments in need of improvement and areas susceptible to localized flooding. However, none of these areas were within the boundary of or immediate vicinity of the project site and would not have any impact on the existing or proposed conditions of the proposed project (Fusco 2020). Deficient segments and areas in need of improvement are added to the City's long-term capital improvement list. Any deficient segments found within the project site and surroundings in the future would be added to the City's improvement list or would be improved as part of redevelopment activities and agreements associated with the proposed project.

Existing Conditions

The project site lies within the Anaheim Bay-Huntington Harbor Watershed within the regional Santa Ana River Watershed. The Anaheim Bay-Huntington Watershed is located in northern Orange County, approximately 25 miles south of Los Angeles and 85 miles north of San Diego. The Anaheim Bay-Huntington Harbor Watershed is composed of a number of channels, none of which is a dominant river for the watershed, with each draining a substantial portion of the watershed (Fusco 2020). The project site drains to the Westminster Channel (OCFCD C04) through City and County storm drain lines and confluences with the Bolsa Chica Channel (OCFCD C02). The Westminster Channel is concrete-lined and serves entirely urbanized sub-watershed.

The project site is served by three primary flood control and drainage systems:

1. Private Storm Drain lines ranging from 10 inches to 30 inches in diameter currently serve the WMSP site. Flows drain from the northeast of the site to the southwest and connect to both City and Orange County Flood Control District infrastructure.
2. The City operates and maintains the adjacent storm drain system including catch basins and a pipeline that runs along Edwards Street that ranges from 63 inches to 66 inches in diameter as it runs downstream.
3. OCFCD operates and maintains the Westminster Channel which runs along Bolsa Avenue to the south of the project site.

Existing stormwater runoff from the project site generally sheet flows across impervious surfaces, prior to draining to on-site storm drain infrastructure through grate inlets and catch basins. Under existing conditions, the project site is estimated to be approximately 90 percent impervious (Fusco 2020). Flows drain to the Westminster Channel either through City infrastructure or directly from the site to the Westminster Channel. Flows ultimately drain to Anaheim Bay-Huntington Harbor and the Pacific Ocean.

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5.10.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

- U-3 Would require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

5.10.3.3 PLANS, PROGRAMS, AND POLICIES

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for utility and service systems impacts are identified below.

- PPP USS-5 The project will be constructed and operated in accordance with the Santa Ana Regional Water Quality Control Board Municipal Stormwater (MS4) Permit for Orange County. The MS4 Permit requires the proposed project to prepare and implement a WQMP to:

- Control release of contaminants into storm drain systems.
- Educate the public about stormwater impacts.
- Detect and eliminate illicit discharges.
- Control runoff from construction sites.
- Implement BMPs and site-specific runoff controls and treatments.

Chapter 5 of the WMSP, provides the following policy in regard to stormwater:

Section 5.2.16 Landscape Design

- PDF-1 Grading and plan layout shall be designed to capture and slow water runoff.

5.10.3.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.10-3: Existing and/or proposed storm drainage systems are adequate to serve the drainage requirements of the proposed project. [Threshold U-3]

The project site is developed with the existing mall, surface parking, and ornamental vegetation within the surface parking area. Under the proposed conditions, pervious surfaces would increase because the proposed project would include approximately 9 acres of open space and additional landscape areas throughout the site.

Under existing conditions, 90 percent of the site is impervious, and under the proposed project, the amount of impervious area would reduce to approximately 80 percent to 85 percent of the site (Fusco 2020). Additionally, based on the existing built out condition and the proposed land use changes under the WMSP,

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including the implementation of low impact development features, no substantial additional sources of pollutants or significant increases in runoff for the 85th percentile storm event are anticipated. Therefore, it is anticipated that runoff from the project site would decrease under the proposed project and onsite detention for flood control would not be required (Fusco 2020).

Existing onsite storm drain infrastructure is likely to be removed as part of project-specific buildout. New storm drains would be appropriately located and sized to convey flows respective to their tributary areas for the design storm required by City and County requirements. Infrastructure would connect to either the 66-inch City of Westminster line on Edwards Avenue or the Westminster Channel and discharge to the Anaheim Bay-Huntington Harbor as under existing conditions. (Fusco 2020) Therefore, impacts would be less than significant.

5.10.3.5 CUMULATIVE IMPACTS

Cumulative impacts are considered for the Anaheim Bay-Huntington Harbor Watershed in northern Orange County. Other projects in the watershed may increase the number of impervious surfaces and therefore, may increase flow rates and volumes of runoff entering storm drains in the region. Other projects in the watershed would be required by MS4 permits to be sized and designed to ensure onsite retention of the volume of runoff produced from a 24-hour, 85th percentile storm event, which is similar to a 2-year storm. Other impacts to storm drainage would be analyzed in separate CEQA processing for each cumulative project, and mitigation measures would be required as appropriate to minimize significant impacts.

5.10.3.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.10-3.

5.10.3.7 MITIGATION MEASURES

No mitigation measures are required.

5.10.3.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.10.4 Solid Waste

5.10.4.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (Title 40 of the Code of Federal Regulations), Part 258, contains regulations for municipal solid waste landfills and requires states to implement their own

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permitting programs incorporating the federal landfill criteria. The federal regulations address the location, operation, design (liners, leachate collection, run-off control, etc.), groundwater monitoring, and closure of landfills.

State

California Integrated Waste Management Act

California's Integrated Waste Management Act of 1989 (AB 939, Public Resources Code 40050 et seq.) set a requirement for cities and counties throughout the state to divert 50 percent of all solid waste from landfills by January 1, 2000, through source reduction, recycling, and composting. In 2008, the requirements were modified to reflect a per capita requirement rather than tonnage. To help achieve this, the act requires that each city and county prepare and submit a source reduction and recycling element. AB 939 also established the goal for all California counties to provide at least 15 years of ongoing landfill capacity.

AB 341 (Chapter 476, Statutes of 2011) increased the statewide goal for waste diversion to 75 percent by 2020 and requires recycling of waste from commercial and multifamily residential land uses.

California Solid Waste Reuse and Recycling Act of 1991

The California Solid Waste Reuse and Recycling Access Act (AB 1327, California Public Resources Code Sections 42900 et seq.) requires areas to be set aside for collecting and loading recyclable materials in development projects. The act required the California Integrated Waste Management Board to develop a model ordinance for adoption by any local agency requiring adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model or an ordinance of their own.

California Green Building Standards Code

Section 5.408 of the 2013 California Green Building Standards Code (Title 24, California Code of Regulations, Part 11) requires that at least 50 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

Local

City of Westminster Municipal Code

Section 8.16, Comprehensive Waste Management Program, applies to all commercial, industrial, and residential (five or more units) properties in the City. All properties in the City must subscribe to refuse collection services by the Midway City Sanitation District (MCSD) franchisee. This section of the municipal code outlines requirements for refuse such as prohibited practices, removal of refuse, cleaning sidewalks, and so forth.

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Existing Conditions

Solid Waste Collection and Disposal

The MCSD collects solid waste and provides recycling services to the City of Westminster and its sphere of influence. In 2014, nearly 99 percent of the solid waste landfilled from the City of Westminster was disposed of at the Frank Bowerman Landfill near the City of Irvine.

Landfills

All solid waste from the City, including the project site, is processed at CR&R Environmental Services and transferred to the Frank R. Bowerman Landfill. The landfill is permitted for 11,500 tons per day (TPD). It has a remaining capacity of 205,000,000 cubic yards, and an estimated cease date of December 31, 2053 (CalRecycle 2019). Landfills are required to comply with existing landfill regulations from federal, state, and local regulatory agencies. They are subject to regular inspections from CalRecycle and the local enforcement agencies, the RWQCB, and the South Coast Air Quality Management District.

Solid Waste Diversion and Recycling

The MCSD follows the “reduce, reuse, recycle” model of waste diversion in an effort to stop trash before it starts. Westminster residents and businesses have access to a range of waste diversion programs and services, including composting, household hazardous waste, electronic waste, public education, recycling, and source reduction programs; and special waste materials programs, including concrete/asphalt/rubble and tires.

There are 44 solid waste diversion programs in Westminster (CalRecycle 2020). Compliance with AB 939 is measured in part by comparing actual disposal rates for residents and employees to target rates; actual rates at or below target rates are consistent with AB 939. Target disposal rates for Westminster in 2021 were 6.3 pounds per day (ppd) per resident and 27.7 ppd per employee; actual disposal rates were 3.8 ppd per resident and 15.1 ppd per employee (CalRecycle 2021). Actual disposal rates in 2021 were consistent with AB 939.

5.10.4.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

- U-6 Would be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.
- U-7 Would not comply with federal, state, and local statutes and regulations related to solid waste.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold U-7

This impact will not be addressed in the following analysis.

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5.10.4.3 PLANS, PROGRAMS, AND POLICIES

Plans, programs, and policies (PPP), including applicable regulatory requirements and conditions of approval, for utility and service systems impacts are identified below.

PPP USS-6 The project will comply with Municipal Code Chapter 15.20, Green Building Standards Code which adopts the 2019 California Green Building Standards Code as the City's Green Building Standards Code.

PPP USS-7 The project will comply with Municipal Code Chapter 8.16, Comprehensive Waste Management Program, which outlines requirements for refuse such as prohibited practices, removal of refuse, cleaning sidewalks, and so forth.

There are no policies regarding solid waste in the WMSP.

5.10.4.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.10-4: Existing and/or proposed facilities would be able to accommodate project-generated solid waste. [Thresholds U-6]

The proposed project would generate an increase in solid waste disposal. Table 5.10-7, *Westminster Mall Specific Plan Project Estimated Solid Waste Disposal*, provides an estimate of the solid waste generated by the proposed project. The proposed project would generate an increase 7,632 pounds per day (1,393 tons per year). The Frank R. Bowerman Landfill would accept waste from the proposed project; the Frank R. Bowerman Landfill has maximum daily throughput of 11,500 tons per day (23,000,000 pounds per day). The increase in solid waste generated from the proposed project would represent approximately 0.03 percent of the maximum daily throughput. The increase in solid waste disposal would be accommodated by the landfill's remaining capacity.

Table 5.10-7 Westminster Mall Specific Plan Project Estimated Solid Waste Disposal

	Existing		Project		Net Change	
	Lbs/Day	Tons/Yr	Lbs/Day	Tons/Yr	Lbs/Day	Tons/Yr
Regional Shopping Center	7,825	1,428	5,868	1,071	-1,957	-357
Office	0	0	915	167	915	167
Hotel	0	0	1,277	233	1,277	233
Condo/Townhouse	0	0	756	138	756	138
Apartment Mid-Rise	0	0	2,860	522	2,860	522
Apartment High-Rise	0	0	3,781	690	3,781	690
Total	7,825	1,428	15,457	2,851	7,632	1,393

Lbs = pounds

Notes: Numbers may not add to 100 percent due to rounding.

5. Environmental Analysis

UTILITIES AND SERVICE SYSTEM

Additionally, the proposed project would comply with solid waste disposal requirements, including requirements to divert solid waste to landfills through recycling. During construction, the proposed project would comply with CALGreen, which requires recycling and/or salvaging for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste generated during most “new construction” projects (CALGreen Sections 4.408 and 5.408). During operation, the proposed project would comply Chapter 8.16 of the Westminster Municipal Code, which provides requirements for waste and recyclable materials.

5.10.4.5 CUMULATIVE IMPACTS

Cumulative impacts are considered for Orange County, the service area for OC Waste and Recycling, which owns and operates the Frank R. Bowerman Landfill. The Frank R. Bowerman Landfill has a daily maximum throughput of 11,500 tons per day, a remaining capacity of 205,000,000 cubic yards, and an estimated cease date of December 31, 2053. There is adequate landfill capacity to accommodate the existing and future projects in the City. No significant cumulative impact to landfill capacity would occur, and the proposed project would not contribute to a significant cumulative impact.

5.10.4.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.10-4.

5.10.4.7 MITIGATION MEASURES

No mitigation measures are required.

5.10.4.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.10.5 References

California Department of Resources Recycling and Recovery (CalRecycle). 2021. Annual Reporting: Disposal Rate Calculator - Westminster, 2021.

<https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator>

_____. 2020. Jurisdiction Review Reports. Jurisdiction Diversion Program Status Summary - Westminster, 2020.

<https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports/DiversionProgramStatusSummary>

_____. 2019. Facility/Site Summary Details: Frank R. Bowerman Sanitary Landfill (30-AB-0360).

<https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/2103>

Fusco Engineering (Fusco). 2020, April 10. Westminster Mall Specific Plan Infrastructure Technical Report for Hydrology, Sewer, Water, and Water Quality.

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Midway City Sanitary District (MCSD). 2022, March 1. Sewer System Master Plan.

<https://www.midwaycitysanitarydistrict.com/files/b63f3389c/2022+Sewer+System+Master+Plan.pdf>.

Orange County Public Works (OCPW). 2003, July 1. 2003 Drainage Area Management Plan (DAMP).

<https://media.ocgov.com/gov/pw/watersheds/documents/damp/mapplan.asp>

Orange County Sanitation District (OCSD). 2018. Annual Report 2017-18.

<https://www.ocsd.com/Home/ShowDocument?id=26276>

PlaceWorks. 2020, April. Water Supply Assessment (WSA) Westminster Mall Specific Plan.

Westminster, City of. 2016. General Plan EIR – Utilities and Service Systems Chapter.

_____. 2021, June. 2020 Urban Water Management Plan (UWMP).

<https://www.westminster-ca.gov/home/showpublisheddocument/3859/637625388457800000>

6. Significant Unavoidable Adverse Impacts

At the end of Chapter 1, *Executive Summary*, is a table that summarizes the impacts, mitigation measures, and levels of significance before and after mitigation. Mitigation measures would reduce the level of impact, but the following impacts would remain significant, unavoidable, and adverse after mitigation measures are applied:

Air Quality

- **Impact 5.2-1.** Despite furthering the regional transportation and planning objectives, the Specific Plan would represent a substantial increase in emissions compared to existing conditions and would exceed South Coast Air Quality Management District's (South Coast AQMD) regional operational significance thresholds. In addition, implementation of the Specific plan exceeds the population and employment estimates for the Plan Area in the Air Quality Management Plan (AQMP). As a result, Specific Plan could potentially exceed the assumptions in the AQMP and would not be considered consistent with the AQMP. PDF-1 through PDF-12 would minimize criteria air pollutant emissions from transportation and energy use. Mitigation Measure AQ-1 would also reduce the proposed project's regional construction-related emissions to the extent feasible. However, given the potential increase in growth and associated increase in criteria air pollutant emissions, the Specific Plan would continue to be potentially inconsistent with the assumptions in the AQMP. Therefore, Impact 5.2-1 would remain **significant and unavoidable**.
- **Impact 5.2-2.** Construction activities associated with the buildout of the Specific Plan would generate criteria air pollutant emissions that would exceed South Coast AQMD's regional significance thresholds, contribute to the nonattainment designations of the South Coast Air Basin (SoCAB), and contribute to known health effects from poor air quality—including worsening of bronchitis, asthma, and emphysema; a decrease in lung function; premature death of people with heart or lung disease; nonfatal heart attacks; irregular heartbeat; decreased lung function; and increased respiratory symptoms. Mitigation Measure AQ-1 would reduce criteria air pollutants generated from project-related construction activities. Buildout of the proposed project would occur over a period of approximately 19 years or longer. Construction time frames and equipment for individual site-specific projects are not available at this time. There is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to Mitigation Measure AQ-1, project-level and cumulative construction impacts under Impact 5.2-2 would remain **significant and unavoidable**.
- **Impact 5.2-3.** Buildout of the Specific Plan would generate additional vehicle trips and area sources of criteria air pollutant emissions that exceed South Coast AQMD's regional significance thresholds and would contribute to the nonattainment designations of the SoCAB and known health effects from poor air quality—including worsening of bronchitis, asthma, and emphysema; a decrease in lung function;

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premature death of people with heart or lung disease; nonfatal heart attacks; irregular heartbeat; decreased lung function; and increased respiratory symptoms. Mitigation Measure GHG-1 through GHG-3 and PDF-1 through PDF-12 would minimize criteria air pollutant emissions from transportation and energy use. However, despite adherence to PDF-1 through PDF-12, project-level and cumulative operational impacts identified under Impact 5.2-3 would remain **significant and unavoidable** due to the magnitude of land use development associated with the proposed project.

- **Impact 5.2-4.** Construction activities associated with the buildout of the project have the potential to generate criteria air pollutant emissions that would exceed South Coast AQMD's localized significance thresholds and substantially elevate concentrations of criteria air pollutants and toxic air contaminants (TACs) in the vicinity of sensitive receptors. Mitigation Measure AQ-1 would require a site-specific analysis for future development projects in the Plan Area to ensure that emissions would not substantially affect sensitive receptors proximate to construction activities. Mitigation Measure AQ-1 would reduce regional construction emissions; and therefore, also result in a reduction of localized construction-related criteria air pollutant and TACs emissions to the extent feasible. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed SCAQMD's LSTs and health risk thresholds. Furthermore, because of the scale of development activity associated with buildout of the Specific Plan, it is not possible to determine whether the scale and phasing of individual development projects would result in the exceedance of the localized emissions thresholds and cancer risk and contribute to known health effects. Therefore, Impact 5.2-5, regarding construction-related localized impacts associated with buildout of the Specific Plan, would remain **significant and unavoidable**.

Greenhouse Gas Emissions

- **Impact 5.4-1.** GHG emissions generated by the project would be considered to cumulatively contribute to statewide GHG emissions. Implementation of Mitigation Measures GHG-1 through GHG-3 would reduce GHG emissions to the extent feasible. The transportation sector comprises 66 percent of the emissions forecast for the Specific Plan. However, because the number of people who may utilize alternative modes of transportation is uncertain, the total reductions that the services provided through these mitigation measures would provide cannot be quantified. The lead agency (City of Westminster) cannot substantively or materially affect reductions in project mobile-source emissions beyond the regulatory requirements. Impact 5.4-1 would remain **significant and unavoidable**.

Noise

- **Impact 5.5-1.** Mitigation Measure N-1 would minimize and reduce construction noise to the degree feasible, through the use of best available control technology, scheduling, noticing, location of equipment, and shielding for the duration of the construction period. However, because construction activities may occur near noise-sensitive receptors and because, depending on the equipment list, time of day, phasing and overall construction durations, noise disturbances may occur for prolonged periods of time, during the more sensitive nighttime hours, or may exceed the 80 dBA L_{eq} noise standard even with

6. Significant Unavoidable Adverse Impacts

project-level mitigation, construction noise impacts associated with implementation of the Specific Plan are considered **significant and unavoidable**.

Transportation

- **Impact 5.9-2.** The TDM strategies evaluated do not take into consideration some foreseeable travel changes, including increased use of transportation network companies, such as Uber and Lyft, nor the potential for autonomous vehicles. Although the technology for autonomous vehicles is expected to be available over the planning horizon, the federal and State legal and policy frameworks are uncertain. There is also the potential for VMT to increase with zero-occupancy vehicles on the roadway. What is more, there is no requirement for people to work and/or shop within walking distance of where they live; the shopping and offices envisioned as part of the proposed project may draw customers and employees from the region as a whole. Although the project provides opportunities to reduce VMT, it cannot mandate that residents reduce VMT. Given the uncertainty in tenant participation at the site and the uncertainty in other factors that are outside of the control of the project sponsor, the ability to achieve an additional 7 percent VMT reduction for the site cannot be guaranteed and the impact is considered **significant and unavoidable**.

6. Significant Unavoidable Adverse Impacts

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7. Alternatives to the Proposed Project

7.1 INTRODUCTION

7.1.1 Purpose and Scope

The California Environmental Quality Act (CEQA) requires that an environmental impact report (EIR) include a discussion of reasonable project alternatives that would “feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of the alternatives” (CEQA Guidelines § 15126.6[a]). As required by CEQA, this chapter identifies and evaluates potential alternatives to the proposed project.

Section 15126.6 of the CEQA Guidelines explains the foundation and legal requirements for the alternatives analysis in an EIR. Key provisions are:

- “[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.” (15126.6[b])
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact.” (15126.6[e][1])
- “The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” (15126.6[e][2])
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.” (15126.6[f])
- “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries..., and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)” (15126.6[f][1]).

7. Alternatives to the Proposed Project

- “Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” (15126.6[f][2][A])
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.” (15126.6[f][3])

For each development alternative, this analysis:

- Describes the alternative.
- Analyzes the impact of the alternative as compared to the proposed project.
- Identifies the impacts of the project that would be avoided or lessened by the alternative.
- Assesses whether the alternative would meet most of the basic project objectives.
- Evaluates the comparative merits of the alternative and the project.

According to Section 15126.6(d) of the CEQA Guidelines, “[i]f an alternative would cause...significant effects in addition those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”

7.1.2 Project Objectives

As described in Section 3.2, the following objectives have been established for the proposed project and will aid decision makers in their review of the project, the project alternatives, and associated environmental impacts.

1. **Gateway to Westminster.** Use signage, landscaping, or the design of new development to clearly delineate the entrance to Westminster and serve as a landmark in North Orange County along the Interstate 405.
2. **Greater Mix of Land Uses.** Create a land plan that encourages a greater mix of uses and appeals to a diverse population and accommodates future growth for the City. Support a range of development options that respond to changing market conditions and bolster the local economy.
3. **Housing Diversity & Affordability.** Provide a diversity of housing types and range of affordability when new residential uses are proposed in the Plan.
4. **Balance New Development with Existing Roadway Capacity.** Any proposed development must be able to be served by the capacity of the Edwards Street and Bolsa Avenue (no additional travel lanes).
5. **Building Form/Architectural Design.** Provide clear standards and guidelines to encourage future development that respects the surrounding residential neighborhoods, enhances views, and creates a sense of place through thoughtful building placement, form and architectural design.

7. Alternatives to the Proposed Project

6. **View Enhancement & Protection.** Minimize the effects of new buildings on existing views from neighboring residential uses and generate view opportunities adjacent to the freeway through control of building placement and/or height.
7. **New development.** Encourage commercial development that achieves these objectives:
 - Create an effective concentration of land use that will remain competitive with future surrounding developments.
 - Provide high sales tax generating, quality retail and anchor tenants that will generate high sales tax by attracting customers from beyond Westminster and reducing the outflow of local consumer spending.
 - Avoid small convenience-oriented strip centers.
 - Provide functional design and site configuration.

7.1.3 Summary of Significant Impacts

Even with the project design features shown in Chapter 3, *Project Description*, and mitigation measures as described in this Draft EIR, the following environmental topics would result in significant and unavoidable impacts with implementation of the proposed project:

Air Quality

- **Impact 5.2-1:** The Westminster Mall Specific Plan is a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the SoCAB and would conflict with the assumptions of the applicable AQMP.
- **Impact 5.2-2:** Construction activities associated with the Westminster Mall Specific Plan would generate short-term emissions that exceed South Coast AQMD's threshold criteria.
- **Impact 5.2-3:** Long-term operation of the Westminster Mall Specific Plan would generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.
- **Impact 5.2-4:** Construction activities associated with the Westminster Mall Specific Plan could expose sensitive receptors to substantial pollutant concentrations.

Greenhouse Gas Emissions

- **Impact 5.4-1:** Implementation of the Westminster Mall Specific Plan would generate a substantial increase in magnitude of GHG emissions and would have a significant impact on the environment.

7. Alternatives to the Proposed Project

Noise

- **Impact 5.5-1:** Construction activities would result in temporary noise increases in the vicinity of the Specific Plan that could exceed standards.

Transportation

- **Impact 5.9-2:** Project-related trip generation in combination with existing and proposed cumulative development would not be consistent with CEQA Guidelines § 15064.3.

7.2 ALTERNATIVES CONSIDERED AND REJECTED

The following is a discussion of the land use alternatives considered and the reasons why they were not selected for detailed analysis in this EIR.

7.2.1 Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines § 15126[5][B][1]). Key factors in evaluating the feasibility of potential offsite locations for EIR project alternatives include:

- If it is in the same jurisdiction.
- Whether development as proposed would require a General Plan Amendment.
- Whether the project applicant could reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). (CEQA Guidelines Section 15126.6[f][1]).

The proposed project involves the conversion of a retail-only mall into a mixed-use project. The Westminster Mall is unique in the City and the region, as large retail center of approximately 100 acres. There are no other commercial centers of a similar size and proximity to I-405 in the City that would be suitable for the uses planned with the proposed project. In general, any development of the size and type proposed by the WMSP would have substantially the same environmental impacts. As there are no off-site locations that could accommodate the uses and scale of development proposed with the WMSP, an alternate site was eliminated from consideration.

7.2.2 No Project – No Build

The No Project Alternative where no future development occurs would not apply to an existing 100-acre mall where the existing General Plan designates the site as Mixed-Use Westminster Mall and allows for a total of 824 dwelling units, 1,396,070 square feet of non-residential uses, and would result in 2,676 residents and

7. Alternatives to the Proposed Project

3,490 employees. The entire site is zoned C-2 General Business that allows for the existing retail uses, as well as additional development. While the proposed WMSP increases the amount of future development allowed, future changes to the property were envisioned in the General Plan and allowed by the City's zoning ordinance. As such, it is unlikely that the site would remain unchanged, and therefore, the consideration of a No Project – No Build alternative was eliminated from the EIR.

7.2.3 Residential-Only Alternative

The Residential-Only Alternative would only develop the residential component of the proposed project (up to 3,000 dwelling units). Eliminating the non-residential component of the proposed project would result in accounting for more non-residential square footage elsewhere in the City and would require future residents to travel further for services that are currently planned onsite likely increasing VMT. Given the Specific Plan's location and proximity to I-405, SR-22, and SR-39, this site is suitable for both residential and non-residential uses, including professional office and commercial uses. The existing General Plan designates the 100-acre site as Mixed Use Westminster Mall and allows for a total of 824 dwelling units, 1,396,070 square feet of non-residential uses, and would result in 2,676 residents and 3,490 employees. The proximity to major transportation corridors makes this site ideal for mixed use. Limiting the property to only residential would force commercial interests elsewhere in the region, and with laws such as SB 330, would make it difficult to revert to a mixed-use site if all commercial uses were removed. As this alternative meet none of the project objectives, and is counter to the existing commercially developed condition of the site, the Residential-Only Alternative would not be feasible.

7.3 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the criteria listed above, the following three alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the project but which may avoid or substantially lessen any of the significant effects of the project. These alternatives are analyzed in detail in the following sections.

- No Project/Existing General Plan Alternative
- Reduced Intensity Alternative

An EIR must identify an “environmentally superior” alternative and where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to be environmentally superior, neutral, or inferior. Section 7.7 identifies the Environmentally Superior Alternative. The preferred land use alternative (proposed project) is analyzed in detail in Chapter 5 of this DEIR.

7.3.1 Alternatives Comparison

The following analysis provides a summary of the buildout projections determined anticipated by the two land use alternatives, including the proposed project. It is important to note that these are not growth

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projections. That is, they do not anticipate what is likely to occur by a certain time horizon, but provide a buildout scenario that would only occur if all the scenarios were to develop to the probable capacities yielded by the land use alternatives. Table 7-1, *Buildout Summary*, provides a buildout summary for each alternative as well as the proposed project.

Table 7-1 Buildout Summary

	Proposed Project	No Project/Existing General Plan Alternative	Reduced Intensity Alternative
Dwelling Units	3,000	824	3,000
Hotel Rooms	425	-	213
Population	8,373	2,676	8,373
Employment	2,990	3,490	1,495
Non-Residential Square Footage	1,433,750 ¹	1,396,070	716,875
Jobs-to-Housing Ratio	0.99	4.23	0.5

¹ Includes hotel square footage

7.4 NO PROJECT/EXISTING GENERAL PLAN ALTERNATIVE

The No Project/Existing General Plan Alternative is required to discuss the existing conditions at the time of the notice of preparation is published and evaluate what would reasonably be expected to occur in the foreseeable future if the proposed project is not approved (CEQA Guidelines, Section 15126.6(e)). Pursuant to CEQA, this Alternative is also based on current plans and consistent with available infrastructure and community services. Therefore, the No Project Alternative assumes that the proposed project would not be adopted and development on the site would be consistent with the projected buildout in the General Plan. Table 7-2, *No Project Alternative Buildout Statistical Summary*, compares the buildout summary of the proposed project with the No Project Alternative.

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Table 7-2 No Project Alternative Buildout Statistical Summary

	Proposed Project	No Project/Existing General Plan Alternative
Dwelling Units	3,000	824
Hotel Rooms	425	-
Population	8,373	2,676
Employment	2,990	3,490
Non-Residential Square Footage	1,433,750 ¹	1,396,070
Jobs-to-Housing Ratio	0.99	4.23

¹ Includes hotel square footage

7.4.1 Aesthetics

Impacts associated with aesthetics include degradation of scenic vistas, scenic resources, and increased light and glare. Similar to the proposed project, the No Project Alternative would not impact a scenic vista or scenic resources in the City. Under the No Project Alternative, residential and non-residential uses would also be proposed on the project site, however the buildings would be likely be lower. Therefore, as development under the No Project Alternative would be similar to development under the proposed project, additional sources of light and glare would be created. Although impacts to aesthetics are inherently subjective, both the proposed project and the No Project Alternative would improve the site with updated buildings and facades, as well as associated landscaping. Therefore, it is concluded that the aesthetic impact for the No Project Alternative would be similar to the proposed project. As with the proposed project, aesthetic impacts would be considered less than significant.

7.4.2 Air Quality

Under this Alternative, new development would also occur on the site; therefore, construction activities and associated exhaust and fugitive dust emissions would occur. The No Project Alternative would also result in an increase in vehicle trips and building energy use, compared to existing conditions. However, as buildout under the No Project Alternative would result in less dwelling units and non-residential square footage, compared to the proposed project, the No Project Alternative would have lesser impacts on regional and localized air quality impacts during construction and operation. Nevertheless, air quality impacts under this Alternative would be less than the proposed project's significant and unavoidable air quality impacts.

7.4.3 Energy

The No Project Alternative would generate less energy and fuel use during construction and operation activities, as buildout under this Alternative would result in less dwelling units and non-residential square footage. Therefore, impacts under the No Project Alternative would be less than the proposed project. Impacts would be less than significant under both the proposed project and the No Project Alternative.

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7.4.4 Greenhouse Gas Emissions

The No Project Alternative would generate greenhouse gas (GHG) emissions from the construction and operation activities; however, emissions created under this Alternative would be less than the proposed project's significant and unavoidable impact.

7.4.5 Noise

Under the No Project Alternative, additional development would occur onsite which would introduce additional long-term traffic and stationary noise sources onsite. Additionally, this Alternative would also generate construction-related noise. As this Alternative would result in less development compared to the proposed project, impacts would be less than the proposed project.

7.4.6 Population and Housing

The No Project Alternative would generate 824 dwelling units, 2,676 residents, and 3,490 jobs. Compared to the proposed project, the No Project Alternative would result in a reduction of 2,176 dwelling units, 5,697 residents, and an increase in 500 jobs. Like the proposed project, the No Project Alternative would not displace housing or people. Under both scenarios, impacts to population and housing would be significant and unavoidable due to the City's existing parkland deficit. As both scenarios would result in an increase to housing units, residents, and jobs compared to existing conditions, impacts would be similar.

7.4.7 Public Services

The No Project Alternative would create an increase in demand for fire, police, school, and library services and facilities in the City. However, development under the No Project Alternative would result in less residents and development compared to the proposed project, and therefore, impacts would be less than the proposed project. Impacts would be less than significant under both scenarios.

7.4.8 Recreation

Development would occur under this Alternative, and open space would be developed on the site. The proposed project would designate approximately 9.5 acres of open space on the site. In addition to the programmed open space, 20,000 square feet (0.45-acre) of linear park space would be provided, and 10 percent of the land area for all development within the WMSP is required to provide some form of public/private open space, which would result in an additional 7.95 acres of open space. Neither the proposed project nor the No Project Alternative would result in significant impacts to recreational facilities. Impacts of the No Project Alternative would be similar to the proposed project.

7.4.9 Transportation

As described in Section 5.9, *Transportation*, the proposed project would result in a significant and unavoidable impact to VMT reduction as the implementation of TDM measures is uncertain. This Alternative would

7. Alternatives to the Proposed Project

result in an increase in VMT compared to existing conditions; however, as the No Project Alternative would result in less trips compared to the proposed project, impacts would be less than the proposed project.

7.4.10 Utilities and Service Systems

Development would occur under the No Project Alternative which would result in an increase in demand for potable water, wastewater generation, and solid waste disposal. However, the No Project Alternative would result in an overall reduction of demand compared to the proposed project due to the reduction in development. Therefore, impacts would be less than the proposed project, under this Alternative, and impacts would be less than significant.

7.4.11 Conclusion

The No Project Alternative would lessen the proposed project's impacts in the areas of air quality, energy, GHG, noise, public services, transportation, and utilities and service systems. Impacts to aesthetics, population and housing, and recreation would be similar to the proposed project.

The No Project Alternative would develop residential and non-residential uses on the project site. Therefore, all of the project objectives, except Objective 2, would be achieved under this Alternative, but to a lesser extent.

7.5 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would result in a 50 percent reduction of non-residential square footage from the proposed project. Table 7-3, *Reduced Intensity Alternative Buildout Statistical Summary*, compares the buildout statistical summary of the Reduced Intensity Alternative. No changes to the residential component would occur.

Table 7-3 Reduced Intensity Alternative Buildout Statistical Summary

	Proposed Project	Reduced Intensity Alternative
Dwelling Units	3,000	3,000
Hotel Rooms	425	213
Population	8,373	8,373
Employment	2,990	1,495
Non-Residential Square Footage	1,433,750 ¹	716,875
Jobs-to-Housing Ratio	0.99	0.5

¹ Includes hotel square footage

7.5.1 Aesthetics

Impacts associated with aesthetics include degradation of scenic vistas, scenic resources, and increased light and glare. Similar to the proposed project, this Alternative would not impact a scenic vista or scenic resources

7. Alternatives to the Proposed Project

in the City. Impacts associated with this Alternative would be similar to the proposed project because new development would still occur on the project site. However, as there would be more area to build the massing of the non-residential structures would be reduced, resulting in heights similar to the surrounding buildings. Although the non-residential square footage would be reduced, the City's development standards, and the development standards and design guidelines from the Specific Plan would continue to apply. Therefore, impacts would be similar to the proposed project and would be less than significant.

7.5.2 Air Quality

This Alternative would reduce air quality during construction and operational phases, as development under this Alternative would result in slightly less vertical building construction and associated emissions during this phase. However, the same area would be disturbed so peak daily emissions generated during ground disturbing activities would be similar under this Alternative. During the operational phase, this Alternative would generate fewer trips and generate less emissions from building energy use. Consequently, this Alternative would reduce long-term operational air quality emissions of the project. This Alternative would reduce air quality impacts compared to the proposed project, and however, impacts would remain significant and unavoidable.

7.5.3 Energy

This Alternative would result in a reduction in building energy use as compared to the proposed project. During the operational phase of this Alternative, fewer vehicle trips and associated fuel use would occur. In addition, the smaller buildings would not require as much electricity and natural gas for building cooling and heating needs; therefore, this Alternative would reduce energy demands. During construction, the smaller buildings would also require slightly less fuel as the vertical building construction phase would be shortened. Impacts would be reduced compared to the proposed project and would be less than significant.

7.5.4 Greenhouse Gas Emissions

During the operational phase, this Alternative would generate fewer vehicle trips. In addition, the smaller buildings would not require as much electricity and natural gas for the Alternative's cooling and heating needs. This Alternative would generate less GHGs from building energy, indoor water/wastewater, and solid waste disposal. GHG from construction activities would be similar to the proposed project despite the smaller size, because peak emissions occur during grading activities. Impacts associated with this Alternative would be reduced compared to the proposed project; however, impacts would continue to be significant and unavoidable.

7.5.5 Noise

This Alternative proposes a reduced retail intensity and therefore construction noise impacts would be reduced under this Alternative. The operational phase of this Alternative would generate fewer vehicle trips and would slightly reduce operational traffic-related noise impacts. Noise impacts of this Alternative would be reduced compared to the proposed project but would continue to be significant and unavoidable.

7. Alternatives to the Proposed Project

7.5.6 Population and Housing

This Alternative would result in the same number of residents but would generate fewer employees (1,495 employees). Similar to the proposed project, this Alternative would not displace housing or people as development would occur within the footprint of the project site. This Alternative would reduce impacts compared to the proposed project and would be less than significant.

7.5.7 Public Services

This Alternative would generate approximately 1,945 employees and 3,000 residents at the project site. This Alternative would be required to pay development impact fees and comply with applicable regulations and standard conditions to ensure that impacts related to public services are less than significant. This Alternative is anticipated to generate fewer service calls and would have a reduced demand for public services compared to the proposed project; impacts would be less than significant.

7.5.8 Recreation

Under this Alternative, the open space areas would be provided on the project site, similar to the proposed project. Therefore, impacts to recreational facilities would be similar to the proposed project, and impacts would be less than significant.

7.5.9 Transportation

This Alternative would result in fewer vehicle trips compared to the proposed project. Additionally, construction-related traffic would be expected to be less than the proposed project due to the reduced non-residential square footage, as a result of the reduction in intensity compared to the proposed project. Despite the decrease in vehicle trips generated under this Alternative, it is anticipated that this Alternative would be significant and unavoidable since there is no guarantee that TDM strategies would be implemented.

7.5.10 Utilities and Service Systems

This Alternative would generate less water, wastewater, and solid waste compared to the proposed project. Impacts to utilities and service systems would be reduced compared to the proposed project and would be less than significant.

7.5.11 Conclusion

The Reduced Intensity Alternative would lessen the proposed project's insignificant environmental impacts in the areas of air quality, energy, greenhouse gas emissions, noise, population and housing, public services, recreation, transportation, and utilities and service systems. This Alternative would result in similar impacts as the proposed project to aesthetics. This Alternative would reduce but would not eliminate the proposed project's significant and unavoidable. This Alternative would result in a reduction of the non-residential component of the proposed project and would generate 1,495 fewer employees compared to the proposed

7. Alternatives to the Proposed Project

project. Therefore, this Alternative would meet the project objectives but to a lesser extent than the proposed project.

7.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires a lead agency to identify the “environmentally superior alternative” and, in cases where the “No Project” Alternative is environmentally superior to the proposed project, the environmentally superior development alternative must be identified. One alternative has been identified as “environmentally superior” to the proposed project:

- Reduced Intensity Alternative

The Reduced Intensity Alternative has been identified as the environmentally superior alternative because it would lead to a reduction in vehicle trips, energy use, GHG emissions, and air quality and noise impacts, while achieving the benefits of the project objectives, to a lesser extent.

8. Impacts Found Not to Be Significant

California Public Resources Code Section 21003 (f) states: “...it is the policy of the state that...[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment.” This policy is reflected in the California Environmental Quality Act (CEQA) Guidelines (Guidelines) Section 15126.2(a), which states that “[a]n EIR [environmental impact report] shall identify and focus on the significant environmental impacts of the proposed project” and Section 15143, which states that “[t]he EIR shall focus on the significant effects on the environment.” Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the Draft EIR.

Impacts to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, transportation, tribal cultural resources, utilities and service systems, and wildfire were determined to be less than significant during scoping for the EIR. The following sections provide the thresholds of significance and a brief analysis supporting the determination of no impact or less than significant impacts. Threshold letters correspond to the lettering in Appendix G of the CEQA Guidelines.

8.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

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

Less Than Significant Impact. Vistas provide visual access or panoramic views to a large geographic area. According to page 5.1-7 in Chapter 5.1 of the City’s General Plan Update Draft EIR (DEIR), the City’s physical setting in the Santa Ana River Basin region and relatively flat topography provide scenic views of the San Gabriel and Santa Ana Mountains, however, these vistas are often obscured by weather and poor air quality. Bolsa Avenue, which bounds the southern portion of the site, serves as a primary scenic corridor according to the General Plan Update DEIR (Westminster 2016b). However, due to the highly urbanized setting of the area surrounding the project site, along Bolsa Avenue, views are obscured. Moreover, there are no locally designated scenic corridors or vistas in Westminster (Westminster 2016b). According to the City of Huntington Beach General Plan, Goldenwest Street, from the intersection of Goldenwest Street and Bolsa Avenue to the intersection of Goldenwest Street and Slater Avenue is designated as a minor urban scenic highway (Huntington Beach 2017). As this portion of Goldenwest Street is not adjacent to the project site, the proposed project

8. Impacts Found Not to Be Significant

would not impact scenic corridors or vistas in the City of Huntington Beach. Therefore, impacts to scenic vistas would be less than significant.

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

No Impact. According to page 5.1-7 in Chapter 5 of the General Plan Update DEIR, there are no state-designated highways, nor are the highways in the City considered eligible for that distinction by the California Scenic Highway Program. Similarly, there are no state-designated highways or highways eligible for designation in the City of Huntington Beach (Huntington Beach 2017). Therefore, no impacts would occur.

8.2 AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board (CARB).

Would the project:

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

No Impact. The project site has no agricultural or farm uses onsite, nor is there agricultural or farm uses in its immediate vicinity. The site is zoned C-2 (General Business). Additionally, according to the California Important Farmland Finder, the site is mapped as Urban and Built-Up Land (CDC 2016) and fully developed as the Westminster Mall (See Figure 3-3 Aerial Photograph). Therefore, there would be no impacts to agricultural land.

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

No Impact. The project site is zoned C-2 (General Business). The project site would not conflict with agricultural zoning or a Williamson Act Contract because it is not zoned for agricultural use. The site is developed and is not used for agricultural uses; as the project site is zoned C-2 (General Business) and fully developed as the Westminster Mall (See Figure 3-3 Aerial Photograph), there is no Williamson Act contract in effect onsite. Therefore, no impact would occur.

8. Impacts Found Not to Be Significant

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

No Impact. The proposed project would not conflict with existing zoning for forest land, timberland, or timberland production. Forest land is defined as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits” (California PRC § 12220[g]). Timberland is defined as “land...which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees” (California PRC § 4526). The project site zoned as C-2 (General Business), fully developed as the Westminster Mall (See Figure 3-3 Aerial Photograph) and is mapped as Urban and Built-Up Land (CDC 2016). Therefore, the plan would not conflict with zoning for, or cause rezoning of, forest land or timberland.

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

No Impact. Vegetation onsite is limited to scattered ornamental trees. The project site has no forest uses onsite, nor is there forest uses in its immediate vicinity. The zoning designation of the site is C-2 (General Business). Additionally, the site is mapped as Urban and Built-Up Land (CDC 2016) and fully developed as the Westminster Mall (See Figure 3-3 Aerial Photograph). Therefore, there would be no impacts, and the project would not result in the loss of forest land or conversion of forest land to non-forest use.

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

No Impact. As the project site is currently developed with the Westminster Mall, the proposed project and future development would not indirectly cause conversion of such land to nonagricultural or non-forest uses (CDC 2016). Therefore, no impact would occur.

8.3 BIOLOGICAL RESOURCES

Would the project:

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

No Impact. The project site is completely developed with Westminster Mall. There are ornamental trees and vegetation throughout the site, along the periphery of the project site, and within the parking lot areas (See Figures 4-1a through 4-1c). The project site and surroundings are situated in an urban, built-up area. As the project site operates as a mall, there are frequent disturbances on site. Therefore, no native habitat and no suitable habitat for sensitive species is present onsite, and no impact would occur either directly or through habitat modification.

8. Impacts Found Not to Be Significant

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

No Impact. As shown in Figure 3-3, Aerial Photograph, the project site is completely developed with the Westminster Mall and provides no riparian or natural habitat. (USFWS 2019). Therefore, no impact would occur.

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

No Impact. As shown in Figure 3-3, Aerial Photograph, there are no wetlands onsite (USFWS 2019). Therefore, the proposed project would not have an adverse effect on wetlands, and no impact would occur.

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

Less Than Significant Impact. Corridors refer to established migration routes commonly used by resident and migratory species for passage from one geographic location to another. Movement corridors may provide favorable locations for wildlife to travel between different habitat areas, such as foraging sites, breeding sites, cover areas, and preferred summer and winter range locations. They may also function as dispersal corridors allowing animals to move between various locations within their range.

Although the project site is frequently disturbed, the trees on-site could be used for nesting by birds protected under the Migratory Bird Treaty Act (MBTA) (US Code Title 16, Sections 703–712), and California Fish and Game Code Sections 3503 et seq. The MBTA is federal law therefore no mitigation measure is required as this EIR assumes that all regulations will be followed.

Compliance with the MBTA requires:

- Avoiding grading activities during the nesting season, February 15 to August 15.
- Or, if grading activities are to be undertaken during the nesting season, a site survey for nesting birds by a qualified biologist before commencement of grading activities. If nesting birds are found, the applicant would consult with the USFWS regarding means to avoid or minimize impacts to nesting birds.

Impacts would be less than significant with compliance with the MBTA.

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

No Impact. The City of Westminster Municipal Code Section 12.12.060, *Planting and Removal of Street Trees*, protects street trees in the public right-of-way (Westminster 2019d). Future development on the project site

8. Impacts Found Not to Be Significant

would occur within the project boundary and, if required, would remove trees on the project site. No impact to City trees would occur. The proposed project would not violate applicable local policies or ordinances protecting biological resources. No impact would occur.

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

No Impact. The project site is in not within a Natural Community Conservation Plan or Habitat Conservation Plan area. The project site does not contain sensitive biological resources, and there are no local policies protecting biological resources applicable to the site. No impact would occur.

8.4 CULTURAL RESOURCES

Tribal consultation for the project is discussed in Section 8.13.

Would the project:

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

No Impact. Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered “historically significant” if it meets one of the following criteria:

- i) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii) Is associated with the lives of persons important in our past;
- iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
- iv) Has yielded, or may be likely to yield, information important in prehistory or history.

The entire project site has been graded and paved and is developed as the Westminster Mall. The project site is not listed as a historic resource on the National Register of Historic Places or on the California Historical Resources Inventory (NPS 2019; OHP 2019). Additionally, according to Table 5.3-1 on page 5.3-8 in Chapter 5.3 of the General Plan Update DEIR, there is a total of 107 historic resources in the City, nine of which are commercial buildings built in 1969 or earlier (Westminster 2016b). The mall was built in 1974, and is not one of the commercial buildings listed as a historic resource in the General Plan Update DEIR. As there are no historic resources on the project site, no impact would occur.

8. Impacts Found Not to Be Significant

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

Less Than Significant Impact. Archaeological resources are prehistoric or historic evidence of past human activities, including structural ruins and buried resources. According to page 5.3-8 in Chapter 5.3 of the General Plan Update DEIR, there were five prehistoric sites recorded in the City which have all been destroyed by urban development (Westminster 2016b). Given that there are no longer any archaeological resources within the City, including the project site, the likelihood for discovery of archaeological resources is low. The project site is currently paved and developed as the Westminster mall. Previous ground disturbance and construction activities have occurred on site, such as grading, excavation, and trenching for utility connections. Due to these activities, it is unlikely that buried archaeological resources would be discovered or damaged by future development on the project site. Therefore, impacts would be less than significant.

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

Less Than Significant Impact. The site has previously been graded, paved, and excavated, and currently operates as a mall. California Health and Safety Code Section 70520.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Because the site is already developed, any onsite human remains would likely have been found during previous grading and excavation. While possible that excavation below previously disturbed soil could result in the discovery of human remains, state law establishes the process and responsibility for action which eliminates the need to establish mitigation measures. Nonetheless Mitigation Measure TCR-4 would ensure impacts to human remains, if discovered, are mitigated to less than significant. Potential impacts to human remains are less than significant.

8.5 GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other

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substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. Based on the Earthquake Zones of Required Investigation Seal Beach Quadrangle Map, the project site is not in an Alquist-Priolo Zone (CGS 1986). There is no potential for ground rupture on the project site caused by a known earthquake fault. Therefore, no impact would occur.

ii) Strong seismic ground shaking?

Less Than Significant Impact. As with the rest of southern California, the project site is expected to experience strong seismic ground shaking. According to the Earthquake Zones of Required Investigation Seal Beach Quadrangle Map, the project site is not within an earthquake fault zone (CGS 1986). The project site is at no greater risk for seismic activity than the surrounding development and infrastructure. All future development would be built to adhere to current California Building Code which provides standards to protect property and public welfare by regulating design and construction to mitigate the effects of seismic shaking and adverse soil conditions. Compliance with the standards of the current California Building Code would reduce impacts from ground shaking to a less than significant level.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction refers to loose, saturated sand or gravel deposits that lose their load supporting capability when subjected to intense shaking. Parts of the City of Westminster are in the liquefaction zone, including the project site (CGS 1999). Future development would be required to meet the California Building Code requirements for structural measures. Therefore, liquefaction impacts as a result of the proposed project would be less than significant.

iv) Landslides?

Less Than Significant Impact. Susceptibility of slopes to landslides and other slope failures depend on several factors that are usually present in combination—steep slopes, condition of rock and soil materials, presence of water, formational contacts, geologic shear zones, seismic activity, etc. The project site is in a very low landslide zone (CGS 1976). The project site is relatively flat and covered with asphalt or concrete buildings; therefore, it is unlikely that the site would be susceptible to landslide hazards.

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

Less Than Significant Impact. Erosion is a normal and inevitable geologic process whereby earthen materials are loosened, worn away, decomposed, or dissolved, and removed from one place and transported to another. The project site is developed as the Westminster Mall that includes buildings, a surface parking lot, maintained landscaping, and ornamental trees. Future development under the proposed project would implement structural and nonstructural best management practices before and during construction to control surface runoff and erosion to retain sediment on the project site. Once these developments are constructed, soil erosion would be controlled with improvements installed on the project site. Therefore, a less than significant impact would occur.

8. Impacts Found Not to Be Significant

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

Less Than Significant Impact. As discussed in Section 3.7.a.iv, the project site is in a very low landslide zone; impacts would be less than significant. Lateral spreading is a phenomenon where large blocks of intact, nonliquefied soil move downslope on a large liquefied substratum. The mass moves towards an unconfined area, such as a descending slope or stream-cut bluff and have been known to move on slope gradients as little as one degree. The project site is relatively flat and impacts would be less than significant. Moreover, subsidence of basins attributed to overdraft groundwater aquifers or over pumping of petroleum reserves has been reported in various parts of southern California. According to the Orange County Water District (OCWD) Groundwater Management Plan 2015 Update, there is little potential for future widespread permanent, irreversible subsidence given OCWD's statutory commitment to sustainable groundwater management and policy of maintain groundwater storage levels within a specified operating range (OCWD 2015). Therefore, impacts would be less than significant. Strong ground shaking can cause settlement of soils underlying a site by allowing sediment particles to become more tightly packed. Artificial fills, if not adequately compacted, may also experience seismically induced settlement. The project site is currently graded, paved, and developed with an existing mall. Therefore, previous artificial fills onsite would have been compacted in order to accommodate the existing development onsite; impacts are less than significant.

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

Less Than Significant Impact. Expansive soils swell when they become wet and shrink when they dry out, result in the potential for cracked building foundations. According to the Expansivity Potential of Soils and Rock Units in Orange County map, the project site is in a low expansivity potential (CGS 1973). Therefore, impacts would be less than significant.

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

No Impact. Future development would connect to the existing local sewer system, similar to the existing Westminster Mall. As no septic tanks or alternative wastewater disposal systems will be used, there would be no impact.

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

Less Than Significant Impact. Paleontological resources are fossilized evidence of past life on earth such as bones, shells, leaves, tracks, burrows, and impressions. According to page 5.3-9 of the General Plan Update DEIR, no fossils are known to have been recovered within the City (Westminster 2016b). According to page 5.3-10 in Chapter 5.3 of the General Plan Update DEIR, Holocene and late Pleistocene deposits at depths greater than six feet are considered moderately sensitive for paleontological resources, as are very old alluvial fan deposits at depths greater than four feet; each of the two categories of sediments at depths less than those specified are considered to have low sensitivity for paleontological resources (Westminster 2016b). According

8. Impacts Found Not to Be Significant

to page E2-13 in Appendix E2 of the General Plan Update DEIR, the project site contains young alluvial fan and valley deposits of sand and clay from the Holocene and late Pleistocene (Cogstone 2016). The depth of these deposits on the site is unknown. Because the site is developed, it has previously been graded and excavated, and any existing paleontological resources or unique geologic features would have already been discovered. Nonetheless, the proposed project would implement Mitigation Measure CUL-3, from the General Plan Update EIR (Chapter 5.3, page 5.3-16), which states the following:

CUL-3 Applicants for future development projects that require excavation greater than (1) six feet into Holocene and late Pleistocene deposits, (2) four feet into very old alluvial fan deposits, or (3) five feet below the current ground surface in undisturbed sediments with a moderate or higher fossil yield potential shall provide to the City of Westminster a technical paleontological assessment prepared by a qualified paleontologist assessing the sensitivity of sites for buried paleontological resources prior to issuance of grading permits. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified paleontologist. The mitigation plan shall include the following requirements:

- a. A paleontologist shall be retained for the project and shall be on call during grading and other significant ground-disturbing activities.
- b. Should any potentially significant fossil resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources.
- c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University, Fullerton; and provide a comprehensive final report, including catalog with museum numbers.

Therefore, impacts are less than significant. This topic will not be discussed in the EIR.

8.6 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

Less Than Significant Impact. Future construction activities for developments under the proposed project would require small amounts of hazardous materials, including fuels, greases and other lubricants, and coatings such as paint. The handling, use, transport, and disposal of hazardous materials by the construction phase of future development would comply with existing regulations of several agencies—the EPA, the Orange County Environmental Health Division, Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health (Cal/OSHA), and US Department of Transportation. Future development

8. Impacts Found Not to Be Significant

under the proposed project would operate as commercial, professional office, residential, and hotel uses. Maintenance of these uses may require the use of cleaners, solvents, paints, and other custodial products that are potentially hazardous. These materials would be used in relatively small quantities, clearly labeled, and stored in compliance with state and federal requirements. With the exercise of normal safety practices, future development under the proposed project would not create substantial hazards to the public or the environment. Therefore, this impact is less than significant.

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

Less Than Significant Impact. Future development on the project site may include demolition of portions of the existing mall. Due to the age of the mall, it is possible that the building may contain lead and asbestos. Lead was used as an ingredient in paint (before 1978) and as a gasoline additive; it is regulated as a hazardous material. Cal/OSHA considers asbestos-containing building material a hazardous substance when a bulk sample contains more than 0.1 percent of asbestos by weight. Activity that involves cutting, grinding, or drilling during building renovation or demolition, or relocation of underground utilities, could release friable asbestos fibers unless proper precautions are taken. Demolition and improvements of existing portions of the mall, under future development, would comply with all applicable regulations and guidelines pertaining to the abatement of and protection from exposure to asbestos and lead. These include Construction Safety Orders 1529 (pertaining to asbestos) and 1532.1 (pertaining to lead-based paint) from Title 8 of the California Code of Regulations and Part 61, Subpart M, of the Code of Federal Regulation (pertaining to asbestos). Compliance with applicable laws and regulations would reduce potentially significant hazards related to lead and asbestos in existing structures and improvements to a less than significant level.

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

Less Than Significant Impact. There are no schools within a 0.25-mile radius of the project site; Clegg Elementary School and Westminster High School are approximately 0.30-mile west and north of the project site, respectively. Operations of future uses on the project site would be similar to existing conditions on site and within the project site vicinity—retail, residential, hotel, and professional office uses—and would not result in the release of hazardous emissions. No significant amounts of hazardous materials, substances, or wastes would be transported, used, or disposed of in conjunction with the future uses on the project site. No significant impacts would affect future occupants of the project site.

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

Less Than Significant Impact. Based on a review of environmental records collected for the project site and surrounding area by Environmental Data Resources, the site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (SWRCB 2015, DTSC 2019). The Sears store was listed on GeoTracker as a cleanup site for total petroleum hydrocarbons (TPH); the case was completed and closed on March 7, 2018 (SWRCB 2015). The project site contains a permitted underground storage tank (UST)

8. Impacts Found Not to Be Significant

to the east of the existing Babies R Us building, and a LUST cleanup site for gasoline, to the southwest of the existing Best Buy building, was completed and closed on November 4, 2013 (SWRCB 2015). Construction activities of future development would occur within the boundaries of the project site and would not disturb offsite properties. Therefore, impacts would be less than significant.

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

No Impact. There are no public use airports within two miles of the project site, and the project site is not within the safety zones surrounding any such airport. No impact would occur.

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

Less Than Significant Impact. The surrounding roadways would continue to provide emergency access to the project site and surrounding properties during future construction activities and postconstruction. The proposed project would not result in inadequate emergency access and impacts to adopted emergency response and evacuation plans are less than significant.

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

No Impact. The project site and project area are highly urbanized, and the project site is not within a Very High Fire Hazard Severity Zone (VHFHSZ) (CALFIRE 2007). Therefore, future development and occupants under the proposed project would not be exposed to wildland fire risks.

8.7 HYDROLOGY AND WATER QUALITY

Would the project:

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

Less Than Significant Impact. The project site is within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). Drainage and surface water discharges during construction and operation of future development under the proposed project would not violate water quality standards or waste discharge requirements. However, site preparation and other soil-disturbing activities during construction of future development on the project site could temporarily increase the amount of soil erosion and siltation entering the local stormwater drainage system. Pursuant to Section 402 of the Clean Water Act, the US Environmental Protection Agency has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board administers the NPDES permitting program and is responsible for developing permitting requirements. The NPDES program regulates industrial pollutant discharges, including construction activities for sites larger

8. Impacts Found Not to Be Significant

than one acre. If future development projects on the site were to disturb more than one acre, those projects would be subject to the NPDES Construction General Permit requirements (Order No. 2009-0009-DWQ). Future construction and operation activities would implement best management practices (BMPs) to control erosion and prevent any discharge of sediments from the site, to reduce potential impacts to less than significant.

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

Less Than Significant Impact. The project site is within the Coastal Plain of Orange County basin (DWR 2017). According to page 5.6-19 in Chapter 5.6 of the General Plan Update DEIR, the City of Westminster relies on local groundwater for approximately 60-65 percent of its water supply. However, the OCWD and Municipal Water District of Orange County develop a regional urban water management plan every five years that quantifies existing and projected water supplies to ensure there will not be any water supply shortages or significant groundwater depletion; the 2015 Urban Water Management Plan highlighted sufficient surface and underground water supplies through 2040, as noted on page 5.6-20 in Chapter 5.6 of the General Plan Update DEIR. Future development under the proposed project would be required to demonstrate how the project would not impede groundwater supplies or recharge in the preparation of environmental documents. Therefore, impacts would be less than significant.

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 a substantial erosion or siltation on- or off-site?

Less Than Significant Impact. The project site is currently paved with impervious surfaces. The proposed project includes areas of open spaces throughout the project site, which would increase pervious surfaces onsite and therefore, reduce stormwater runoff into the drainage system. Furthermore, future development onsite, that are larger than one acre, would be required to comply with NPDES program and its requirements which include the development and implementation of a SWPPP. The SWPPP would include measures to minimize pollutant discharge from the project site through BMPs that emphasize erosion prevention through sediment control and minimizing soil disturbances during construction and operation phases. Therefore, impacts would be less than significant.

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

Less Than Significant Impact. The site is fully developed as the Westminster Mall with impervious surfaces. The expectation of the WMSP is that future development would reduce the amount of impervious surfaces by incorporating open space areas. Future development would decrease the amount of impervious surfaces throughout the site in the form of open spaces and green edges, compared to existing conditions. Additionally, the implementation of BMPs, pertaining to site design and low impact

8. Impacts Found Not to Be Significant

development, would reduce the potential for on- or off-site flooding. Therefore, impacts would be less than significant.

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?

Less Than Significant Impact. The proposed project would decrease the amount of impervious surfaces on the project site in the form of open spaces and green edges. As stated on page 5.6-16 of Chapter 5.6 of the General Plan Update DEIR, the implementation of local MS4 stormwater requirements would result in initial storm flows being infiltrated, reused on site, or biofiltered, and these requirements would reduce peak flow rates and volumes. Since the proposed project would not exceed the amount of runoff estimated in the General Plan Update, the existing City and County storm drain systems are not anticipated to change. Therefore, impacts of the proposed project would be less than significant.

iv) Impede or redirect flood flows?

Less Than Significant Impact. The project site is within a 0.2 Percent Annual Chance Flood Hazard, Areas of 1 percent Annual Chance of Flood with Average Depth Less Than One Foot or with Drainage Areas of Less Than One Square Mile (Zone X), and the southern boundary of the site is within Zone A, a special flood hazard area (Flood Insurance Rate Map ID #06059C0232J) (FEMA 2009). As stated on page 5.6-20 in Chapter 5.6 of the General Plan Update DEIR, future development in Zone A in accordance with the General Plan Update, are required to purchase flood insurance per the National Flood Insurance Program, and they are subject to special standards and regulations that apply to new construction, and in some cases, existing buildings. Additionally, the General Plan Update DEIR states, on page 5.6-20 in Chapter 5.6, that a key component to reducing flood impacts in the City is to ensure the adequate functioning of the stormwater system, which is achieved with General Plan Update DEIR Policy INR-1.10. Therefore, with the incorporation of the General Plan Update DEIR policies, and regulations and standards pertaining to flooding, impacts would be less than significant.

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

Less Than Significant Impact. A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam or other artificial body of water. Although there are no large water tanks in the area that could impact the proposed project site, there are dams in the region that could create flooding impacts. Thirteen dams in the greater Los Angeles area moved or cracked during the 1994 Northridge earthquake. However, none were severely damaged. This low damage level was due in part to completion of the retrofitting of dams and reservoirs pursuant to the 1972 State Dam Safety Act.

There are no water bodies on the project site. There is a 1.1-acre artificial lake in Greer Park, approximately 0.5-mile south of the project site. Due to the distance and the urban development separating the lake and the project site, impacts would be less than significant.

8. Impacts Found Not to Be Significant

A tsunami is earthquake-induced flooding that is created from a large displacement of the ocean floor. The project site is approximately 3.9 miles northeast of the Pacific Ocean. The project site is not within a tsunami inundation zone (CGS 2009). Therefore, impacts would be less than significant.

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

Less Than Significant Impact. Future development under the proposed project would be required to comply with applicable water quality control and sustainable groundwater management plans. Future development of the proposed project would comply with the water quality and use requirements of these plans through the implementation of BMPs. Therefore, impacts would be less than significant. This topic will not be evaluated in the EIR.

8.8 LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

No Impact. The site is currently developed as the Westminster Mall. The proposed WMSP would not expand the existing boundaries. Therefore, future development of the proposed project would not divide an established community. Therefore, no impact would occur.

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?

No Impact. The project site is zoned C-2 (General Business) and the General Plan Land Use designation of the site is Mixed Use Westminster Mall. Future development under the proposed project would be allowed under the zoning and land use designations. The proposed project would not conflict with any land use plan and no impacts would occur.

8.9 MINERAL RESOURCES

Would the project:

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

No Impact. There are four mineral resource zones (MRZ):

- **MRZ-1.** Adequate information indicates that no significant mineral deposits are present or likely to be present.
- **MRZ-2.** Adequate information indicates that significant mineral deposits are present or there is a high likelihood for their presence, and development should be controlled.

8. Impacts Found Not to Be Significant

- **MRZ-3.** The significance of mineral deposits cannot be determined from the available data.
- **MRZ-4.** There is insufficient data to assign any other MRZ designation.

This mineral resource designation is intended to prevent incompatible land use development on areas determined to have significant mineral resource deposits. The project site is in MRZ-1, where significant mineral deposits are unlikely or not present (CDC 2015). The project site and its surrounding areas are not developed for mineral extractions. The areas surrounding the project site are developed with buildings, and therefore, no loss of known resources would result from project implementation. No impact would occur.

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

No Impact. There are no mines mapped on or near the City on the Mines Online map (DMR 2016). Future development on the project site would not cause a loss of availability of a mining site, and no impact would occur.

8.10 NOISE

Would the project:

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

Less Than Significant Impact. The project site is approximately 0.45-mile west of a private heliport (AirNav 2019). As stated in Section 3.9.e, above, there are no public use airports within two miles of the project site, and the project site is not within the safety zones surrounding any such airport. No impact would occur.

8.11 POPULATION AND HOUSING

Would the project:

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

No Impact. The proposed project currently operates as the Westminster mall; there are no residential uses onsite. Future development under the proposed project would occur within the boundaries of the project site and would not displace existing people or housing. Therefore, no impacts would occur.

8. Impacts Found Not to Be Significant

8.12 TRANSPORTATION

Would the project:

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

Less Than Significant Impact. Site access would be similar to existing conditions from several driveways that exist along Edwards Street and Bolsa Avenue. The WMSP may relocate one or more of the driveways that must meet the City's engineering design standards. Pedestrian access is through sidewalk, trail, and paths that are along the perimeter of the property, as well as intended for internal circulation. The WMSP may provide for minor changes to the frontage along Edwards Street and Bolsa Avenue, these changes would be in include turn pockets, turn lanes, and possibly traffic signals to guide traffic. All improvements will be consistent with the City's design standards and will be reviewed by the City prior to construction. The overall layout of the proposed project would not change the alignment of either Edwards Street or Bolsa Avenue or result in any unsafe vehicle-pedestrian conflict points, and the alignment and spacing of project driveways is adequate. Buildings surroundings provide sight distance along the drive aisles. Therefore, impacts would be less than significant.

- b) **Result in inadequate emergency access?**

Less Than Significant Impact. The surrounding roadways, and proposed on-site circulation system, would continue to provide emergency access to the project site and surrounding properties during future construction activities and postconstruction operation. As part of the development review process, proposals will be reviewed by the Orange County Fire Authority (OCFA) and the Westminster Police Department for emergency access. The proposed project would not result in inadequate emergency access, and impacts would be less than significant.

8.13 TRIBAL AND CULTURAL RESOURCES

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

No Impact. The project site has been graded, paved, and is developed with a mall. The project site is not listed as a historic resource on the national or state historic resources inventories (NPS 2019; OHP 2019). According to Table 5.3-1 on page 5.3-8 in Chapter 5.3 of the General Plan Update DEIR, nine commercial buildings built in 1969 or earlier are listed as historic resources (Westminster 2016b). The mall was built after 1969, in 1974, and is therefore not one of the commercial buildings listed as a historic resource in the General Plan Update DEIR. As there are no historic resources on the project site, no impact would occur.

8. Impacts Found Not to Be Significant

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

Less Than Significant Impact with Mitigation Incorporated. There is no substantial evidence that tribal cultural resources are present on the project site. The site has been graded and is paved and developed. Future development under the proposed project would contact the Native American Heritage Commission if tribal cultural resources are found during future construction activities. No significant impacts to tribal cultural resources are expected to occur as a result of the proposed project. Nonetheless, the City contacted Native American tribes pursuant to AB 52; the City consulted with the Gabrieleno Band of Mission Indians – Kizh Nation who kindly provided recommended mitigation measures for the project. The following mitigation measures, which would be implemented by future developers/project applicants (Appendix 8-1):

- **TCR 1: Retain a Native American Monitor/Consultant:** The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both ancestrally affiliated with the project area and approved by the Gabrieleno Band of Mission Indians – Kizh Nation Tribal Government and is listed under the Native American Heritage Commission's (NAHC) Tribal Contact list for the area of the project location. This list is provided by the NAHC. A Native American monitor shall be retained by the Lead Agency or owner of the project to be on site to monitor all project-related, ground-disturbing construction activities (i.e., boring, grading, excavation, potholing, trenching, etc.). A monitor associated with one of the NAHC recognized Tribal governments which have commented on the project shall provide the Native American monitor. The monitor/consultant will only be present onsite during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by Gabrieleno Band of Mission Indians – Kizh Nation as activities that may include, but are not limited to, payment removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.
- **TCR 2: Unanticipated Discovery of Tribal Cultural and Archaeological Resources.** Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, the Gabrieleno Band of Mission Indians – Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 1506.5[f]). If a resource is determined by the qualified archaeologist to constitute a

8. Impacts Found Not to Be Significant

“historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources.

- **TCR 3: Public Resources Code Sections 21083.2(b) for Unique Archaeological Resources.** Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
- **TCR 4: Unanticipated Discovery of Human Remains and Associated Funerary Objects:** Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.
- **TCR 5: Resource Assessment and Continuation of Work Protocol.** Upon discovery of human remains, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).
- **TCR 6: Kizh-Gabrieleno Procedures for Burials and Funerary Remains:** If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

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- **TCR 7: Treatment Measures.** Prior to the continuation of ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

- **TCR 8: Professional Standards.** Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

The Tribe acknowledged that the existing condition as the Westminster Mall, does not have any immediately recognizable tribal resources. However, during construction at depths greater than needed for the existing construction, new resources may be uncovered as has happened for construction by Caltrans along I-405. As this project is adjacent to I-405 where resources were discovered, and out of respect for the request by the Tribe, the mitigation measures are included in this EIR, and impacts would be less than significant with mitigation incorporated.

8. Impacts Found Not to Be Significant

8.14 UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Less Than Significant Impact. Solid waste would be generated during future construction and operation of the proposed project. The proposed project would comply with all regulations pertaining to solid waste, such as the California Integrated Waste Management Act and the City's recycling and waste programs. The City and its future construction contractor would be required to comply with all applicable laws and regulations, to reuse and/or recycle the construction debris that would otherwise be taken to a landfill. Hazardous waste, such as paint used during construction, would be disposed of only at facilities permitted to receive them in accordance with local, state, and federal regulations. The proposed project would comply with all applicable federal, state, and local statutes and regulations related to solid waste disposal. Therefore, impacts to federal, state, and local statutes concerning solid waste would be less than significant.

8.15 WILDFIRE

If located in or near a state responsibility area (SRA) or lands classified as a very high fire hazard severity zones:

Would the project:

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

Less Than Significant Impact. Future development under the proposed project would not conflict with adopted emergency response or evacuation plans. The surrounding roadways would continue to provide emergency access to the project site and surrounding properties during future construction activities and postconstruction. The proposed project would not result in inadequate emergency access and impacts to adopted emergency response and evacuation plans are less than significant.

- 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?**

Less Than Significant Impact. There are three primary factors used in assessing wildfire hazards—topography, weather, and fuel. The project site is relatively flat and is in an urbanized environment. The proposed project would not impact weather or topography. The project site is paved and developed with a mall. Future development on the project site would propose residential, retail, hotel, and professional office uses; open space and green edge areas would be scattered throughout the site. The project site is not within a very high fire hazard severity zone (VHFHSZ) (CALFIRE 2007). Therefore, future development and occupants under the proposed project would not expose occupants to pollutant concentrations from exacerbating a wildfire. Impacts would be less than significant.

8. Impacts Found Not to Be Significant

- 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) **Less Than Significant Impact.** The proposed project would require new infrastructure for electricity, natural gas, telecommunications, and cable service, in addition to the existing utilities onsite, which would be installed to meet service requirements. The project site is not within a VHFHSZ (**CALFIRE 2007**) and is in a highly urbanized portion of the City. The proposed project would not add infrastructure such as roads or overhead power lines in areas with wildland vegetation. Therefore, this impact is less than significant.
- e) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Less Than Significant Impact. The project site is relatively flat. The project site is in a very low landslide zone (CGS 1976). The project site is within a 0.2 Percent Annual Chance Flood Hazard (Zone X), and the southern boundary of the site is within Zone A, a special flood hazard area (Flood Insurance Rate Map ID #06059C0232J) (FEMA 2009). Therefore, it is unlikely that the site would be susceptible to downslope or downstream flooding or landslides as a result of post-fire slope instability. The project site is not within a VHFHSZ and impacts would be less than significant.

REFERENCES

- AirNav. 2019. Airport Search. <http://www.airnav.com/cgi-bin/airport-search>
- California Department of Conservation (CDC). 2015. Mineral Lands Classification. <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
- _____. 2016. California Important Farmland Finder. <https://maps.conservation.ca.gov/dlrp/ciff/>
- California Department of Forestry and Fire Protection (CALFIRE). 2007, November 7. Fire Hazard Severity Zones in State Responsibility Areas. https://osfm.fire.ca.gov/media/6636/fhszs_map.pdf
- California Department of Water Resources (DWR). 2017. Groundwater Information Center Interactive Map Application. <https://gis.water.ca.gov/app/gicima/>
- California Geological Survey (CGS). 1973. Expansivity Potential of Soils and Rock Units in Orange County, California (Plate 4). https://filerequest.conservation.ca.gov/?q=oifr_79-08
- _____. 1976. Slope Stability Map of Orange County California Showing Propensity for Massive Bedrock Landslides, Mud-Debris Flows, and Rock Fall (Plate 3A). https://filerequest.conservation.ca.gov/?q=oifr_79-08
- _____. 1986, July 1. Earthquake Zones of Required Investigation Seal Beach Quadrangle. http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/SEAL_BEACH_EZRIM.pdf

8. Impacts Found Not to Be Significant

- _____. 1999, March 5. Earthquake Zones of Required Investigation Seal Beach Quadrangle.
http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/SEAL_BEACH_EZRIM.pdf
- _____. 2009, March 15. Tsunami Inundation Map for Emergency Planning Seal Beach Quadrangle.
https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Inundation_LosAlamitosSealBeach_Quad_Orange.pdf
- Cogstone. 2016, April. Appendix E2 Paleontological Resources Assessment for the General Plan Update, City of Westminster, California.
- Department of Toxic Substances Control (DTSC). 2019. EnviroStor.
<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=1025+westminster+mall>
- Division of Mine Reclamation (DMR). 2016. Mines Online. California Department of Conservation.
<http://maps.conservation.ca.gov/mol/>.
- Federal Emergency Management Agency (FEMA). 2009, December 3. FEMA Flood Map Service Center. Flood Insurance Rate Map ID # 06059C0232J.
<https://msc.fema.gov/portal/search?AddressQuery=1025%20westminster%20mall#searchresultsanchor>
- Gabrieleno Band of Mission Indians – Kizh Nation. 2020, May. Kizh Nation Mitigation Measures (Appendix 8-1).
- Huntington Beach, City of. 2017, October 2. General Plan – Circulation Element.
https://www.huntingtonbeachca.gov/files/users/planning/Circulation_Element.pdf
- National Park Service (NPS). 2019. National Register of Historic Places.
<https://npgallery.nps.gov/NRHP/SearchResults/9068081840154d49893d66e6b9a860b0?view=list>
- Office of Historic Preservation (OHP). 2019. California Historical Resources.
<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=30>
- Orange County Water District (OCWD). 2015. Groundwater Management Plan.
https://www.ocwd.com/media/3503/groundwatermanagementplan2015update_20150624.pdf
- State Water Resources Control Board (SWRCB). 2015. GeoTracker.
<http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1025+westminster+mall>
- U.S. Fish and Wildlife Service (USFWS). 2019, May 6. Wetlands Mapper.
<https://www.fws.gov/wetlands/data/mapper.HTML>
- Westminster, City of. 2016b. Draft Environmental Impact Report for the Westminster General Plan Update.

9. Significant Irreversible Changes Due to the Proposed Project

Section 15126.2(c) of the CEQA Guidelines requires that an Environmental Impact Report (EIR) describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented. Specifically, the CEQA Guidelines state:

Use of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highways improvements which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The following are the significant irreversible changes that would be caused by future development as a result of the proposed project, should it be implemented:

- Implementation of future development would include construction activities that would entail the commitment of nonrenewable and/or renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels. Operation of future development under the proposed project would require the use of natural gas and electricity, petroleum-based fuels, and water. The commitment of resources required for future construction and operation of the proposed project would limit the availability of such resources for future generations or for other uses during the life of future development on the project site.
- An increased commitment of social services and public maintenance services (e.g., police, fire, schools, libraries, and sewer and water services) would be required. The energy and social services commitments, as a result of future development, would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.
- An increase in vehicle trips would accompany project-related population growth. Over the long-term, emissions associated with such vehicle trips would continue to contribute to the South Coast Air Basin's nonattainment designation for ozone (O₃) and particulate matter (PM_{2.5} and PM₁₀) under the California and National Ambient Air Quality Standards (AAQS), and nonattainment for nitrogen dioxide (NO₂) under the California AAQS.

9. Significant Irreversible Changes Due to the Proposed Project

- The visual character of the project site would be altered by the construction of future additional structures onsite. Additional landscaping, grading, and construction of the project site, that could be required as a result of future development, would also contribute to an altered visual character of the existing site. This would result in a permanent change in the character of the project site and on- and off-site views in the project's vicinity.

Given the low likelihood that the land at the project site would revert to an undeveloped state, the proposed project would generally commit future generations to these environmental changes.

10. Growth-Inducing Impacts of the Proposed Project

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also required is an assessment of other projects that would foster other activities which could affect the environment, individually or cumulatively. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this project could contribute to significant changes in the environment, beyond the direct consequences of developing the land use concept examined in the preceding sections of this EIR.

Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?

Future development on the project site could result in a 2,000 to 3,000 dwellings units, a total of 1,200,000 square feet of non-residential uses, and a 425-room hotel which would not require extension of major infrastructure in the project area. The project site is currently developed as the Westminster Mall and is in an urban area served by existing infrastructure, including water and sewer mains, and electricity and natural gas services.

10. Growth-Inducing Impacts of the Proposed Project

The proposed project would require a General Plan Amendment that would allow for a change in assumed number of dwelling units, square footage, and jobs from what is in the existing General Plan. Additionally, the proposed project includes the Westminster Mall Specific Plan that provides development standards, architectural guidelines, and establishes a development review process for future projects within the WMSP.

Approval of the General Plan Amendment could further create interest in residential growth in adjacent commercial areas. Pressure to develop other commercial land surrounding the WMSP may derive from regional economic conditions and market demands for housing, commercial, office, and industrial land uses that may directly or indirectly be influenced by the proposed project. Requests for additional General Plan Amendments in the vicinity of the project site may result if the proposed project is approved. Future General Plan Amendments would require environmental analysis and associated mitigation to ensure that project impacts would not significantly affect the environment.

Would this project result in the need to expand one or more public services to maintain desired levels of service?

Future development under the proposed project would increase population and housing in the City. The project is expected to increase demand for fire protection services, police services, school services, and library services, which would contribute to the need to expand facilities. However, as substantiated in 5.7, *Public Services*, and 5.10, *Utilities and Service Systems*, of the DEIR, existing programs and policies would ensure that the service capability will grow proportionate to the increase in uses, and impacts to public services and utilities would be less than significant.

Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During construction of future development on the site, several design, engineering, and construction jobs would be created. Construction employees would be from the regional labor force, and the construction of the project would not be expected attract new workers to the region. The proposed project could result in a maximum of 8,373 residents and 2,990 employees (see 5.6, *Population and Housing*). Future residents of the proposed project would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the City of Westminster and the surrounding area. This would create an increased demand for such economic goods and services and would, therefore, encourage the creation of new businesses and/or expansion of existing businesses that address these needs. Proximity to the commercial uses onsite and in the surroundings, would result in beneficial impacts to the City's jobs-housing balance (see Section 5.6, *Population and Housing*), and the close proximity to such uses would reduce vehicle trips, and thereby reduce impacts to air quality, greenhouse gas emissions, and transportation. Therefore, although the proposed project would have a direct growth-inducing effect, indirect growth-inducing effects would be minimized due to the balance of land uses in the proposed project.

10. Growth-Inducing Impacts of the Proposed Project

Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

The proposed project would require a General Plan Amendment to allow for a change in assumed of dwelling units, square footage, and jobs from what is estimated in the existing General Plan. The General Plan Amendment is intended to encourage request to allow residential growth in predominantly commercial areas. All future General Plan Amendments in the vicinity of the project would require full environmental analysis of the impacts.

The project does not propose changes to any of the City's building safety standards (i.e., building, grading, plumbing, mechanical, electrical, or fire codes) to implement future development as a result of the proposed project. The project would comply with all applicable plans, policies, ordinances, etc. to ensure that there are no conflicts with adopted land development regulations and that any environmental impacts are minimized. While the WMSP is a precedent-setting action through conversion of a large regional mall to a mixed-use project, the project is unique to the City in terms of size and opportunity. Approval of the WMSP could encourage owners of neighboring properties to request changes to the General Plan to allow mixed uses on exclusively commercial land. As with the proposed project, any such future requests would require environmental analysis and associated mitigation to ensure that such subsequent impacts would not significantly affect the environment.

10. Growth-Inducing Impacts of the Proposed Project

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11. Organizations and Persons Consulted

Native American Tribes

Gabrieleno Band of Mission Indians – Kizh Nation

Westminster Community Services Department

Vanessa Johnson, Community Services Director

Westminster Finance Department

Erin Backs, Finance Director

Westminster Police Department

Deputy Police Chief Darin Upstill

Westminster Public Works Department

Tuan Pham, Assistant City Engineer

Orange County Fire Authority

Chief Ron Roberts

Midway City Sanitary District

Ken Robbins Jr., General Manager

11. Organizations and Persons Consulted

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12. Qualifications of Persons Preparing EIR

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- Juris Doctor, Cleveland-Marshall College of Law, Cleveland State University, 2007
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12. Qualifications of Persons Preparing EIR

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