

November 2020 | Final Program Environmental Impact Report  
State Clearinghouse No. 2020029087

# SANTA ANA GENERAL PLAN UPDATE

City of Santa Ana

## VOLUME I

*Prepared for:*

**City of Santa Ana**

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# 1. Introduction

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This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (California Code of Regulations §§ 15000 et seq.).

According to the CEQA Guidelines, Section 15132, the FEIR shall consist of:

- (a) The Draft Environmental Impact Report (DEIR) or a revision of the Draft;
- (b) Comments and recommendations received on the DEIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies comments on the DEIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

This document contains responses to comments received on the Draft Program Environmental Impact Report (PEIR) for the Santa Ana General Plan Update (GPU) during the public review period, which began August 3, 2020, and closed October 6, 2020. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the City of Santa Ana, which is the lead agency. This document and the circulated Draft PEIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

## 1.1 FORMAT OF THE FEIR

**Section 1, Introduction.** This section describes CEQA requirements and content of this FEIR.

**Section 2, Response to Comments.** This section provides a list of agencies and interested persons commenting on the Draft PEIR, copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (A-1 through A-7 for letters received from agencies, O-1 through O-14 for letters received from organizations, and I-1 through I-25 for letters received from individuals). Individual comments have been numbered for each letter, and the letter is followed by responses that reference the corresponding comment number.

**Section 3. Revisions to the Draft EIR.** This section contains revisions to the Draft PEIR text and figures as a result of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered subsequent to release of the Draft PEIR for public review.

## 1. Introduction

The responses to comments contain material and revisions that will be added to the text of the FEIR. The City of Santa Ana's staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the Draft PEIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft PEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

## 1.2 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of Draft PEIRs should be

... on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

CEQA Guidelines Section 15204 (c) further advises, "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Section 15204 (d) also states, "Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." Section 15204 (e) states, "This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

In accordance with CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

## 2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency (the City of Santa Ana) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses. This section provides all written responses received on the Draft PEIR and the City's responses to each comment.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the Draft PEIR are excerpted in this document, the sections are shown indented. Changes to the Draft PEIR text are shown in underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the Draft PEIR during the public review period.

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
<b>Agencies</b>			
A1	California Department of Transportation, District 12	8/17/2020	2-25
A2	City of Orange	8/28/2020	2-29
A3	Metrolink	9/14/2020	2-33
A4	City of Tustin	9/16/2020	2-39
A4A	City of Tustin/Shute, Mihaly and Weinberger	10/6/2020	2-57
A5	Orange County Public Works	9/16/2020	2-93
A6	City of Irvine	9/16/2020	2-101
A7	Orange County Transit Authority	10/1/2020	2-107
<b>Organizations</b>			
O1	Joyce Stanfield Perry, Juaneño Band of Mission Indians	8/4/2020	2-121
O2	Jun Wu, PhD, UC Irvine Department of Environmental and Occupational Health	8/2/2020	2-127
O3	Kim D. Lu, UC Irvine, Pediatric Exercise and Genomics Research Center	8/31/2020	2-131
O4	Victoria Lowerson Bredow, PhD, MPH and Connie McGuire, PhD UC Irvine Newkirk Center for Science & Society	9/2/2020	2-135
O5	Frank Zaldivar, PhD, UC Irvine Health	9/3/2020	2-141
O6	Enrique Valencia, Orange County Environmental Justice	9/4/2020	2-145
O7	Suvan Greer, Church of the Foothills of Peace	9/14/2020	2-173
O8	Jenny Pezda, MESM, Southern California Gas Company	9/16/2020	2-181
O9	Cynthia Guerra, The Kennedy Commission	9/16/2020	2-187
O9A	Cesar Covarrubias, The Kennedy Commission	10/6/2020	2-193
O10	Shute, Mahali and Weinberger, Gabriel Ross – Rise Up Willowick	8/27/2020	2-203
O10A	Shute, Mahali and Weinberger, Gabriel Ross – Rise Up Willowick	10/6/2020	2-207
O11	Robin Mark, L.A. Program Director,	10/2/2020	2-221
O12	Cynthia Guerra, Rise Up Willowick	10/5/2020	2-229
O13	Aldolfo Sierra, Interim President, Madison Park Neighborhood Association	10/6/2020	2-237

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Number Reference	Commenting Person/Agency	Date of Comment	Page No.
O14	Kristopher Fortin, Project Director, Santa Ana Active Streets	10/6/2020	2-271
<b>Individuals</b>			
I1	Brett Korte, UC Irvine Fellow, School of Law	8/3/2020	2-281
I1A	Brett Korte, UC Irvine Fellow, School of Law	8/19/2020	2-285
I2	Maria de los Angeles Diaz	8/22/2020	2-289
I3	Jose J. Rea, Madison Park Neighborhood Association	8/24/2020	2-293
I4	Erica Peratoner, MS1, UC Irvine Medical Student	8/26/2020	2-297
I5	Biblia Cha, MPH, UC Irvine PhD Candidate, Public Health	8/29/2020	2-301
I6	Victoria Rodriguez, UC Irvine Public Health Student	8/31/2020	2-305
I7	Stephanie Guevara, UC Irvine Medical Student, Santa Ana Healthy Neighborhoods	9/3/2020	2-309
I8	Susana Sandoval & Irma Jaurequi, Alliance	9/3/2020	2-313
I9	Alexis Pellecer, MSI, UC Irvine Medical Student	9/3/2020	2-317
I10	Jenny Ventura, UC Irvine Medical Student	9/4/2020	2-321
I11	Martha Romero	9/5/2020	2-325
I12	Omar Morales-Haro and Jean-Paul Plaza, UC Irvine Medical Students	9/8/2020	2-329
I13	Greg Camphire, UC Berkeley Planning Student	9/11/2020	2-333
I13A	Greg Camphire, UC Berkeley Planning Student	10/6/2020	2-333
I14	Juan Gonzalez, Planning Student	9/12/2020	2-341
I15	Natalie Sierra	9/14/2020	2-345
I16	Perla Mendoza	9/14/2020	2-349
I17	Kelton Mock, UC Irvine, Medical Student	9/14/2020	2-353
I18	Soledad Valentin, Madison Park Neighborhood Association	9/15/2020	2-357
I19	Adolf Sierra, Madison Park Neighborhood Association	9/15/2020	2-361
I20	Diane Fradkin	9/16/2020	2-365
I21	Mike Johnson	10/2/2020	2-401
I22	Brenda Escalera	10/6/2020	2-405
I23	Jose Trinidad Castaneda	10/6/2020	2-409
I24	Leonel Flores	10/6/2020	2-413
I25	Manuel Escamilla	10/6/2020	2-417

## 2. Response to Comments

### 2.1 GENERAL RESPONSES

Several common issues were raised in the comment letters received during the public review period for the Draft PEIR. This section provides topical responses to recurring comments raised by responding agencies, organizations, and the public. Each response provides a more comprehensive explanation and response to these common issues raised during the public review period. Responses to individual comments received—as included in Section 2.2—will refer to these responses, as appropriate.

This section includes expanded discussions regarding the following topics:

- General Plan Update Process: Community Outreach and Schedule
- Environmental Justice
- Parks and Open Space
- Health Risk/Pollution Assessment
- Request to Recirculate Draft PEIR

Several letters included comments on more than one of these topics, and they are inherently interrelated. The discussions, therefore, include some overlap. The discussions below also explain the extent to which each topic is required to be addressed by the California Environmental Quality Act (CEQA). The purpose of CEQA is to evaluate and disclose potential environmental impacts of the proposed project (GPU). If not required by CEQA, the issue need not be addressed in this Final EIR (FEIR). The City provides these expanded discussions to clarify controversial issues surrounding the GPU and GPU process and to clarify their requirements under CEQA.

#### 2.1.1 General Plan Update Process: Community Outreach and Schedule

Many comments received during the Draft PEIR review period expressed concerns that the overall General Plan process was rushed and that community outreach was inadequate. Although CEQA includes very specific noticing and public review requirements, this process is separate from the General Plan Update process and community outreach to develop the plan. This information is provided as clarification because the GPU process and community outreach are not CEQA issues, and there is no requirement to address these concerns in this Final EIR.

##### Community Outreach

The City's General Plan community outreach program included a wide variety of tools to notify and engage the community throughout the preparation of the General Plan Update. In addition to hosting numerous virtual meetings—such as Planning Commission and City Council study sessions—City staff participated in neighborhood association meetings, Communication Linkage Forum (Com-Link) meetings, focus groups, and community roundtable meetings to share information and dialogue with the community regarding the General Plan Update. See <https://www.santa-ana.org/general-plan/meetings>. Social media was also used, including Nixel email alerts, Instagram, Facebook, NextDoor, and Twitter, to announce the release of informative videos of the GPU elements on YouTube and to highlight new information on the City's General Plan Update website. City staff also conducted face-to-face community engagement as part of their attendance at the City's

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Coronavirus Aid, Relief, and Economic Security (CARES) outreach efforts in the community, sharing the project timeline and an environmental justice (EJ) informational flyer, and collecting feedback on the draft General Plan. Community outreach has been a cornerstone of the update process since the General Plan's inception in 2015 and will continue to be the City's practice moving forward. The following paragraphs expand on the outline of the community engagement program.

Since starting the General Plan Update process in late 2015, the City has sought to meaningfully engage community residents, looking for best practices and community partnerships to reach all residents, especially those that have not traditionally engaged in the public decision-making process. The General Plan Outreach Program included a series of 40 Community Workshops starting in 2015; informational "pop-ups" at community events; presentations to focus groups; and the convening of a General Plan Advisory Group composed of 17 members of the community, including seniors, youth, community-serving organizations, Community Linkages Neighborhood Leaders, and City commissioners. Moreover, translation services were offered during the meetings, and videos of workshops were archived and made available for those unable to attend in-person.

A variety of community issues, including environmental justice issues, were identified through these outreach activities. With this community input, the Draft General Plan Policy Framework was created in December 2018, and Community "Core Values" were created to reflect the voice of the collective Santa Ana community and to express its environmental justice principles. Because these core values touch all aspects of the GPU and general plan elements, it was determined early in the process to incorporate environmental justice components as policies woven into the fabric of the various elements, elevating their importance and prominence in each element.

In an effort to continue a community dialogue on environmental justice and to obtain community feedback, the City mailed over 32,000 environmental justice informational flyers in late May 2020 to property owners, occupants, and residents in EJ communities as defined by the CalEnviroScreen screening tool. Subsequently, on July 31 and August 1, 2020, the City held two virtual meetings to obtain input on the general plan elements and environmental justice issues. Over 22,000 mailers were sent inviting residents, businesses, and property owners within and 500 feet around the five land use focus areas to participate in these community meetings.

Based on feedback from the July 31 and August 1 community meetings, on August 31, 2020, the City held a Community Outreach Roundtable with approximately 20 participants for improving outreach efforts for the General Plan Update, including in EJ neighborhoods. The roundtable convened again on October 14, 2020, to gather additional feedback on the City's GPU EJ policies.

City staff continued its community engagement program through its involvement with the CARES mobile resource center program, reaching out to neighborhoods in greatest need, providing information and continuing outreach on the General Plan Update. The CARES mobile resource center was operational August through October of 2020. On September 15, 2020, City staff held a meeting with the Madison Park Neighborhood Association and University of California, Irvine (UCI) to discuss EJ issues. City staff also held an Anti-Displacement Roundtable with the THRIVE local organization on October 13, 2020. And City staff held two additional meetings with Orange County Environmental Justice (OCEJ), UCI Public Health educators,



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and the Orange County Healthcare Agency regarding lead contamination studies and policies in September and October 2020.

On October 19, 2020, neighborhood leaders from the 21 neighborhoods in EJ disadvantaged communities were invited to learn more about environmental justice policies and programs. City staff provided an overview of SB 1000 legislation for including EJ in general plan updates to neighborhood leaders, followed by open question-and-answer discussions.

Lastly, the City attended the Community Forum on October 23, 2020, that was convened by OCEJ, Santa Ana Active Streets, Madison Park Neighborhood Association, Rise Up Willowick, and the Kennedy Commission to address concerns including environmental justice.

### Community Engagement: General Plan Process Chronology

As detailed above, key GPU update milestones and the City's community outreach activities for the GPU included:

- Late 2015: City commenced comprehensive update
- 2016 Community Outreach including:
  - 40 community workshops with local service organization, youth representatives, seniors, business community and neighborhood leaders
  - Youth Summer Program
  - Pop-up events Citywide
  - Participation by 485 community members
  - Summarized in Community Outreach Executive Summary
- 2017 GP Advisory Group (GPAG) formed
  - Included youth and planning commissioners, business owners, community advocacy leaders, and residents
  - 14 meetings held over ten months established five core values and communities vision
  - Created: three land use maps, four visions statements, five core values, 94 affirmative statements, and reviewed and provided feedback on 39 goals and 299 policies
  - Summarized in GPAG Report to City Council
- 2018 Policy Framework: General Plan Technical Advisory Group (GPTAC)
  - Seven GPTAC meetings
  - Refined Draft Goals and Policies
  - Resource Collection of Existing Conditions
  - Land Use Focus Study Areas
  - Summarized in GPAG Report to City Council
  - Presented Vision and Core Values to City Council

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- Second Community Outreach Effort
- Late 2019: City evaluated updated CAIEnviroScreen (version 3.0, updated June 2019) and documented results in a series of materials (bilingual flyer, bilingual video and background analysis)
- 2020
  - May 2020: City mailed over 32,000 EJ information flyers
  - July 7: City Council Study Session (public and interested parties invited)
  - July 31 and August 1: Virtual meetings to solicit GPU and EJ input. Over 22,000 mailers sent inviting residents, businesses, and property owners in EJ communities and within 500 feet of the five focus areas to participate
  - August 3: General Plan Element Policy Frameworks and proposed land use buildout released for public review (concurrently with Draft PEIR)
  - August 24 and September 14: Planning Commission study sessions (public and interested parties invited)
  - August 31 and Oct 14: Roundtable with approximately 20 participants (Madison Park Neighborhood Association)
  - September 28: Updated General Plan Public Review Draft Elements reflecting community comments and including additional implementation actions released for public review
  - October 19: City hosted citywide EJ meeting with neighborhood groups and interested parties—OCEJ, Santa Ana Active Streets, Madison Park Neighborhood Association, Rise Up Willowick, and the Kennedy Commission

### Implementation Actions for Ongoing Community Engagement

The General Plan Update identifies a number of implementation actions to promote ongoing community outreach and engagement to ensure the community's voice is included in future policy decisions. Example implementation actions in the plan include:

- 1) **Community Element Implementation Action 1.1 Engage EJ Communities.** Establish an Ad Hoc Committee of community stakeholders to guide preparation of an ongoing EJ Community Engagement Program.
- 2) **Community Element Implementation Action 1.3 Collaboration.** Develop intentional, strategic partnerships with public, private, and nonprofit entities to improve health outcomes by leveraging capacity, resources, and programs around mutually beneficial initiatives that promote health, equity, and sustainability in neighborhoods within environmental justice area boundaries. Develop a comprehensive partnership policy providing guidelines that can be used throughout the City organization.
- 3) **Conservation Element Implementation Action 1.13 Community survey on healthy lifestyles.** Plan for and conduct a Community Survey of residents related to community health, air quality, parks, and

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community services; with focuses outreach to Environment Justices concerns and priority areas (tie into other City efforts like Strategic Plan, Park & Rec Planning, Community Benefits, etc.).

### 2.1.2 Environmental Justice

#### Environmental Justice—Not a CEQA Requirement

Several comments on the Draft PEIR asserted that the document was inadequate because it did not address environmental justice issues and/or specifically did not analyze and quantify potential impacts to disadvantaged communities. In 2016, the California Legislature passed Senate Bill 1000 (SB 1000), the Planning for Healthy Communities Act, to incorporate environmental justice into the local land use planning process. It is defined as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adopting, implementation, and enforcement of environmental laws, regulations, and policies” (Gov. Code § 65040.12, subd. (e)(1)). SB 1000 requires local governments to address pollution and other hazards that disproportionately impact low-income communities and communities of color in their jurisdictions. The law intends to make environmental justice a real and vital part of the planning process by encouraging transparency and public engagement during all states of a general plan update, requiring governments to identify environmental justice issues in their communities, and ensuring that environmental justice policies are adopted to address specific needs of disadvantaged communities.

SB 1000, however, is not a requirement of the California Environmental Quality Act. SB 1000 mandates that environmental justice issues be addressed in general plans. Per CEQA, the purpose of the Draft PEIR is to evaluate the potential impacts of the proposed GPU on the environment.<sup>1</sup> Moreover, CEQA does not require analysis of social and economic impacts. Under CEQA, “[a]n economic or social change by itself shall not be considered a significant effect on the environment” (CEQA Guidelines, Sections 15131 and 15382). Effects analyzed under CEQA must be related to a physical change (CEQA Guidelines, Section 15358(b)).

The Draft and Final PEIR, therefore, focus on potential physical impacts of implementing the GPU. The Draft PEIR addresses environmental impacts of implementing the GPU that are inherently related to environmental justice, such as air quality, hazards, noise, hydrology/water quality, public services, and utilities. It is not the responsibility of the EIR, however, to address existing conditions or environmental inequities of disadvantaged communities. So, for example, several comments on the Draft PEIR raised the concern over existing lead-contaminated soil, particularly within or proximate to disadvantaged, EJ communities. Implementation of the GPU would not cause this soil impact, and therefore the impact of this condition on disadvantaged communities is not the purview of this CEQA document.

#### Environmental Justice in the GPU

The City uses a mapping tool from CalEPA called CalEnviroScreen to identify the most vulnerable and disadvantaged areas in Santa Ana. The boundaries of identified EJ communities are provided in GPU Figure CD-3 (reproduced at the end of this discussion). The General Plan Guidelines prepared by the California

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<sup>1</sup> The Draft PEIR evaluates the project’s physical impacts to the environment. Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

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Office of Planning and Research provide that newly adopted general plans may address EJ as a stand-alone element or incorporated into other general plan elements or plans. The City has chosen to address EJ topics throughout the General Plan, as seen in the Land Use, Conservation, Open Space, Economic Prosperity, Community, and Mobility elements. This includes approximately 41 policies and 44 implementation actions addressing a variety of environmental justice topics to address positive change in environmental justice communities. Appendix A of this Final PEIR includes a full listing of GPU policies that have been specifically designated as EJ policies. Since release of the Draft PEIR, the City has augmented or added the following content in the GPU to more directly respond to the public input received over the past four months:

- **Policy 3.2 Healthy Neighborhoods (Community Element).** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating incompatible uses, improving the built environment, and maintaining building code standards.
- **Implementation Action CM-3.3 Health metrics.** Engage with the Orange County Health Care Agency and other stakeholders to monitor key health indicators to measure the success of the outcome of General Plan policies and the implementation plan, including reduction in incidence in asthma.
- **Implementation Action CM-3.5 Environmental education.** Encourage all education institutions in Santa Ana to include curriculum regarding environmental justice and local efforts to promote clean business operations, environmental quality, and the health in our community.
- **Policy 1.5 Sensitive Receptor Decisions (Conservation Element).** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.
- **Implementation Action CN-1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city, with focus on areas with unique needs and pollution burden such as the Delhi Neighborhood area. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.
- **Implementation Action CN-1.5 Agency permits.** Monitor the South Coast Air Quality Management District permitting and inspection process and the Orange County Health Care Agency to identify businesses in Santa Ana with potential hazardous materials or by-products, with a special focus on environmental justice communities. Serve as a liaison for residents to identify potential emission violations. Share information and data with the community on the City's Environmental Quality web page.
- **Implementation Action OS-1.14 Community input.** Identify and utilize multilingual and interactive community engagement tools, initiated through the Parks and Recreation Master Plan, for residents and

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facility users to provide ongoing input about open space needs, park design, facility improvements, and programming.

- **Policy 2.6 Existing Sensitive Uses (Safety Element).** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses, with priority given to discontinuing such uses within environmental justice area boundaries.
- **Implementation Action S-2.4 Lead contamination.** Work with local with community organizations and regional partners, such as Orange County Environmental Justice, Orange County Health Care Agency and University of California at Irvine Public Health, to understand the prevalence, sources, and implications of lead contamination of soil across Santa Ana. Collaborate with environmental justice stakeholders in proposing solutions to remove hazardous lead-contaminated soils in the city and with benchmarks to measure and track effectiveness of proposed programs.
- **Implementation Action LU-3.6 Lead paint abatement.** Coordinate with County of Orange Health Care Agency and community organizations to strengthen local programs to eliminate lead-based paint hazards, with priority given to residential buildings within environmental justice area boundaries.
- **Implementation Action LU-3.16 Health in corridors.** Require a Health Risk Assessment to identify best practices to minimize air quality and noise impacts when considering new residential uses within 500 feet of a freeway.
- **Implementation Action LU-3.17 Training for safe practice.** Pursue the EPA Renovate Right Program to train local residential contractors for certification as lead renovators to promote safe work practices and prevent lead contamination.
- **Implementation Action LU-3.18 Renovations and lead prevention.** Evaluate the feasibility of requiring contractor training and/or certification for safe work practices to conduct residential renovations for pre-1978 structures that may contain existing lead paint.
- **Implementation Action LU-3.19 Promote health.** Partner with local organizations (e.g., OC Health Care Agency, Latino Health Access, Santa Ana Unified School District, and the Coalition of Community Health Centers) to increase blood lead testing, outreach, education, and referral services through a “promotora” or community peer outreach model that addresses the root causes of elevated blood lead levels impacting Santa Ana residents, with special focus in environmental justice communities and for children living in pre-1978 housing.
- **Implementation Action LU-3.20 Safe housing.** Require all residential rehabilitation projects that use local, or HUD federal funds to comply with the Lead Safe Housing Rule, to remove lead paint hazards, depending on the nature of work and the dollar amount of federal investment in the property.

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- **Implementation Action LU-3.21 Prevention education.** Collaborate with local organizations such as Orange County Health Care Agency and State Environmental Protection Agency and identify funds to create a Santa Ana Prevent Lead Poisoning Education Program, with special focus on disadvantaged communities and pre-1978 housing stock.
- **Implementation Action LU-3.22 Public health outcomes.** Support the Orange County Health Care Agency in their role in investigating public complaints regarding lead hazards, through enforcement of local housing standards to assure healthy outcomes.
- **Implementation Action LU-3.23 Agency permits.** Work with South Coast Air Quality Management District and Orange County Health Care Agency to evaluate existing special permit process and criteria for approval, and identify potential policy changes to minimize issuance of special permits with potential health impacts.
- **Implementation Action LU-3.24 Public health.** Partner with Orange County Health Care Agency and community serving organizations to evaluate best practices and benefits of preparing a Public Health Plan to address environmental hazards in Santa Ana, with special focus in environmental justice communities.
- **Implementation Action LU-3.25 Engage EJ communities.** Work with community serving organizations, neighborhood leaders, and residents to form an Ad Hoc Committee to develop ongoing EJ Community Engagement programs, including multilingual communication protocols.
- **Implementation Action LU-3.26 Health conditions.** Work with Orange County Health Care Agency and local stakeholders like Orange County Environmental Justice and UC Irvine Public Health to identify baseline conditions for lead contamination in Santa Ana, monitor indicators of lead contamination, and measure positive outcomes.
- **Implementation Action LU-3.27 Groundwater practice.** Coordinate with the State Department of Toxic Substances Control (DTSC) to monitor the Santa Ana Southeast Groundwater Clean Up Project and identify measurable progress to remediate groundwater contamination. Share information with the community on the City's Environmental Quality web page.
- **Implementation Action LU-3.28 Tenant protections.** Provide information to residential tenants regarding Landlord Tenant Laws in the State, such as AB 1481, that provide protections against evictions for those who seek action to improve substandard housing and hazardous conditions.
- **Implementation Action LU-3.29 Development site history.** Update the City's Development Review application process to require developers to provide information regarding prior use of the site and history of hazardous materials on the property, to identify potential for site contamination from hazardous materials or soil lead contamination to be remediated.

The City views issues like environmental justice as a topic that goes beyond the update process and requires ongoing dialogue with the community. The following policies and action in the revised draft General Plan

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Update are indicative of the City's commitment to collaborating and communicating with the community to address issues of environmental justice (all actions listed below are targeted for implementation in 2021, 2022, or on an annual or ongoing basis).

- **Implementation Action CM-1.1 Engage EJ communities.** Establish an ad hoc committee of community stakeholders to guide preparation of an ongoing EJ community engagement program.
- **Implementation Action CM-1.2 Community conversation.** Plan for and conduct a community survey every three years related to community health, air quality concerns, parks, and community service needs, with focused outreach to environmental justice priority areas.
- **Implementation Action CM-1.3 Collaboration.** Develop intentional, strategic partnerships with public, private, and nonprofit entities to improve health outcomes by leveraging capacity, resources, and programs around mutually beneficial initiatives that promote health, equity, and sustainability in neighborhoods within environmental justice area boundaries. Develop a comprehensive partnership policy providing guidelines that can be used throughout the City organization.
- **Implementation Action CM-3.5 Environmental education.** Encourage all education institutions in Santa Ana to include curriculum regarding environmental justice and local efforts to promote clean business operations, environmental quality, and the health in our community.
- **Implementation Action CM-3.7 Public health and wellness collaboration summit.** Collaborate with health care providers, health and wellness advocates, and other public health stakeholders to identify ways to improve the provision of and access to health and wellness services throughout the city. Include a discussion on areas within environmental justice area boundaries underserved by affordable health and wellness services
- **Implementation Action CN-1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city, with focus on areas with unique needs and pollution burden such the Delhi Neighborhood area. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.
- **Implementation Action CN-1.3 Proactive engagement.** Collaborate with the South Coast Air Quality Management District and local stakeholders in environmental justice areas experiencing local air pollutions issues to outline objectives and strategies for monitoring air pollution in advance of the establishment of a community emissions reduction and/or air monitoring plan.
- **Implementation Action CN-1.5 Agency permits.** Monitor the South Coast Air Quality Management District permitting and inspection process and the Orange County Health Care Agency to identify businesses in Santa Ana with potential hazardous materials or by-products, with a special focus on environmental justice communities. Serve as a liaison for residents to identify potential emission violations. Share information and data with the community on the City's Environmental Quality web page.

## 2. Response to Comments

- **Implementation Action CN-1.10 Interagency team.** Establish an environmental quality interagency team to evaluate, monitor, and make recommendations to address air quality and environmental hazard issues, with a special focus on environmental justice areas. Publish results and information on the City's website through a dedicated Santa Ana Environmental Quality web page.
- **Implementation Action CN-1.11 Public education.** Es Augment existing programs to improve public awareness of State, regional, and local agencies and resources to assist with air quality and other environmental quality concerns.
- **Implementation Action CN-1.12 Data collection for emissions plans.** Coordinate with the South Coast Air Quality Management District to explore ways to initiate data collection efforts for a community emissions reduction and/or community air monitoring plan, including the identification of information needed (new or updated), potential data sources and needed resources, and strategies to engage residents and collect information.
- **Implementation Action CN-1.13 Community survey on healthy lifestyles.** Plan for and conduct a community survey of residents related to community health, air quality, parks, and community services; with focused outreach for environment justice concerns and priority areas (tie into other City efforts like Strategic Plan, park and recreation planning, community benefits, etc.).
- **Implementation Action CN-1.14 Expanded interactions.** Identify opportunities to expand regular attendance of City staff and decision-makers at meetings for neighborhoods within environmental justice area boundaries, so that residents and businesses can more easily communicate their unique issues and needs. Include a translator(s) at these meetings so that all residents can engage.
- **Implementation Action CN-1.15 Expanded representation.** Expand representation of residents from neighborhoods within environmental justice area boundaries by extending residents from such areas to become board, commission, and task force members as openings occur.
- **Implementation Action CN-1.16 City budget.** Evaluate the City's budget and financial policies to include direction for prioritizing public services and improvements within environmental justice area boundaries. Augment budget meeting presentations to include a section dedicated to the status of actions and improvements to address the needs of residents within environmental justice area boundaries.
- **Implementation Action S-2.4 Lead contamination.** Work with local with community organizations and regional partners, such as Orange County Environmental Justice, Orange County Health Care Agency and University of California at Irvine Public Health, to understand the prevalence, sources, and implications of lead contamination of soil across Santa Ana. Collaborate with environmental justice stakeholders in proposing solutions to remove hazardous lead-contaminated soils in the city and with benchmarks to measure and track effectiveness of proposed programs.



## 2. Response to Comments

- **Policy 3.2 Empower Community (Land Use Element).** Facilitate community engagement and dialogue in policy decisions and outcomes affecting land use and development, with supplemental opportunities for proposed planning activities within environmental justice area boundaries.
- **Implementation Action LU-3.6 Lead paint abatement.** Coordinate with County of Orange Health Care Agency and community organizations to strengthen local programs to eliminate lead-based paint hazards, with priority given to residential buildings within environmental justice area boundaries.
- **Implementation Action LU-3.14 Sunshine ordinance.** Update City Sunshine Ordinance, incorporating best practices for outreach in environmental justice areas in Santa Ana.
- **Implementation Action LU-3.19 Promote health.** Partner with local organizations (e.g., OC Health Care Agency, Latino Health Access, Santa Ana Unified School District, and the Coalition of Community Health Centers) to increase blood lead testing, outreach, education, and referral services through a “promotora” or community peer outreach model that addresses the root causes of elevated blood lead levels impacting Santa Ana residents, with special focus in environmental justice communities and for children living in pre-1978 housing.
- **Implementation Action LU-3.21 Prevention education.** Collaborate with local organizations such as Orange County Health Care Agency and State Environmental Protection Agency and identify funds to create a Santa Ana Prevent Lead Poisoning Education Program, with special focus on disadvantaged communities and pre-1978 housing stock.
- **Implementation Action LU-3.24 Public health.** Partner with Orange County Health Care Agency and community serving organizations to evaluate best practices and benefits of preparing a Public Health Plan to address environmental hazards in Santa Ana, with special focus in environmental justice communities.
- **Implementation Action LU-3.25 Engage EJ communities.** Work with community serving organizations, neighborhood leaders, and residents to form an Ad Hoc Committee to develop ongoing EJ Community Engagement programs, including multilingual communication protocols.
- **Implementation Action LU-3.26 Health conditions.** Work with Orange County Health Care Agency and local stakeholders like Orange County Environmental Justice and UC Irvine Public Health to identify baseline conditions for lead contamination in Santa Ana, monitor indicators of lead contamination, and measure positive outcomes.
- **Implementation Action LU-3.27 Groundwater practice.** Coordinate with the State Department of Toxic Substances Control (DTSC) to monitor the Santa Ana Southeast Groundwater Clean Up Project and identify measurable progress to remediate groundwater contamination. Share information with the community on the City’s Environmental Quality web page.

## 2. Response to Comments

- **Implementation Action LU-3.28 Tenant protections.** Provide information to residential tenants regarding Landlord Tenant Laws in the State, such as AB 1481, that provide protections against evictions for those who seek action to improve substandard housing and hazardous conditions.

### 2.1.3 Parks and Open Space

Numerous comments were raised regarding parks and open space as addressed in Draft PEIR Section 5.15, *Recreation*. Although these comments all focused on a lack of adequate open space and recreational facilities within the city, they spanned various concerns, including:

- The substantial increase in population generated by the GPU when the City currently does not achieve its park standard of two acres per 1,000 people.
- Whether the GPU can ensure that parks/open space would be equitably distributed to serve city residents and disadvantaged communities in particular.
- The potential impact on park facilities in neighboring jurisdictions, particularly the City of Tustin, given the proximity of the 55 Freeway/Dyer Road Focus Area and the introduction of a substantial increase in population in this area.
- Whether in-lieu fees to mitigate park/open space impacts would translate into actual facilities given the lack of vacant properties in the city.
- Request to maintain the Willowick Golf Course site as open space and support for the joint coalition proposal to develop this property to remain open space as well as provide affordable housing (as proposed by the Trust for Public Land, Clifford Beer Housing and the California State Coastal Conservancy),

The following discussion responds to each of these issues.

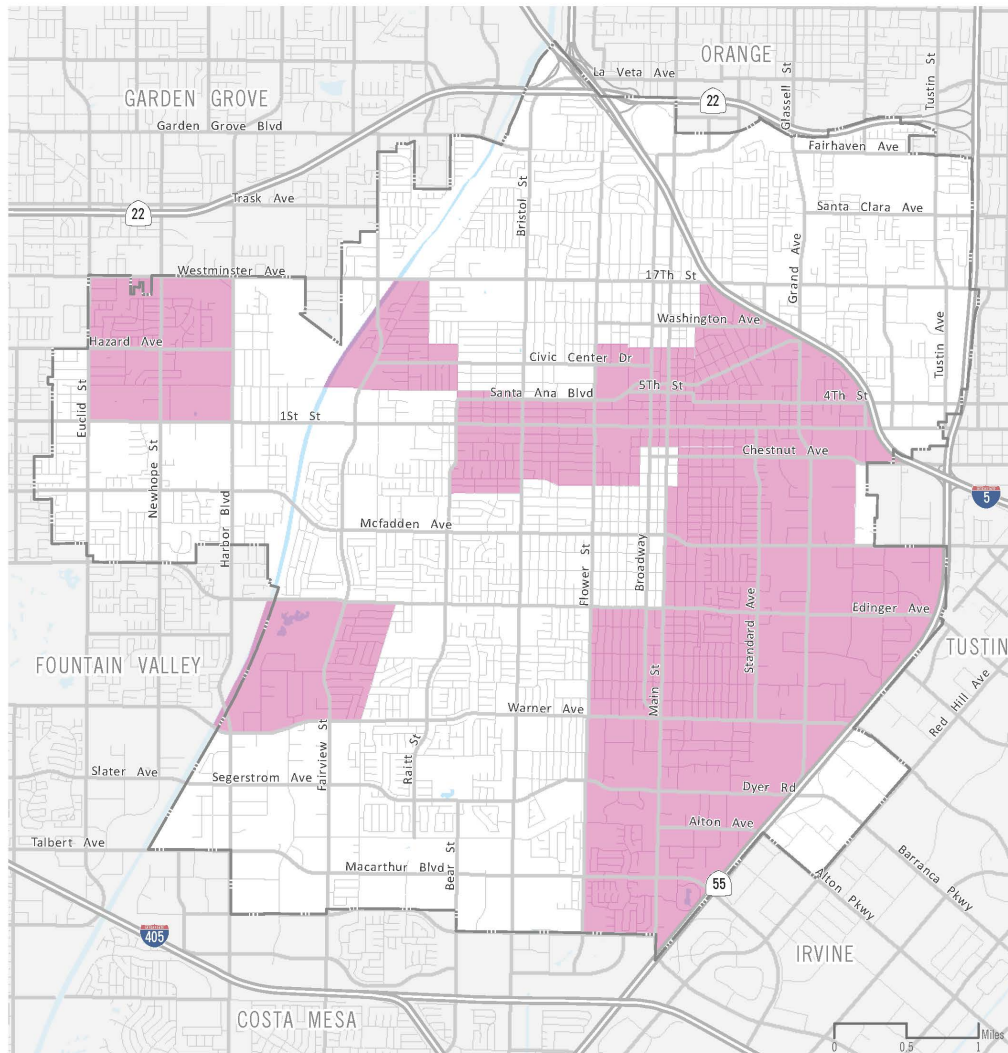
#### CEQA Requirements and Impact Significance Finding

Several commenters stated that the City does not currently achieve its municipal code requirement of two acres of parkland per 1,000 residents. The Draft PEIR clearly discloses existing park facilities (Table 5.15-2 and Figure 5.15-1) and the existing deficiency of parkland acreage (per Table 5.15-3, *Existing vs Required Parkland Acreage*, required acreage for 334,774 population is 669.5 acres, and deficiency is 107.5 acres). Further, the Draft PEIR quantifies the total parkland required upon buildout of the GPU (approximately 299 acres) if additional parkland is not provided (see Table 5.15-4 *Existing and Proposed Parkland*).

As described in Section 2.1.2, CEQA requires the analysis and disclosure of the potential impacts of a proposed project on the physical environment. For recreation impacts, the focus is the potential for increased recreational demand to result in substantial physical deterioration of existing facilities or require new construction or expansion of recreational facilities that might have an adverse physical effect on the environment. It is not the responsibility of the EIR, however, to remedy existing conditions or, in this situation, existing park inadequacies.

## 2. Response to Comments

**ABOUT THE MAP.** This map shows the boundaries of Santa Ana's environmental justice communities based on data from CalEPA's CalEnviroScreen tool. The boundaries represent the areas where the City's policies will emphasize and prioritize improving existing environmental conditions, expanding access to public facilities and resources, and augmenting opportunities for civic engagement.



Source: City of Santa Ana 2020 Date Published: 5/21/2020

Environmental Justice Community

**Environmental Justice Community:** The City uses a mapping tool from CalEPA called CalEnviroScreen (CES) to identify the most vulnerable and disadvantaged areas in Santa Ana. The CES tool measures 20 indicators for every census tract in California related to people's exposure to pollution and quality of life. The results for each census tract are combined and measured against every other census tract, producing a composite score that ranks census tracts from the least impacted to the most impacted. Those ranked in the top 25%—shown with values between 75 and 100 percent—are considered to be a disadvantaged or environmental justice community.

CN  
14



CITY OF SANTA ANA GENERAL PLAN

PUBLIC HEARING DRAFT

**FIGURE CN-3  
ENVIRONMENTAL JUSTICE COMMUNITIES**

## 2. Response to Comments

Future development will be required to dedicate land or pay in-lieu impact fees per the municipal code and the Quimby Act, which will fund future park acquisition and development to assist the city's parkland standard of 2 acres per 1,000 residents. The GPU requires that new residential development meet the City's standards and would result in improving the existing parkland ratio per city resident.

Compliance with applicable regulatory standards can provide a basis for determining that the project will not have a significant environmental impact. (*Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912). A requirement that a project comply with specific laws or regulations may also serve as adequate mitigation of environmental impacts in an appropriate situation. (*Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 994, 906). Unlike in *Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, where the lead agency did not independently evaluate impacts of pesticides and instead relied solely on another agency's conclusion that there would be no significant impact, the analysis in the Draft PEIR takes into account the specific existing condition of the parks and recreation facilities in the city, looks at the potential incremental impacts of the GPU on existing facilities, and appropriately determines that RR REC-1 and RR-REC-2, along with the policies identified on Draft PEIR pages 5.15-11 through 5.15-15, will reduce impacts to less than significant. (See State CEQA Guidelines, 15125(a)(1) [CEQA treats the environmental setting as it exists as the baseline for evaluating the changes to the environment that will result from the project and determining whether those environmental effects are significant].) Thus, the Draft PEIR properly determines that compliance with the City's municipal code and Quimby Act will be sufficient to prevent significant adverse impacts on parks and recreation from new development.

### **Equitable Distribution of Open Space/Parks**

The City recognizes the importance of usable parks and recreational facilities within a reasonable distance of the people that will use these facilities. The City also recognizes the potential for development within the city's boundaries to create additional demand for facilities in neighboring jurisdictions if park facilities in Santa Ana are not close enough to serve future residents. In particular, this situation could occur with the development of the 55 Freeway/Dyer Road Focus Area and recreational facilities in the City of Tustin.

The City is committed to providing park and open space to meet existing and future demand. The City will work closely with neighboring cities in preparing the Parks and Recreation Master Plan to ensure that the 55 Freeway/Dyer Road Focus Area and other areas of growth provide recreational facilities and parks that keep pace with the increase in population growth. To achieve this goal, the City has refined and supplemented parks and recreation GPU policies and implementation measures. These updates are provided below.

### **Supplemental GPU Policies and Action Items**

In response to the comments received on the Draft PEIR and based on the City's recent meetings with several interest groups (see Section 2.1.1, *General Update Process: Community Outreach and Schedule*), the City has bolstered park and open space policies and implementation actions. These changes are shown, below, in ~~strikeout~~ for deletions and underline for additions.

## 2. Response to Comments

### Open Space Element: Policies

**Policy 1.3 Park Standard.** Achieve a minimum citywide park standard ratio of two acres per 1,000 residents in the City. For new residential development in Focus Areas, prioritize the creation and dedication of new public parkland over the collection of impact fees.

### Open Space Element: Implementation Actions

**OS 1.6 No-net-loss of parkland.** ~~Study whether a no-net loss policy for public parkland would improve access and limit the conversion.~~ Establish land use provisions in the Municipal Code that prevent a net loss of parkland in the city. Require at least a 1:1 replacement if there is any loss of public parkland due to development. [Agency: PRCSA/PB; Timeline 2022]

**OS-1.8 Development fees.** Conduct a nexus study and update the City's Acquisition and Development Ordinance every periodically to require new development projects to pay fair share to cover the cost of parkland acquisition and improvement if the project is unable to provide adequate parkland within the project. Require that fees collected in place of parkland dedication for specific development projects be utilized to acquire, expand, or improve facilities within the same quadrant or geographic sub-area to be defined in the Parks Master Plan as the project for which the fee was collected. [Agency: Planning and Building Agency (PBA)/Parks, Recreation and Community Services Agency (PRCSA); Timeline: 2022]

#### [New Action]

**OS-1.14 Public parklands requirements for larger residential projects.** Amend the Residential Development Fee in the Municipal Code (Chapter 35, Article IV) to reflect requirements for Larger Residential Projects (100+ units, residential only or mixed-use) to provide two acres of new public parkland concurrent with the completion of and within a 10-minute walking radius of the new residential project. Establish provisions that allow the Larger Residential Projects to reduce all onsite private and common open space requirements by 50 percent if new public parkland is provided within a 10-minute walking radius and by 75 percent if the new public parkland is immediately adjacent to or on the residential project property. Work with property owners and new development projects within the Focus Areas to identify options (e.g., 100 percent reduction of onsite private and public open space requirements) that would incentivize the creation of public park areas that are more than the minimum and/or if a location can expand park access for an adjoining under-served neighborhood and/or environmental justice area. Establish incentives for coordination between two or more residential project (of any size) to create larger and/or more centralized public park space. [Agency: PBA/PRCSA; Timeline: 2022]

#### [New Action]

**1.16 Incentives for more parkland and facilities.** Develop an incentives program that encourages private development and public agencies to provide park and recreation facilities beyond the minimum requirements. [Agency: PRCSA/PBA; Timeline 2022]

## 2. Response to Comments

### Willowick Property

The Willowick Golf Course is an approximately 102-acre property in the West Santa Ana Boulevard Focus Area. The golf course is owned and operated by the City of Garden Grove. Several comments were received on the Draft PEIR requesting that this property remain designated as Open Space. Commenters also provided information and support for a joint proposal submitted to the City of Garden Grove (the property owner) to develop the majority of the site into a community park, with affordable housing on the remainder (see Letters O9, O9A, O10, O10A, O11 and O12).

The GPU would not change the land use designation of the Willowick site, and thus this open space use is included in the recreational/open space analysis in the Draft PEIR. The City acknowledges the commenters' support of the open space designation and also recognizes the coalition supporting a specific proposal for development of the project site. Future use of the Willowick property is not part of the project considered for the Draft PEIR, and it would be speculative to comment on a specific proposal for the site in this FEIR. Future development would be a discretionary project for the City and subject to environmental review under CEQA.

### 2.1.4 Health Risk/Pollution Assessment

This topic covers a broad area and number of concerns expressed by commenters on the Draft PEIR. Areas of concern include:

- Potential for implementation of the GPU to increase the exposure of sensitive receptors to additional pollution (particularly EJ community residents).
- Land use incompatibility of existing residential uses with surrounding industrial uses, and potentially new commercial/industrial uses in proximity.
- High concentrations of lead in some soils in the city and the health hazard posed to area residents (including Madison Park).
- The potential for GPU implementation to increase toxic air contaminants (TACs) and further impact communities already exposed to high levels of pollutants.
- Lack of green space and the importance of open space and recreational areas for community health.

### CEQA Requirements

As described in Section 2.1.2, *Environmental Justice*, the purpose of CEQA and the Draft PEIR prepared for the City's proposed GPU is to evaluate and disclose the potential impacts of the proposed project (GPU). Effects analyzed under CEQA must be related to a physical change (CEQA Guidelines, Section 15358(b)). The potential for the physical changes to the environment are compared to existing conditions. This point is relevant to several comments received regarding industrial-related health hazards in the City of Santa Ana. It is not within the scope of the Draft PEIR to provide mitigation to remedy existing conditions, including lead-contaminated soils and existing land use incompatibilities between sensitive residential receptors and heavy industrial uses. The Draft PEIR is required to address impacts of new growth under the GPU. It is, however, within the scope of the GPU and the City's long-term planning to address community health and related environmental hazards.

## 2. Response to Comments

Since remediating existing conditions and addressing nonphysical impacts to the environment are not required by CEQA, further response in the FEIR is not required to these issues. This expanded discussion is to provide clarity and disclose the City's commitment and comprehensive approach under the GPU to be responsive to the community.

### Industrial Hazards and Health

Some of the recurring Draft PEIR comments centered on industrial corridors, land use compatibility, and lead contamination.

Kim D. Lu, MD, MS, of UC Irvine's Pediatric Exercise and Genomics Research Center (Letter O3), states that an industrial corridor housing 42 facilities permitted by the South Coast Air Quality Management District (AQMD) is less than 1,000 feet from James Madison Elementary school within the Madison Park community. Dr. Lu also notes that there is currently little to no real-time data collection of common pollutants, including PM, NO<sub>x</sub>, SO<sub>2</sub>, or ozone, near the industrial corridors in the city.

The lack of environmental assessment tools focused on disadvantaged communities, including Madison Park, and the evidence of pollutant concentrations, including lead-contaminated soils, are recurring comments on the Draft PEIR. UCI has partnered with Madison Park Neighborhood Association and other community advocates to champion solutions to these issues. As detailed in Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, and Section 2.1.2, *Environmental Justice*, the City is also very engaged in developing policies and actions.

Note that the GPU does not change land use in the Madison Park community and also does not introduce any general or heavy industrial uses anywhere in the city in comparison to the current General Plan. The Draft PEIR analyzes the potential impacts of buildout of the GPU, including previously designated industrial uses (please refer to *New Sources of Pollution* summary below).

### Policies and Implementation Actions

Appendix A to this FEIR includes a comprehensive listing of environmental justice-related policies and implementation actions proposed in the GPU. Many of these EJ policies are also reproduced in Section 2.1.2, Environmental Justice. Some of the important policies and actions related to health risk and pollution issues include:

- **Policy 3.8 Sensitive Receptors (Land Use Element).** Avoid the development of sensitive receptors in close proximity to land uses that pose a hazard to human health and safety, due to the quantity, concentration, or physical or chemical characteristics of the hazardous materials that they utilize, or the hazardous waste that they generate or emit.
- **Policy 3.9 Noxious, Hazardous, Dangerous, and Polluting Uses (Land Use Element).** Improve the health of residents by discontinuing the operation of noxious, hazardous, dangerous, and polluting uses that are in close proximity to sensitive receptors with priority given to discontinuing such uses within environmental justice area boundaries.

## 2. Response to Comments

- **Policy 3.11 Air Pollution Buffers (Land Use Element).** Promote landscaping and other buffers to separate existing sensitive uses from rail lines, heavy industrial facilities, and other emissions sources. As feasible, apply more substantial buffers within environmental justice area boundaries.
- **Policy 3.12 Indoor Air Quality (Land Use Element).** Require new sensitive land uses proposed in areas with high levels of localized air pollution to achieve good indoor air quality through landscaping, ventilation systems, or other measures.
- **Land Use Element Implementation Action 3.3 Healthy lifestyles.** Collaborate with residents and industry stakeholders to create a program to incentivize and amortization the removal of existing heavy industrial uses adjacent to sensitive uses.
- **Conservation Element Implementation Action 1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city, with focus on areas with unique needs and pollution burden such the Delhi Neighborhood area. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.
- **Conservation Element Implementation Action 1.3. Proactive Engagement.** Collaborate with the South Coast Air Quality Management District and local stakeholders in environmental justice area experiencing local air pollutions issues to outline objectives and strategies for monitoring air pollution in advance of the establishment of a community emissions reduction and/or air monitoring plan.
- **Conservation Element Implementation Action 1.4 Heath Risk Criteria.** Establish criteria for requiring Health Risk Assessment for existing and new industries, including the type of business, thresholds, and scope of assessment.
- **Policy 1.6 Emissions Monitoring (Conservation Element).** Coordinate with the South Coast Air Quality Management District to monitor existing air measurements and recommend new air measurements and locations.
- **Policy 1.7 Truck Idling. (Conservation Element).** Evaluate strategies to reduce truck idling found or reported in areas with sensitive receptors, with a priority placed on environmental justice areas.
- **Policy 1.8 Improve Older Trucks (Conservation Element).** Promote the City's Vehicle Replacement Plan and explore the replacement of older trucks through City participation in regional incentive programs and education of Santa Ana private fleet owners of program opportunities.
- **Land Use Element Implementation Action 3.3 Healthy lifestyles.** Collaborate with residents and industry stakeholders to create a program to incentivize and amortization the removal of existing heavy industrial uses adjacent to sensitive uses.



## 2. Response to Comments

- **Safety Element Implementation Action 2.4 Lead contamination.** Work with local and regional partners, such as Orange County Environmental Justice, UCI Public Health, and Orange County Health Care Agency, to understand the prevalence, sources, and implications of lead contamination across Santa Ana's soil. Collaborate with environmental justice stakeholders in proposing solutions to remove hazardous lead soils in the city and with benchmarks to measure and track effectiveness of proposed programs.
- **Policy 2.6 Existing Sensitive Uses (Safety Element).** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses.
- **Land Use Element Implementation Action 3.16 Health in Corridors.** Require a Health Risk Assessment to identify best practices to minimize air quality and noise impacts when considering new residential uses within 500 feet of a freeway.

### New Sources of Air Pollution

The Draft PEIR evaluates the potential impacts related to GPU implementation. However, the Draft EIR does not include modeling of potential increases of toxic air contaminant (TAC) concentrations because sufficient information is not available at the time of this programmatic analysis to do so. The Draft PEIR does quantify the potential increase in criteria air pollutants emissions within the city, including PM<sub>2.5</sub> from vehicle exhaust. However, at a programmatic level analysis, it is not feasible to quantify the increase in TACs from stationary sources, area sources, and mobile sources associated with a general plan.

Regional emissions are divided into two major source categories: stationary and mobile sources. The GPU provides a land use plan that designates land uses for employment-generating uses, including Industrial and Industrial Flex. These broad categories cover a wide variety of potential uses. For a programmatic environmental document, it is speculative to determine the exact nature and location of these employment-generating categories for stationary sources. Therefore, it is not possible to determine what types of TACs would be generated on an individual site. Additionally, because the exact nature of the future industrial uses is speculative for this programmatic assessment, the quantity of TACs generated by the proposed project is also unknown. Thus, for programmatic, general plan-level assessments, it is not feasible to conduct regional dispersion modeling to determine the incremental contribution of risks associated with land use changes in the city.

For Santa Ana, new stationary, industrial sources proximate to EJ communities would be minimal. Furthermore, the GPU buildout does not anticipate new heavy industrial growth. While the GPU forecasts an increase in industrial land uses, this is mainly a result of redevelopment in areas proposed to be designated Industrial Flex. The Industrial Flex zone is being introduced in some areas already designated for industrial land uses to provide a buffer between existing industrial areas and existing residential areas (i.e., transition use). The intent of the Industrial Flex zone is to allow for cleaner industrial and commercial uses, professional office, and creative live-work spaces. This proposed zone would not expand industrial areas within the city and would improve the air quality compatibility for existing areas in the city that are adjacent to industrial areas.

## 2. Response to Comments

For determining cancer and noncancer health risk, the location, velocity of emissions, meteorology and topography of the area, and locations of receptors are equally important model parameters as the quantity of TACs. Stationary sources of TACs require a permit from the South Coast AQMD and are required to submit a health risk assessment (HRA) to ensure risk levels are less than significant. The Draft PEIR includes Mitigation Measure AQ-3 to ensure that industrial projects with mobile/area sources of emissions (e.g., warehouses) also prepare an HRA and include measures to ensure that risk does not exceed the thresholds of South Coast AQMD.

### 2.1.5 Request to Recirculate Draft PEIR

A few commenters suggested that the Draft PEIR be revised and recirculated. State CEQA Guidelines section 15088.5 defines the circumstances under which a lead agency must recirculate an EIR. A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification of the Final EIR. Such information can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not considered “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. As defined in State CEQA Guidelines section 15088.5(a), significant new information requiring recirculation is that which shows any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Draft PEIR adequately analyzes the environmental effects of the GPU, and the conclusions in the Draft PEIR are supported by substantial evidence in the record. None of the conditions requiring recirculation listed in State CEQA Guidelines section 15088.5 have been triggered, and recirculation of the Draft PEIR is not required. None of the revisions that have been made to the Draft PEIR indicate new significant impacts or a substantial increase in the severity of an environmental impact identified in the DEIR, and none of the revisions identify a feasible project alternative or mitigation measure that is considerably different from those in the Draft PEIR and would lessen the environmental impacts of the GPU. Furthermore, no new information brought forward indicates that the Draft PEIR is so fundamentally flawed that it precludes meaningful public review. Because none of the CEQA criteria for recirculation have been met, recirculation of the EIR is not warranted.

## 2. Response to Comments

This FEIR responds to all of the letters received within the original and extended public review period for the Draft PEIR. Revisions and clarifications have been added to the Draft PEIR, as detailed in Chapter 3, *Revisions to the Draft PEIR*. Agency, stakeholder, and public input has resulted in minor revisions and clarification to the Draft PEIR, but none of the conditions have been met that would trigger recirculation of the EIR. Most of the changes subsequent to circulation of the Draft PEIR have been to the GPU. Policies and Implementation Actions have been refined and supplemented in response to comments and public participation. These changes reflect improvements to the GPU and are more protective and beneficial to the environment. Moreover, the City recognizes that the Draft PEIR was circulated for public review during the COVID pandemic. At the request of commenters, the public review period was extended by 20 days, resulting in a 65-day public review period for the Draft PEIR. The GPU and the Draft PEIR and technical appendices were available during the full public review period on the City's website and at the City's public counter. Also note the comprehensive outreach efforts by the City during the last few months, as detailed in Section 2.1.1, *General Update Process: Community Outreach and Schedule*. Public review was not precluded by the pandemic.

As stated in State CEQA Guidelines section 15088.5(b), "recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR." Therefore, the EIR does not need to be recirculated.

## 2. Response to Comments

### **2.2 RESPONSE TO INDIVIDUAL COMMENTS**

This section includes all comment letter received on the Draft PEIR. Following each comment letter are the City's responses to each comment.

## 2. Response to Comments

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

### DEPARTMENT OF TRANSPORTATION

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A1



Making Conservation  
a California Way of Life.

August 17, 2020

Mr. Verny Carvajal  
City of Santa Ana  
20 Civic Center Plaza  
Santa Ana, CA 92701

File: IGR/CEQA  
SCH#: 2020029087  
DOC#: 12-ORA-2018-01424  
I-5, SR 22, SR 55

Dear Mr. Carvajal,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Traffic Impact Study (TIS) for the proposed Update for the Santa Ana Master Plan for Arterial Highway (MPAH). The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability.

Intro

The project proposes to make amendments to classifications of OCTA's Master Plan of Imperial Highways. The project amendments are Citywide, near Caltrans facilities on Interstate 405 (I-405), State Route 22 (SR 22), and SR 55. Caltrans is a responsible agency and has the following comments:

#### **Transportation Planning:**

1. Caltrans fully supports the City's efforts to providing multimodal transportation options through the OC Streetcar. Amendments to the MPAH should reflect current and future plans for OC Streetcar alignment and expansion. Ensure the any amendments would support any land use changes that may come during the lifetime of the OC Streetcar.
2. Ensure that any amendments to the MPAH will not impede on bicycle and pedestrian circulation, connectivity, and safety.

A1-1

A1-2

#### **Traffic Operations:**

3. Please explain the methodology for acquiring traffic volumes at intersections within Caltrans Right-of-Way. If traffic volumes were taken as throughput counts (traffic discharged counts during green phases) and not demand counts (traffic counts upon arrival to the intersections, the analysis may underestimate the extent of delays at the intersections.

A1-3

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

## 2. Response to Comments

City of Santa Ana  
August 17, 2020  
Page 2

Throughput counts may not reflect the future traffic conditions and underestimate the extent of the delays at the intersections.

A1-3  
cont'd

**Permits:**

4. Any project work proposed in the vicinity of the State ROW would require an encroachment permit and all environmental concerns must be adequately addressed. If the environmental documentation for the project does not meet Caltrans's requirements for work done within State ROW, additional documentation would be required before approval of the encroachment permit. Please coordinate with Caltrans to meet requirements for any work within or near State ROW. For specific details for Encroachment Permits procedure, please refer to the Caltrans's Encroachment Permits Manual at:  
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

A1-4

Please continue to keep us informed of this project and any future developments that could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to contact Jude Miranda at (657) 328-6229 or [Jude.Miranda@dot.ca.gov](mailto:Jude.Miranda@dot.ca.gov).

Sincerely,



SCOTT SHELLEY  
Branch Chief, Regional-IGR-Transit Planning  
District 12

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

## 2. Response to Comments

### A1. Response to Comments from California Department of Transportation, dated 2/4/2020.

- A1-1 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.
- A1-2 Draft PEIR Section 5.16, *Transportation*, evaluates the proposed General Plan Update (including MPAH updates) with respect to the entire circulation system, including transit, roadway, bicycle, and pedestrian facilities. This section includes a list of applicable GPU policies, and demonstrates consistency with adopted transportation programs and the Complete Streets Act (see Impact 5.16-1).
- A1-3 This comment questions specific methodology used for the intersection analysis in the traffic impact study. As described in Draft PEIR Section 5.16, *Transportation* (page 5.16-1), although the GPU Traffic Impact Study provides a comprehensive analysis of buildout on the level of service (LOS) for both intersections and roadway segments, LOS is no longer the metric to evaluate circulation impacts under CEQA (pursuant to SB 743, passed in September 2013). The LOS information, therefore, is not included in the Draft PEIR analyses or conclusions. This comment has been forwarded to decision-makers for consideration within the realm of the General Plan Update (exclusive of CEQA).
- A1-4 Comment acknowledged. The City will comply with Caltrans Encroachment Permit requirements and specific procedures.

## 2. Response to Comments

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## 2. Response to Comments

LETTER A2 – City of Orange (1 page[s])



### A2 CITY OF ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

[www.cityoforange.org](http://www.cityoforange.org)

ORANGE CIVIC CENTER • 300 E. CHAPMAN AVENUE • ORANGE, CA 92866-1591 • P.O. BOX 449

ADMINISTRATION  
(714) 744-7240  
fax: (714) 744-7222

PLANNING DIVISION  
(714) 744-7220  
fax: (714) 744-7222

BUILDING DIVISION  
(714) 744-7200  
fax: (714) 744-7245

CODE ENFORCEMENT DIVISION  
(714) 744-7244  
fax: (714) 744-7245

August 28, 2020

#01-20

Mr. Verny Carvajal, Principal Planner  
City of Santa Ana  
Planning and Building Agency  
P.O. Box 1988 (M-20)  
Santa Ana, CA 92702

sent via email: [VCarvajal@santa-ana.org](mailto:VCarvajal@santa-ana.org)

**Subject: Program Environmental Impact Report for the Santa Ana General Plan Update**

Dear Mr. Carvajal:

Thank you for providing the City of Orange (City) with the opportunity to review and comment on the Program Environmental Impact Report (EIR) for the Santa Ana General Plan Update. The project is a comprehensive update to the City of Santa Ana General Plan.

Staff at the Cities of Orange and Santa Ana worked together to resolve traffic related issues regarding the Traffic Study for the Program EIR. The City appreciates the opportunity to review the Program EIR. If you have any questions, please contact Ashley Brodtkin, Associate Planner with the City of Orange, at (714) 744-7238 or at [abrodtkin@cityoforange.org](mailto:abrodtkin@cityoforange.org).

A2-1

Sincerely,

William R. Crouch, AICP, AIA, NCARB, LEED (AP)  
Community Development Director

cc: Rick Otto, City Manager, City of Orange  
Anna Pehoushek, Assistant Community Development Director, City of Orange

## 2. Response to Comments

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## 2. Response to Comments

### **A2. Response to Comments City of Orange, dated 8/28/2020.**

A2-1 Comment Acknowledged.

## 2. Response to Comments

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## 2. Response to Comments

LETTER A3 – Metrolink (3 page[s])

A3



**METROLINK.**

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
900 Wilshire Blvd. Suite 1500 Los Angeles, CA 90017

[metrolinktrains.com](http://metrolinktrains.com)

September 14, 2020

Verny Carvajal  
Principal Planner  
City of Santa Ana Planning and Building Agency  
PO BOX 1988 (M-20)  
Santa Ana, CA 92702

**RE: Santa Ana's "Golden City Beyond: A Shared Vision" General Plan– Draft  
Program Environmental Impact Report (PEIR) Comments**

Dear Mr. Carvajal:

The Southern California Regional Rail Authority (SCRRA) has recently learned of the project review for the Santa Ana's "Golden City Beyond: A Shared Vision" General Plan Project. Thank you for the opportunity to comment on key issues related to SCRRA and operations of the railroad adjacent to the project site. SCRRA recognizes the significant opportunities described in the General Plan by the City of Santa Ana to guide the City's development and conservation for the next 25 years through 2045.

As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink. Additionally, SCRRA provides rail engineering, construction, operations and maintenance services to its five JPA member agencies. The JPA consists of the Los Angeles County Metropolitan Transportation Authority (Metro), San Bernardino County Transportation Authority (SBCTA), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC) and Ventura County Transportation Commission (VCTC). The Metrolink service also operates into northern San Diego County.

The railroad right of way (ROW) adjacent to the Focus Area 2 – Grand Avenue / 17<sup>th</sup> Street includes a heavily trafficked railroad mainline. The mainline ROW is operated and maintained by SCRRA and owned by OCTA. There are normally 44 Metrolink train frequencies that operate on weekdays through this corridor, with fewer trains on the weekends. In addition, there are 37 Amtrak trains and several freight trains per day. Rail traffic along this corridor occurs 24 hours a day, 7 days a week, and is expected to increase in the future to address growing demands.

SCRRA supports the City for incorporating OCTA's *OC Transit Vision* to expanding public transit service in Orange County and improve station connectivity. We encourage the City to work with OCTA to bolster bus connectivity along Grand Avenue to both the Santa Ana and Orange Metrolink stations.

Intro

## 2. Response to Comments

**"Golden City Beyond: A Shared Vision" General Plan– Draft Program Environmental Impact Report (PEIR) Comments**  
**Page 2**

Please note the general comments to the project PEIR review related to the railroad and its operations listed below.

1. All drainage from the development must drain away from the railroad corridor. This includes any irrigation runoff for landscaping along the railroad corridor. A3-1
2. All trees must be set back from the ROW line so that when fully matured, the trees do not hang over the ROW line onto railroad property. A3-2
3. A six-foot-high fence is required along the railroad Property line. Since this will be a medium/high density office and residential development, it is recommended that a six-foot minimum high block wall is constructed along the railroad corridor instead of a fence to better secure access to the railroad ROW. A3-3
4. If noise from train operation is a concern, the City or Developer should conduct a noise study and consider constructing a sound barrier along the railroad Property line. A3-4
5. The City or Developer should provide information to future residents and make them aware that they are moving adjacent to a very active rail line. A3-5
6. Any proposed roadway/railroad or pedestrian/railroad crossing improvements, especially the 17<sup>th</sup> Street crossing, whether at-grade or grade separated, must be coordinated with the California Public Utilities Commission (CPUC) and SCRRA. A3-6
7. Any proposed utility crossings with the railroad must be coordinated with OCTA and SCRRA. A3-7
8. Adequate lighting should be provided on the property along the railroad corridor to deter anyone from trespassing onto the railroad ROW. A3-8
9. Site development plans (grading, drainage, landscaping, lighting, etc.) should be provided to SCRRA for review. A3-9

The railroad operates 24 hours a day, seven days a week – and construction and maintenance largely occur at night. Since this project is still at a programmatic planning and early developmental phase, SCRRA acknowledges that much more substantive coordination between SCRRA and the City will occur at later environmental review and design phases. Any requirements for future site development and construction (including demolition or alteration of structures) adjacent to the railroad at those later stages, should be coordinated with the SCRRA Engineering / Project Delivery Department. Plans for development or construction and related questions or correspondence should be sent to Joe McNeely, Principal Engineer at A3-10

## 2. Response to Comments

**"Golden City Beyond: A Shared Vision" General Plan– Draft Program Environmental Impact  
Report (PEIR) Comments  
Page 3**

[mcneelyj@scrra.net](mailto:mcneelyj@scrra.net) or mailed to the SCRRRA Engineering Department at the following address:

SCRRRA Engineering Department  
Attn: Joe McNeely, Principal Engineer  
2558 Supply Street  
Pomona, CA 91767

A3-10  
cont'd

Please consult SCRRRA Engineering and Construction standards and guidelines as necessary, including Right of Entry permit concerns, at the following web address:  
<https://metrolinktrains.com/about/agency/engineering--construction/>

Thank you again for allowing us to provide comments on this project. If you have any questions, please contact Roderick Diaz, Director of Planning & Development at (213) 452-0455 or via e-mail at [diazr@scrra.net](mailto:diazr@scrra.net).

Sincerely,



Todd McIntyre  
Chief Strategy Officer

Cc: Dinah Minter, OCTA

## 2. Response to Comments



## 2. Response to Comments

### A3. Response to Comments from Metrolink, dated 9/14/2020.

- A3-1 The City recognizes SCRRA's authority related to rail easements and crossings and will ensure that SCRRA requirements are included as part of any future development projects near SCRRA's rights-of-way, including the Grand Avenue/17th Street Focus Area. This project is still in the programmatic development phase, but as more detailed plans are developed, the City will consult with SCRRA's Engineering and Construction Department and provide plans for their review and approval prior to the start of construction. With respect to drainage, the City will follow the drainage and grading guidelines and requirements provided in the latest SCRRA Design Criteria Manual.
- A3-2 All landscape plans for the Grand Avenue/17th Street Focus Area and any future development adjacent to SCRRA's right-of-way will be submitted to SCRRA's Engineering and Construction Department for review and approval prior to the start of construction. More specifically, trees shall be set back from the right-of-way so that when fully matured, the trees do not hang over or intrude into SCRRA's property. Large trees in close proximity to the rail lines shall be discouraged to ensure that vegetation does not obstruct the visibility of railroad signs or operations.
- A3-3 As requested by SCRRA, a six-foot-high fence shall be constructed along the property line that abuts the SCRRA right-of-way. SCRRA recommends that the wall be at least six feet high and constructed of concrete blocks. Once detailed design plans have been prepared, the plans shall be submitted to SCRRA for its review and approval prior to the start of construction.
- A3-4 According to Mitigation Measure N-3 in the GPU Draft PEIR, all new residential projects (or other noise-sensitive uses) within 200 feet of existing rail lines shall be required to conduct a noise and vibration analysis consistent with the Federal Transit Administration's approved methodology.
- A3-5 All future residential development projects or noise-sensitive land uses that are adjacent to SCRRA or other rail lines shall provide disclosure information to tenants or residents of potential noise issues. The Draft PEIR has been augmented to include this text (as shown in Chapter 3 of this FEIR).
- A3-6 Any proposed roadway/railroad or pedestrian/railroad crossing improvements, such as the 17th Street crossing, shall be coordinated with the California Public Utilities Commission and SCRRA. Any improvements to rail crossings, sidewalks, or raised medians shall be designed to provide vehicular and pedestrian safety in compliance with SCRRA's safety standards, and any plans shall be submitted to SCRRA and CPUC for approval as part of future development projects.
- A3-7 Any future plans for utilities that would cross or encroach into SCRRA's right-of-way shall be coordinated with the Orange County Transportation Authority and SCRRA and shall

## 2. Response to Comments

follow the guidelines and requirements for utilities specified in the SCRRA Design Criteria Manual.

- A3-8 Adequate lighting shall be provided for the Grand Avenue/17th Street Focus Area or any future development adjacent to the SCRRA right-of-way to deter anyone from trespassing onto the right-of-way.
- A3-9 All site development plans (grading, drainage, landscaping, lighting, etc.) for the Grand Avenue/17th Street Focus Area or any other future development projects adjacent to the SCRRA right-of-way shall be provided to SCRRA for its review and approval prior to the start of construction.
- A3-10 Any future site development and construction projects adjacent to the SCRRA right-of-way (including demolition or alteration of structures) shall be coordinated with SCRRA's Engineering/Project Delivery Department for review and approval prior to the start of construction.

## 2. Response to Comments

LETTER A4 – City of Tustin (10 page[s])

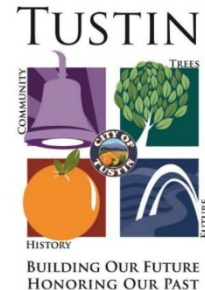
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### Community Development Department

September 16, 2020

A4

Mr. Verny Carvajal  
Principal Planner  
City of Santa Ana  
Planning and Building Agency  
PO BOX 1988 (M-20)  
Santa Ana, CA 92702



**SUBJECT: REVIEW OF DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF SANTA ANA  
GENERAL PLAN**

Dear Mr. Carvajal:

Thank you for the opportunity to provide comments on the City of Santa Ana General Plan Update and the Draft Program Environmental Impact Report (DPEIR) for the City of Santa Ana General Plan Update (State Clearinghouse #2020029087). According to the DPEIR, the proposed General Plan will guide the City of Santa Ana's development for the next 25 years and will provide options to increase development potential in several areas of the City of Santa Ana while bringing the City of Santa Ana into compliance with recent state laws and reflecting community input and updates to current conditions.

Intro

The proposed General Plan envisions up to 36,261 additional housing units, 5,849,220 square feet of additional nonresidential space, and 11,436 new jobs between 2020 and 2045. (DPEIR, p. 3-57.) As proposed, 13,438 of these housing units and 3,604,556 square feet of the commercial space could be built in close proximity to Tustin within the Metro East Overlay Zone and the 55 Freeway/Dyer Road Focus Area.

The City of Tustin offers the following comments at this time:

**1. Implementation Actions** – The Draft General Plan Update states that the Implementation Actions will be provided in a future draft. (DPEIR, p. 1-5.) These Implementation Actions are a critical component of the General Plan Update and must be identified for the public to adequately review the impact of the General Plan Update on the community. The Implementation Actions are also related to measures identified in the DPEIR to mitigate the potential environmental impacts of the General Plan Update. Without the disclosure of these Implementation Actions, a complete and accurate review of the General Plan Update's environmental impacts cannot be achieved. Therefore, the DPEIR and Draft General Plan Update should be recirculated for public review once the Implementation Actions have been identified.

A4-1

**2. Impacts to Surrounding Jurisdictions** – The DPEIR must analyze all direct and reasonably foreseeable indirect impacts of the General Plan Update. (CEQA Guidelines § 15126.2(a).) These include impacts caused by induced changes in the pattern of land use or population density. (CEQA Guidelines § 15358(a).) Additionally, the DPEIR must address and mitigate impacts outside of Santa Ana. (*See City of Marina v. Bd. of Trustees of Cal. State University* (2006) 39 Cal.4<sup>th</sup> 341, 359-60 [agency not excused from analysis or mitigation of impacts outside of its jurisdiction]; see also *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4<sup>th</sup> 342, 369 [CEQA's purpose would be undermined if agencies could proceed "without an awareness of the effects a project will have on areas outside the boundaries of the project area."].)

A4-2

300 Centennial Way, Tustin, CA 92780 • P: (714) 573-3100 • F: (714) 573-3113 • www.tustinca.org

## 2. Response to Comments

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Here, the DPEIR readily acknowledges that the General Plan Update concentrates growth in the General Plan Updates' Focus Areas, resulting in more residents and development in those Focus Areas. (See, e.g., DPEIR p. 5.1-31, 32.) Table 5.13-8 clearly shows that the General Plan Update's largest gross (8,731 residential units) and percentage population growth (244%) will occur on the boundary of Santa Ana and Tustin in the 55 Freeway/Dyer Road Focus Area. (See, e.g., DPEIR, p. 5.13-12.) In other words, the General Plan Update induces changes in Santa Ana's land use pattern and population density directly adjacent to Tustin. As a result, the DPEIR must analyze the direct and reasonably foreseeable indirect impacts to Tustin that will be caused by concentrating growth and population density on Tustin's border. As explained in detail below, the DPEIR fails to do so. The DPEIR acknowledges the likelihood of these impacts, but provides no analysis or mitigation for those impacts. The DPEIR's conclusions are thus unsupported by substantial evidence. This omission must be corrected, and the DPEIR must be recirculated. (CEQA Guidelines § 15088.5 (a)(4).)

A4-2  
cont'd

**3. Land Use Intensification** – The City of Tustin is concerned with the significant changes in land uses (i.e., from commercial and industrial buildings to residential mixed use) along Red Hill Avenue and Dyer Road that are proposed by the Santa Ana General Plan Update, the Bowery-Red Hill/Warner project, or that have occurred recently with the approval and construction of The Heritage project at 2001 East Dyer Road. (DPEIR, p. 5.1-7.) These land use changes could result in significant traffic and park impacts in addition to undermining the effectiveness of planned roadway improvements in Tustin which were designed to mitigate the impacts of other development projects. In particular, the recently constructed fourth northbound through lane improvement to Red Hill Avenue was to address impacts from the Irvine Business Complex as well as accommodate future Tustin Legacy development and traffic diversion from SR-55 Freeway. The effectiveness of this improvement will now be burdened by the induced land use change in the General Plan Update in addition to Santa Ana's approval of the Bowery and Heritage projects. The cumulative impacts of Santa Ana's projects to traffic and parks are likely to be substantial. Although the DPEIR acknowledges these concerns, the cumulative impacts related to traffic and parks have not been adequately addressed, studied, or mitigated in the DPEIR as described in the comments below.

A4-3

**4. Land Use and Planning (RTP/SCS Consistency Goal 6)** – RTP/SCS Goal 6 requires an equitable distribution of resources. (DPEIR, p. 5.10-23.) Despite adding 8,731 residential units in the 55 Freeway/Dyer Road Focus Area in the General Plan Update, there are no recreation or open spaces planned in this area. (DPEIR, p. 3-57; 5.15-6.) The General Plan Update is therefore inconsistent with the RTP/SCS Goal 6. This inconsistency results in reasonably foreseeable impacts to recreation facilities in Tustin, as explained in detail below.

A4-4

**5. Land Use and Planning (Compatibility of Uses)** – Land Use Element Policy 1.1: Compatible Uses aims to enhance livability and promote healthy lifestyles. Land Use Element Policy 3.8 seeks to "Avoid the development of sensitive receptors in close proximity to land uses that pose a hazard to human health and safety, due to the quantity, concentration, or physical or chemical characteristics of the hazardous materials that they utilize, or the hazardous waste that they generate or emit." (See, e.g., DPEIR p. 5.2-25.) The General Plan Update, however, introduces residential uses alongside light industrial and commercial uses within the 55 Freeway/Dyer Road Focus Area. It is unclear how land uses such as industrial and residential will co-exist directly adjacent to one another given that normal industrial operations typically generate noise, safety, hazards and air quality impacts that are not compatible with residential uses. The General Plan Update is thus internally inconsistent and must be revised. (Government Code §§ 65300.5, 65700; *Denham, LLC v. City of Richmond* (2019) 41 Cal.App.5th 340, 344.)

A4-5

**6. Land Use and Planning (Mobility)** – Land Use Element Policies 1.7 and 1.9 require Active Transportation Infrastructure while Circulation Element Policies 1.6 and 3.7 require Complete Streets. (DPEIR, p. 5.10-15; Volume II, Appendix B.) A significant portion of the 55 Freeway/Dyer Road Focus Area, however, does

A4-6

## 2. Response to Comments

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not have sidewalks. This creates a mobility issue for future residents. No plan to address the lack of pedestrian facilities is identified or required in the General Plan Update or the DPEIR, nor thresholds requiring public right-of-way enhancements within the area, to facilitate the projected population growth concentrated in the Focus Area. Project-by-project adjacent improvements are not likely to be adequate in addressing the demands associated with the significant population growth identified in the General Plan Update. The lack of a mobility plan for the Focus Area is inconsistent with the General Plan Update policies listed above. (Government Code §§ 65300.5, 65700; *Denham, LLC v. City of Richmond* (2019) 41 Cal.App.5th 340, 344.) The DPEIR and General Plan Update should be revised to address this issue.

A4-6  
cont'd

**7. Population and Housing (Impact 5.13-1)** – The DPEIR readily acknowledges that the General Plan Update will result in more residents and development in the focus areas, including the 55 Freeway / Dyer Road Focus Area. (See, e.g., 5.1-32.) Table 5.13-8 identifies that the largest gross and percentage population growth (244%) among the proposed focus areas will occur on the boundary of Santa Ana and Tustin in the 55 Freeway/Dyer Road Focus Area. (See, e.g., DPEIR, p. 5.13-12.) This growth projection may be *understated*, because it appears that the existing population (9,034) count within the 55 Freeway/Dyer Road Focus Area is *overstated* given that the Heritage project appears to be the only existing residential land use within the Focus Area. Please confirm the accuracy of the existing population in the Focus Area.<sup>1</sup>

As noted on Page 5.13-14 of the DPEIR, “the purpose of general plan updates is to accommodate increased growth in a responsible manner. The GPU accommodates future growth in the City by providing for infrastructure and public services to accommodate the projected growth.” Unfortunately, when identifying the relevant infrastructure and public services to accommodate future population growth, Open Space Element Policies are notably absent. The General Plan Update’s reasonably foreseeable impacts to Tustin have not been addressed. No mitigation is offered to accommodate potential future growth and the DPEIR simply notes this impact as significant and unavoidable. This approach does not accommodate future growth in a responsible manner. Mitigation measures should be identified in the DPEIR to address the impacts of future population growth, particularly in the 55 Freeway/Dyer Road Focus Area. These mitigation measures should require the development of a vision plan or master plan for the Focus Area within a reasonable timeframe that identifies minimum requirements for parks and open space, sidewalks, and other infrastructure to adequately support the population growth and serve the residents within the Focus Area. Santa Ana should commit to implementing this mitigation in the DPEIR and Mitigation Monitoring and Reporting Program.

A4-7

**8. Population and Housing (Impact 5.13-2)** – Table 5.13-10 is misleading because it says that there are zero existing and proposed residential acres within the 55 Freeway/Dyer Road Focus area. (DPEIR, p. 5.13-14.) The bulk of the General Plan Update’s population growth, however, occurs within this Focus Area including the addition of 8,731 additional residential units beyond the 1,221 units recently introduced at the Heritage project on Dyer Road. Further, the District Center Land Use Designation clearly allows for and encourages residential uses. Table 5.13-10 should be revised accordingly.

A4-8

**9. Recreation** – Resident feedback within the Community Outreach – The First Conversation Executive Summary noted the lack of open space, need for better park maintenance, lack of community centers, and unsafe parks within Santa Ana. The DPEIR and Draft General Plan Update, however, do not require or identify any park land to be provided within the 55 Freeway/Dyer Road Focus Area. (DPEIR, p. 5.15-6.)

A4-9

<sup>1</sup> Some of the existing population may reside at the Heritage project on Dyer Road which introduced residential development into the predominately industrial and commercial area through what could be considered spot zoning, and does not constitute a pattern of existing residential use.

## 2. Response to Comments

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The Santa Ana General Plan Update should require land for park and recreational purposes to meet the City of Santa Ana's minimum standard of "two (2) acres of property devoted to parks and recreational purposes for each thousand (1,000) persons residing within the City of Santa Ana." (Santa Ana Municipal Code § 35-108(a).) There is an average 2018 household size of 4.5 persons in the City of Santa Ana per the Southern California Association of Government's 2019 Profile of the City of Santa Ana. (<https://www.scag.ca.gov/Documents/SantaAna.pdf>). This equates to a minimum of approximately 89.6 acres of *new parkland* needed to serve the 9,952 housing units projected at build-out for the Focus Area, as there are no park facilities currently existing in the 55 Freeway/Dyer Road Focus Area.

The City of Santa Ana Municipal Code requires residential projects to pay park acquisition and development fees or dedicate land for park and recreational purposes. (Santa Ana Municipal Code § 35-108(b).) Private open space and perimeter open space is not equivalent to park land. The Bowery project is a recent example where Santa Ana erroneously counted balconies and walkways within the private development towards "parkland." This approach should be discontinued immediately.

It is also notable that the Santa Ana goal of two (2) acres per 1,000 residents falls short of the widely held minimum standard of three (3) acres per 1,000 residents as established under the Quimby Act. (Government Code § 66477). As shown in the table below, the minimum General Plan park acreage goals of many surrounding jurisdictions are higher than that of Santa Ana.

City	General Plan Minimum Parkland Acreage Goal
Costa Mesa	4.26 acres per 1,000 residents
Fountain Valley	13.2 acres per 1,000 residents (existing); 3-5 acre goal
Garden Grove	2.0 acres per 1,000 residents for parkland; 5.0 acres per 1,000 residents for open space
Irvine	5.0 acres per 1,000 residents
Orange	3.0 acres per 1,000 residents
<b>Santa Ana</b>	<b>2.0 acres per 1,000 residents</b>
Tustin	3.0 acres per 1,000 residents
Westminster	3.0 acres per 1,000 residents

A4-9  
cont'd

Nonetheless, Policy 1.4 – Park Connectivity of the Open Space Element from the Santa Ana General Plan Update Policy Framework (GPPF) proposes to establish and enhance options for residents to access existing and new park facilities through safe walking, bicycling, and transit routes. (DPEIR, p. 5.15-13.) Within the 55 Freeway/Dyer Road Focus Area, there is a fragmented and otherwise absent sidewalk network. Further, the SR-55 Freeway creates a physical barrier to pedestrian and bicycle linkages with other Santa Ana neighborhoods for those properties in the Focus Area currently proposed for residential uses. In addition, there are no planned or existing parkland facilities within that Focus Area.

As noted on page OS-03 of the City of Santa Ana General Plan Update, Community outreach received during all stages of the General Plan Update preparation identified Santa Ana residents' need for additional and better park facilities. Based on the residents' feedback, residents within the Focus Area will use Tustin Legacy park facilities due to their close proximity, convenience, safety, and likely enhanced level of maintenance compared to Santa Ana park facilities. Thus, it is reasonably foreseeable that the 8,731 additional residential units allocated to the 55 Freeway/Dyer Road Focus Area in the General Plan Update will increase park demand in Tustin. The closest park facilities are across Red Hill Avenue within Tustin Legacy. These park facilities are within both biking and walking distance of the Focus Area. This will place an unplanned and undue burden on Tustin Legacy facilities.



## 2. Response to Comments

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In addition to proximity, the analysis in the DPEIR should consider the quality, amenities, and attractiveness of nearby parks when estimating park usage. For example, the proposed Veterans Sports Park at Tustin Legacy will be three times larger and about half the distance from the Focus Area than the closest park in Santa Ana, and will offer new, state of the art facilities that will be attractive to park users.

If additional, sufficient parkland is not identified in the General Plan Update, residents of future Santa Ana projects will overburden parkland facilities in adjacent jurisdictions, including Tustin, resulting in the physical deterioration of those facilities. These reasonably foreseeable, significant impacts must be identified and mitigated in the DPEIR. They are not. The analysis in the DPEIR of the proposed compliance with the City of Santa Ana's park standards should be revised to focus on the potential to physically deteriorate existing and future recreational facilities in the City of Tustin.

At best, the DPEIR recognizes the potential for impacts *"onto adjacent communities with regards to parks and open space utilization."* (DPEIR, p. 5.15-17.) The DPEIR, however, fails to acknowledge that these impacts will be significant and further fails to provide enforceable and feasible mitigation for those impacts. The DPEIR states that *"the City (of Santa Ana) is committed to working closely with cities located adjacent to General Plan Focus Areas when preparing the City of Santa Ana's Parks and Recreation Master Plan to ensure that the Dyer/55 Focus Area and other growth areas of the City provide additional recreation, parks, and core services essential in making complete communities."* (DPEIR, p. 5.15-17.) While Tustin appreciates this sentiment, this vague and unenforceable statement does not mitigate the reasonably foreseeable, significant impacts to recreational facilities in Tustin. The DPEIR should include a mitigation measure that requires the City of Santa Ana to prepare a Parks and Recreation Master Plan and to require that park land be secured or provided in conjunction with future residential or residential mixed use projects within the 55 Freeway/Dyer Road Focus Area prior to the approval of any additional residential units within the Focus Area. (See *City of Hayward v. Trustees of California State University* (2015), 242 Cal.App.4th 833 [analysis of recreational facility impacts found deficient because it failed to meaningfully inform or analyze the extent of impacts on neighboring park lands where only 130 acres were provided on campus but 4,763 acres were provided in neighboring parkland]; see also *The Flanders Foundation v. City of Carmel-By-the-Sea* (2012) 202 Cal.App.4th 603 [EIR inadequate because it failed to address unmitigated significant environmental impact on recreational activities].)

A4-9  
cont'd

**10. Parks and Open Space Studies** - A comprehensive study of parkland demand should be conducted to evaluate the extent of the impacts of the General Plan Update on Tustin facilities. It is recommended that the minimum park facilities as required by the General Plan be accommodated within the 55 Freeway/Dyer Road Focus Area. Thresholds tied to the development and upzoning of any properties requiring a minimum amount of park land per residential unit should be required to ensure the development of the minimum parkland facilities within the Focus Area. The PEIR should also include a study that analyzes how far residents in a suburban community are willing to travel, by foot and by vehicle, to reach a community park.

A4-10

**11. Recreation – (55 Freeway/Dyer Road Focus Area)** – It is noted in the DPEIR that there are no parks in this Focus Area and existing open space consists of railroad lines and a concrete channel, which should not be considered as useable open space. (DPEIR, p. 5.15-6.)

Table 3-5 of the DPEIR identifies that Open Space will occupy only 1.1 acres or 0.3% of the Proposed Land Use within the Focus Area. (DPEIR, p. 3-29.) This is especially troubling given the following statement in the DPEIR, *"Little current or future potential exists for the acquisition of additional park lands and open spaces, both because the city is almost fully developed and because demands on capital funds are highly competitive."* (DPEIR, p. 5.15-2.) This clearly shows that the City of Santa Ana does not plan to develop public parkland within the Focus Area. It further brings into question how the City of Santa Ana intends to use in-lieu park fees collected from

A4-11

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development if they are not going to be used for the acquisition of park land within the Focus Area. Without a commitment to provide park space within the Focus Area, the proposed General Plan Update is not in compliance with Land Use Element Policy 1.3: Equitable Distribution of Open Space nor is it in compliance with Community Element Policy 1.5: Equitable Recreation Spaces.

A4-11  
cont'd

These statements within the DPEIR only further demonstrate that the burden of required recreation space to support the proposed residential growth within the Focus Area will be borne by adjacent cities such as Tustin.

**12. Recreation – (Environmental Impacts)** – Table 5.15-4 identifies the buildout potential of an additional 96,885 residents by 2045. (DPEIR, p. 5.15-16.) The parkland acreage at buildout to accommodate these additional residents is only projected to increase by 1.84 acres, whereas, by the City of Santa Ana's standards, 193.77 acres of new parkland would be required.

The approach to meeting this required parkland acreage is unclear. No strategy for future public parkland is identified. If the assumption is that future development will provide all required parkland on-site as private property, then that concept should be stated as an absolute requirement in the General Plan Update and in-lieu fees should not be an available mitigation. Pushing off the parkland requirements to each individual development project and allowing payment of in-lieu fees ignores the cumulative impacts of delayed implementation and is not a sustainable approach to accommodating future growth. This approach simply ignores the lack of open space and recreational facilities needed within Santa Ana.

A4-12

This clear exacerbation of the parkland deficiency to well-below the existing deficiency cannot simply be disregarded as a less than significant impact. Further, the General Plan Update is not in compliance with Land Use Element Policy 1.9: Public Facilities and Infrastructure, as new developments will clearly compound existing public facility and service deficiencies as identified in the DPEIR.

**13. Recreation – (Quimby Act)** – The DPEIR identifies the Quimby Act's standards and notes that "*Cities and counties with a lower ratio can require the provision of up to three acres of park space per 1,000 people;*" however, the City of Santa Ana chooses to impose a lower threshold of two acres per 1,000 persons. (DPEIR, p. 5.15-16.) The DPEIR continually references the existing Municipal Code requirements for parkland as if the Santa Ana Municipal Code somehow supersedes the General Plan as a guiding document. The park land requirements of the Santa Ana Municipal Code do not adequately address the park land deficiencies and goals for additional park land that are identified in the City of Santa General Plan Update.

Santa Ana residents have said that the lack of open space and recreational opportunities within the City are a problem. Yet, there is little identifiable aspiration to provide the minimum standard of parkland that is provided in adjacent jurisdictions. Based on the intense allocation of residential units, and the lack of planned new open space to accommodate those residential units, it is reasonably foreseeable that the recreation facilities in adjacent jurisdictions such as Tustin will be overburdened and will physically deteriorate as a result.

A4-13

It should also be noted that the Quimby Act is applicable to subdivisions whereas the majority of proposed residential units are presumed to be apartments which may not require subdivision. Santa Ana's heavy reliance on privately provided parkland dedication utilizes a standard which is below that identified in the Quimby Act. This leads to inequities for Santa Ana residents when compared to neighboring jurisdictions and will likely force Santa Ana residents into neighboring cities to meet their recreation and open space needs. Without a public parkland plan in place, it is at best unclear how the recreation standards will be met.



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**14. Recreation (Regulatory Requirements)** – Mandatory fees as a substitute for providing parkland for new residential development will likely do little to address the significant impacts caused by the increase in residential units and the parkland deficiency in the 55 Freeway/Dyer Road Focus Area. Chapter 35, Article IV of the Santa Municipal Code does not require that Park Acquisition and Development Funds be spent within the Focus Area to benefit new residents even though no current recreation facilities exist.

It is noted in the DPEIR that *“At the General Plan level of analysis, it is speculative and infeasible to evaluate project-specific environmental impacts associated with the specific construction of future park and recreational facilities since specific sites and time frames for development are unknown. When specific projects are necessitated and subsequently undertaken to meet the growth demands from buildout of the General Plan update, the appropriate level of analysis required under CEQA would be conducted by the City’s Park, Recreation, and Community Services Agency.”* (DPEIR p. 5.15-16, 17.) While the General Plan Update has a clear vision for land use development that induces changes in Santa Ana’s land use patterns and population density, there is no clear vision for additional parkland as should be required in the General Plan Update. Designation of property for Open Space within the Focus Area is an appropriate General Plan Level activity. The City of Santa Ana continues to approve projects in the Focus Area, such as the Heritage and Bowery-Red Hill/Warner projects, without evaluating the cumulative impacts of additional residential units and the deficiency/non-existence of recreation facilities. The DPEIR and General Plan Update should identify and commit to the development of new park facilities in the 55 Freeway/Dyer Road Focus Area to meet the demand created by new residents and to mitigate the potential impacts to parks in neighboring jurisdictions. If park in-lieu fees are not eliminated in their entirety, the General Plan Update and PEIR should be revised to state that they will be used to acquire property for park uses east of the SR-55 where the General Plan Update already contemplates the conversion of existing land uses in order to mitigate recreation impacts in both Santa Ana and Tustin.

A4-14

**15. Affordable Housing** – Although there are policies, goals, and objectives in the Santa Ana General Plan Update that encourage the provision of affordable housing, there is no commitment for affordable housing to be provided in conjunction with the proposed upzoning of properties in the 55 Freeway/Dyer Road Focus Area. (See, e.g., DPEIR § 5-13.) As noted on Page 2-10 of the DPEIR, the lack of affordable housing within Santa Ana has also been recognized as a concern to Santa Ana residents, but has been inadequately addressed.

It is stated on page 5.13-3 of the DPEIR that *“The Housing Opportunity Ordinance (HOO) establishes standards and procedures to encourage the development of housing that is affordable to a range of households with varying income levels. The purpose of the ordinance is to encourage the development and availability of affordable housing by requiring the inclusion of affordable housing units within new developments or the conversion of rental units to condominium ownership when the number of units exceed the densities permitted under the General Plan.”* The requirements of the HOO should be applied to all new residential development proposed within the 55 Freeway/Dyer Road Focus Area.

A4-15

**16. Noise** - The 55 Freeway/Dyer Road Focus Area lies within the John Wayne Airport (JWA) flightpath, with a substantial portion of the area included within the 65 dB(A) and 60 dB(A) CNEL contours (2016 Baseline). Policy 3.1 of the Noise Element does not support residential development within the 65 dB(A) CNEL noise contour. (DPEIR, p. 5.12-27.) To be internally consistent, the General Plan Update should expressly prohibit all residential development in the 65 dB(A) CNEL contour. To avoid environmental justice concerns, the General Plan Update must expressly prohibit lower income / affordable housing in these areas.

A4-16

Policy 2.2, Stationary Related Noise, of the Noise Element acknowledges the conflicts between commercial/industrial facilities adjacent to residential development. (DPEIR, p. 5.12-27.) As a result, the policy seeks to “minimize” noise impacts from commercial and industrial facilities adjacent to residential uses, but it provides

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no explanation as to how this will be accomplished. The General Plan Update should provide direction to achieve this goal, specifically in light of the introduction of residential uses in areas such as the 55 Freeway/Dyer Road Focus Area which currently consist of predominately office and industrial uses.

A4-16  
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**17. Traffic/Circulation (Traffic Impact Study Area)** – As noted in Section 2.2 of the Traffic Impact Study, the City of Tustin was asked to participate in the City of Santa Ana's efforts to update their General Plan Circulation Element and request for a Master Plan of Arterial Highways (MPAH) amendment from the Orange County Transportation Authority (OCTA). The requested MPAH amendment includes the reclassification of two Santa Ana streets that could potentially impact the City of Tustin: First Street and Chestnut Avenue (Chestnut Avenue becomes Main Street in Tustin). However, at the time that the City of Tustin provided comments, none of the proposed General Plan Update land use changes were shared with the City of Tustin. As a result, the City of Tustin's comments were focused on the inclusion of certain intersections in Tustin for the purposes of analyzing the MPAH Amendment. The current Traffic Impact Study analyzes the additional intersections as requested by the City of Tustin.

A4-17

However, to adequately assess any impacts to Tustin streets due to the proposed General Plan Update land use changes, particularly in Focus Area 4 (55 Freeway/Dyer Road), the Study area needs to be extended. The City of Tustin made this request in its March 26, 2020, NOP comment letter. The impacts of the traffic increases along Red Hill Avenue due to the upzoning in the 55 Freeway/Dyer Road Focus Area at the following intersections should be included in the traffic analysis:

Red Hill Avenue/El Camino Real  
Red Hill Avenue/I-5 Southbound and Northbound Ramps  
Red Hill Avenue/Nisson Road  
Red Hill Avenue/Walnut Avenue  
Red Hill Avenue/Valencia Avenue  
Tustin Ranch Road/Warner Avenue North  
Tustin Ranch Road/Walnut Avenue

**18. Traffic/Circulation (Red Hill Avenue)** - The newly installed landscaped median on Red Hill Avenue between Warner Avenue and Carnegie Avenue currently prevents left turn ingress and egress at driveways along the westerly side of Red Hill Avenue for the frontage of contemplated development. Due to the high speeds and traffic volume on Red Hill Avenue that will affect traffic flow and cause delays, the City is not supportive of an additional traffic signal to serve proposed development, nor the installation of median breaks to provide turning movements across the median which can create unsafe conditions. Any driveways on Red Hill Avenue to serve proposed development will need to only allow right-turn in and right-turn out movements.

A4-18

**19. Traffic/Circulation (Red Hill Avenue Improvements)** – Due to existing conditions, any significant development or land use intensification in the 55 Freeway/Dyer Road Focus Area will require improvements along southbound Red Hill Avenue i.e., dedicated right-turn lanes on eastbound Warner Avenue and Carnegie Avenue at Red Hill Avenue or right-turn lanes on southbound Red Hill Avenue at Warner Avenue and Carnegie Avenue.

A4-19

**20. Traffic/Circulation (Land Use and Trip Generation Comparison)** – To facilitate review, a land use and trip generation summary and a map of all focus areas comparing current conditions and those under the proposed General Plan should be provided in the PEIR.

A4-20

**21. Traffic/Circulation (Newport Avenue/SR-55 Northbound Ramps-Del Amo Avenue)** – The General Plan Update also contributes to the intersection deficiency at Newport Avenue/SR-55 Northbound

A4-21

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Ramps-Del Amo Avenue. The mitigation identified is a second southbound right-turn lane on Newport Avenue to northbound SR-55 ramp. Funding and implementation of the improvements should be worked out between Santa Ana and Caltrans, because Santa Ana projects would contribute to the deficiency, and Caltrans is responsible for maintenance of the intersection.

A4-21  
cont'd

**22. Traffic/Circulation (Red Hill Avenue and Warner Avenue Impacts)** – As noted in previous comment letters to the City of Santa Ana, the City of Tustin is concerned about the lack of consistency of the peak hour traffic forecasts for the Red Hill Avenue and Warner Avenue intersection in the following studies:

1. Tustin Legacy Specific Plan (2017), City of Tustin, Stantec
2. Heritage Mixed Use Project (2015), City of Santa Ana, LLG
3. Santa Ana General Plan Update (2020), City of Santa Ana, IBI
4. Bowery Mixed-Use Project (2020), City of Santa Ana, EPD

A4-22

As mentioned in the City of Tustin's comment letter to the City of Santa Ana dated August 14, 2020 regarding the proposed MPAH amendment, the impact at Red Hill Avenue/Warner Avenue has been understated by leaving out the "Lost Time" input of 5 seconds (or .05) in the Intersection Capacity Utilization (ICU) calculation. The "Lost Time" input is required by both the Tustin and Santa Ana level of service analysis (LOS) guidelines. When corrected with the lost time reflected in the ICU calculation, the General Plan Update would adversely impact the intersection of Red Hill Avenue/Warner to an unacceptable level (i.e., ICU > 0.90) during the PM peak hour. This impact must be mitigated.

**23. Traffic/Circulation (MPAH Reclassifications)** – The following comments pertain to the proposed MPAH Reclassifications.

- Newport Avenue/SR-55 Northbound Ramps-Del Amo Avenue – The project contributes to the projected intersection deficiency and identifies a second southbound right-turn lane on Newport Avenue to northbound SR-55 ramp as mitigation. The DPEIR, however, does not commit to funding for this improvement in the traffic study. Instead it states that Santa Ana will pursue the development of a Transportation System Improvement Assessment (TSIA) for funding the improvements. Santa Ana should collaborate with Caltrans to implement this improvement, because Santa Ana projects would contribute to the deficiency, and Caltrans is responsible for maintenance of the intersection. 2045 With-Project AM ICU worksheets were missing in the appendix, and thus precluded a complete review of the DPEIR's supporting evidence and conclusions.
- A "Lost Time" input of 5 seconds (or .05) has been erroneously left out in the Intersection Capacity Utilization (ICU) calculation as required by Tustin and Santa Ana level of service analysis (LOS) guidelines.

A4-23

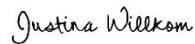
Thank you again for the opportunity to provide comments on the City of Santa Ana General Plan Update and DPEIR. The City of Tustin would appreciate receiving early responses to our comments as well as a copy of the Final PEIR when it becomes available in addition to all future public hearing notices with respect to this project. Please provide all future CEQA notices regarding this project to the undersigned pursuant to Public Resources Code Section 21092.2.

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If you have any questions regarding the City's comments, please call Scott Reekstin, Principal Planner, at (714) 573-3016 or Krys Saldivar, Public Works Manager, at (714) 573-3172.

Sincerely,



Justina L. Willkom  
Acting Community Development Director

cc: Minh Thai, Executive Director, Santa Ana Planning and Building Agency  
Phil Johnson, Fire Chief, Orange County Fire Authority  
Matthew S. West, City Manager  
Nicole Bernard, Assistant City Manager  
David Kendig, City Attorney  
Stu Greenberg, Police Chief  
Jason Al-Imam, Director of Finance  
Chris Koster, Director of Economic Development  
Douglas S. Stack, Public Works Director  
Chad Clanton, Parks and Recreation Director  
Ken Nishikawa, Deputy Director of Public Works/Engineering  
Krys Saldivar, Public Works Manager  
Scott Reekstin, Principal Planner  
Ryan Swiontek, Senior Management Analyst

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## 2. Response to Comments

### A4. Response to Comments from City of Tustin, dated 9/16/2020.

A4-1 The draft GPU Implementation Actions are included in tables in each of the General Plan Elements and are posted on the City's website: <https://www.santa-ana.org/general-plan/draft-documents>. Upon adoption, these actions will implement the GPU policies. The applicable policies are listed in each topical section of the Draft PEIR, and the analysis in each section assumes implementation of these policies in addition to CEQA mitigation, if required, to mitigate any residual impacts. The Implementation Actions provide the responsible entity for implementing the GPU as well as the target timeline for implementation. The Implementation Actions have been disclosed and are available for public review. Moreover, these measures will result in beneficial effects and would not result in new significant environmental impacts. There is no reason for recirculation of the Draft PEIR.

A4-2 The City of Santa Ana recognizes the requirement for the Draft PEIR to address direct and indirect project impacts, and cumulative project impacts, including impacts to surrounding jurisdictions. Draft PEIR Section 4.5, *Assumption Regarding Cumulative Impacts*, describes the methodology for assessing potential cumulative impacts of implementing the proposed GPU. Cumulative impacts are based on projections for the GPU within the City's boundary, and, as appropriate, the greater Orange County area or regional as assessed in various, related planning documents. The approach for each topical area is provided in this section (for example, air quality impacts are based on the South Coast Air Basin boundaries, and hydrology and water quality impacts are analyzed for the respective watersheds and water basins within and beyond the city boundary). Public services and utilities analyses are based on the geographical boundaries of the respective service boundaries.

Please refer to responses A4-10 through A4-14 to this letter regarding potential GPU impacts related to recreational facilities; response A4A-5, below; and to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*. As discussed in Section 2.1.5, *Request to Recirculate Draft PEIR*, based on revisions and supplemental information provided in this EIR as well as proposed refinements to GPU policies, none of the issues raised in comments to the Draft PEIR constitute the type of significant new information that requires recirculation of the Draft PEIR for further public comment under CEQA Guidelines Section 15088.5.

A4-3 The Draft PEIR project description fully discloses the proposed land use intensification and analyzes the potential impacts associated with the proposed land uses. The methodology used to quantify existing and buildout land use statistics is detailed in Draft PEIR Appendix B-b, *Santa Ana General Plan Buildout Methodology*. As included in Table 7, *Pipeline Projects as of January 2020*, on page 16 of this appendix, the land use statistics include both the Heritage project and the Bowery project (subsequently renamed the Warner Redhill Mixed-Use Project). The Heritage project is built and was included as part

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of existing conditions, and the Warner Redhill Mixed-Use project was included in the buildout projections. The potential impacts of General Plan buildout, including the traffic analysis, were based on these statistics. The cumulative impacts of these projects, along with buildout of the 55 Freeway/Dyer Focus Area land uses, are therefore included in the analysis of the Draft PEIR.

Please refer to responses specific to park/recreation-related impacts in the following responses and the General Response in Section 2.1.3, *Parks and Open Space*. Note, however, that “traffic” impacts and performance of the network are no longer the purview of CEQA or the EIR (pursuant to SB 743, passed in September 2013). Responses to City of Tustin’s transportation/traffic-related comments are addressed due to their relationship to MPAH consistency and the City’s proposed Circulation Element.

The land use changes proposed in the Santa Ana General Plan Update for the portion of the City near Red Hill Avenue, Dyer Road, and SR-55 are not forecast to have a significant impact on roadway average daily traffic volumes for Red Hill Avenue between Dyer Road and Valencia Avenue. Forecast 2045 With Project daily traffic volumes on Red Hill Avenue are anticipated to be about 33,000 to 35,000 vehicles per day, which is well within the range of acceptable level of service for an eight-lane roadway. No cumulative impacts to the operation of Red Hill Avenue are forecast to occur as a result of the General Plan Update.

- A4-4      The referenced table in this comment—Table 5.10-1, *2020-2045 RTP/SCS Consistency Analysis*, on page 5.10-23 of the Draft PEIR—lists numerous policies within various elements of the GPU that facilitate an equitable distribution of resources. In particular, policies that support the City’s Community Goal CM-1: Recreation and Culture, and Open Space Goal OS: Parks, Open Space and Recreation inherently facilitate RTP/SCS Goal 6, as referenced in this comment. Key to achieving equitable distribution of resources in the city are the proposed Implementation Actions, including the following OS-1 Implementation Action:

**1.1 Park needs assessment and master plan.** Create, adopt, and implement a park needs assessment and master plan that furthers and achieves the goals and policies of the Open Space Element, including defining park service areas according to best practices, establishing a service area for each park facility, creating a tool to evaluate needs and prioritize improvements by quadrant, or appropriate geographic sub-area, and maintaining a list of priorities for the expansion and improvement of open space and recreational facilities in each quadrant or geographic sub-area. Implement robust efforts to obtain grant funding for parks and open space improvements.

Please also refer to the General Response in Section 2.1.3, *Parks and Open Space*.

- A4-5      This comment contends that the GPU is internally inconsistent and therefore must be revised. The City disagrees. As referenced by the commenter, California Government Code Section 65300.5 states: “In construing the provisions of this article, the Legislature

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intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.” The proposed GPU meets this requirement and is internally consistent. The project objectives are clearly identified in Draft PEIR Section 3.2, *Project Objectives*. These objectives include: 1) promoting infill development while respecting and protecting established neighborhoods; 2) optimizing high density residential and mixed-use development that maximize potential use of mass transit, and 3) developing opportunities for live-work, artist spaces, and small-scale manufacturing. The proposed land use plan and comprehensive policies support these objectives.

As noted by the commenter, land uses for the proposed 55 Freeway/Dyer Road Focus Area include light industrial and commercial uses. The Industrial Flex designation for this area would allow office/industrial flex spaces, small-scale R&D, retail, live-work, and clean manufacturing. By definition, it would not introduce heavy manufacturing and the level of noise, safety, hazards, and air quality impacts suggested by this commenter. Moreover, in addition to numerous regulatory requirements, as detailed in the Draft PEIR, to address industrial and commercial-related environmental impacts, the GPU includes comprehensive policies and implementation actions to protect against impacts to sensitive receptors. Several of these follow in this response.

In summary, goals for a citywide GPU inherently represent competing objectives between resource protection, community character, and development potential. For many properties it would not be possible to fully attain each goal. That does not mean that the GPU is internally inconsistent. It is the ultimate responsibility of the City Council to review the proposed GPU and determine whether the proposed GPU is consistent with the overriding vision, goals, and objectives defined by the City.

Following are relevant policies to minimize air quality impacts on sensitive receptors to achieve appropriate health standards.<sup>2</sup> Similarly, the GPU includes policies to ensure noise compatibility and minimize safety hazards:

- **Policy 1.5 Sensitive Receptor Decisions (Conservation Element).** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.
- **Policy 3.8 Sensitive Receptors (Land Use Element).** Avoid the development of sensitive receptors in close proximity to land uses that pose a hazard to human health

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<sup>2</sup> The Draft PEIR evaluates the project’s physical impacts to the environment. Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

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and safety, due to the quantity, concentration, or physical or chemical characteristics of the hazardous materials that they utilize, or the hazardous waste that they generate or emit.

- **Policy 3.9 Noxious, Hazardous, Dangerous, and polluting Uses (Land Use Element).** Improve the health of residents by discontinuing the operation of noxious, hazardous, dangerous, and polluting uses that are in close proximity to sensitive receptors
- **Policy 2.6 Existing Sensitive Uses (Safety Element).** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses.
- **Policy 1.1 (Noise Element).** Noise Standards: Utilize established Citywide Noise Standards and guidelines to inform land use decisions and guide noise management strategies.
- **Policy 1.2 (Noise Element).** Sound Design: Encourage functional and attractive designs to mitigate excessive noise levels.
- **Policy 1.4 (Noise Element).** Sensitive Uses: Protect noise sensitive land uses from excessive, unsafe, or otherwise disruptive noise levels.

As discussed on Page 5.12-45 of the Draft PEIR, "stationary source noise, such as from HVAC units and commercial loading docks, is controlled by the City's Municipal Code." Specifically, Section 18.312 of the Santa Ana Municipal Code establishes noise standards for stationary noise sources, such as from commercial and industrial facilities. As discussed in the Draft PEIR, proposed Noise Element Policy 2.2, Stationary Related Noise, would ensure that new stationary noise sources are mitigated to acceptable noise limits established by the City. New residential and noise-sensitive land uses are evaluated against the City's interior and exterior noise compatibility standards.

A4-6

Please refer to Response A4-5 regarding overall GPU consistency. A specific mobility plan for each focus area is not required at the general plan level, and the GPU is not inconsistent with the Land Use Element and Mobility Element policies referenced in this comment. Note that the following implementation actions are included in the GPU to implement and assist in implementing complete streets:

**3.3 Pedestrian accessibility.** Implement the City ADA Transition Plan to cost effectively enhance pedestrian accessibility, with guidance from the Sidewalk Connectivity Plan.

**3.4 Pedestrian opportunity zones.** Prepare public realm plans within pedestrian opportunity zones.



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Note also that the City's Active Transportation Plan includes a citywide evaluation of sidewalks (see Figure 2-4) and the proposed GPU Mobility Element identifies pedestrian opportunity zones, which include the 55 Freeway/Dyer Road Focus Area (Figure M-4). And finally, individual development projects will be subject to CEQA review and be required to address consistency with programs, plans, ordinances, and policies that address the circulation system, including pedestrian facilities.

- A4-7 A description of the methodology used to prepare buildout statistics is included as Draft PEIR Appendix B-b., *Santa Ana General Plan Buildout Methodology*. As shown in Table 1 of that appendix, there were 1,221 housing units within the 55 Freeway/Dyer Road Focus Area, including a total of 1,141 units for The Heritage project (see Table 7, *Pipeline Project as of January 2020*). Per this analysis, there are an existing 80 residential units within this focus area in addition to The Heritage project.

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

- A4-8 Table 5.12-10 of the Draft PEIR has been changed to include "Mixed Use" and "Live/Work" existing land uses into existing residential land use acreage. "District Center" land uses were added into the land use acreages for the GPU. The specific changes are shown below and are included in Chapter 3 of this FEIR.

The purpose of the GPU is to provide orderly growth in the City of Santa Ana through the distribution, location, balance, and extent of land uses. Under the 2045 buildout scenario, the GPU would change the land use designations of ~~581.4~~ 839.7 acres of existing nonresidential land uses to residential uses (see Table 5.13-10). The proposed land use map (see Figure 3-7) identifies land use designations for a variety of housing types and provides for additional residential opportunities in areas that currently do not allow residential uses.

**Table 5.13-10 Existing and Proposed Land Use Designations**

Area	Existing Residential (Acres)	GPU Residential (Acres)	Increase (Acres)
Grand Avenue/17th Street	<del>28.9</del> <u>29.1</u>	<del>119.7</del> <u>143.4</u>	<del>90.8</del> <u>114.3</u>
55 Freeway/Dyer Road	<del>0</del> <u>18.7</u>	<del>0</del> <u>44.6</u>	<del>0</del> <u>25.9</u>
South Bristol Street	16.7	<del>85.7</del> <u>194.0</u>	<del>69.0</del> <u>177.3</u>
South Main Street	<del>155.7</del> <u>159.2</u>	264.0	<del>108.3</del> <u>104.8</u>
West Santa Ana Boulevard	<del>157.7</del> <u>158.3</u>	<del>176.9</del> <u>186.9</u>	<del>19.2</del> <u>28.6</u>
Balance of City	<del>6,647.9</del> <u>6,677.1</u>	<del>6,941.7</del> <u>7,065.9</u>	<del>293.8</del> <u>388.8</u>
<b>Total</b>			<del>581.4</del> <u>839.7</u>

Note: Existing residential acreage includes mixed use, Live/Work, multifamily residential, single-family residential, and mobile homes and trailer parks.

Proposed GPU residential acreage includes the following land use designations: Corridor Residential, District Center, Urban Neighborhood, Low-Density Residential, Low- to Medium- Density Residential, and Medium-Density Residential.

- A4-9 While agencies typically have models in place that enable them to analyze impacts such as traffic on neighboring jurisdictions, the City does not have a model or methodology in

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place to identify what impacts the GPU will have on Tustin's parks and recreational facilities. Analyzing the impacts of the GPU to park facilities in adjacent cities is not as definitive and more speculative than analyzing traffic impacts on neighboring jurisdictions. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable (State CEQA Guidelines, § 15064(d)(3)). When no accepted methodology exists to assess an environmental impact, the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown. (See State CEQA Guidelines § 15145; *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1137; *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899.) Nevertheless, the City has conducted a reasonable analysis to the best of its ability.

Moreover, the City appreciates the commenter's concern and will continue to work with the City of Tustin in preparing its Parks and Recreation Master Plan, as stated in the DEIR.

In addition, as discussed in the Draft PEIR, the City will identify additional funding sources from new development projects to procure land or in-lieu fees for installation of parks in the immediate vicinity of proposed development in order to minimize the potential for impacts on adjacent communities with regard to parks and open space use. The inclusion of publicly accessible open space is also part of the City's development standards for residential/mixed use development projects to address open space and recreation needs. (Draft EIR, p. 2-18.)

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

A4-10 Please refer to Responses A4A-4 and A4A-7, below.

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

A4-11 Please refer to Response A4A-9, below.

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

A4-12 Please refer to Responses A4A-3 and A4A-6, below.

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

A4-13 Please refer to Responses A4A-4 and A4A-6, below.

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Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

A4-14 Please refer to Responses A4A-4, A4A-5, and A4A-9, below.

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

A4-15 This comment recommends that the General Plan Update include commitments for affordable housing, particularly within the 55 Freeway/Dyer Road Focus Area. It also notes that comments in response to the Draft PEIR Notice of Preparation identify the lack of affordable housing as an issue.

As described in Draft PEIR Chapter 3, *Project Description*, the Housing Element is a mandated element of a General Plan. The project description, however, clearly explains that the City's Housing Element was adopted in February 2014 and will be updated again in late 2021 pursuant to state requirements. Therefore, although the Housing Element remains an element of the General Plan upon adoption of the update, it is not part of the "project" analyzed for the Draft PEIR. Moreover, CEQA does not require an evaluation of affordable housing as an environmental impact. The relevant CEQA checklist question to be addressed for environmental review is whether a project would "displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere." The potential for the GPU to result in housing displacement is addressed in the Draft PEIR as Impact 5.13-2 in Section 5.13, *Population and Housing*.

The City of Santa Ana's Housing Opportunity Ordinance (HOO), as referenced by this commenter, is summarized in the Environmental Setting section of Draft PEIR Section 5.13, *Population and Housing*. The information is included to provide a comprehensive review of the regulatory framework for this Draft PEIR section. The application of this ordinance, which is citywide, is a planning issue and not a CEQA concern.

Please also refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities, and Response A4-6 regarding the provision of sidewalks.

A4-16 See response to Comment A4-5, above, in regard to stationary noise sources. In terms of airport noise, exactly as the commenter states, proposed Noise Element Policy 3.1 does not support residential development within the 65 dBA Community Noise Equivalent Level (CNEL) or greater noise contour of John Wayne Airport. Per Policy 3.3, all residential land uses in the 60 dBA CNEL are required to be sufficiently mitigated so as not to exceed an interior standard of 45 dBA CNEL.

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- A4-17 The additional intersection level of service analysis requested in this comment is not required by CEQA or the MPAH analysis. However, the additional analysis is included in Appendix B of the FEIR (see “Addendum to Santa Ana General Plan Traffic Impact Study”). The City of Santa Ana worked with the City of Tustin to conduct additional traffic analysis to evaluate potential changes to level of service at these intersections that could result in unacceptable conditions. The City of Santa Ana worked with the City of Tustin to identify an appropriate fair share for the City of Santa Ana associated with the implementation of feasible improvements that would help achieve the desired levels of service for vehicular traffic at locations that resulted in unacceptable conditions.
- A4-18 The City of Santa Ana is not proposing any new median breaks along Red Hill Avenue.
- A4-19 The updated traffic impact analysis report (see Appendix B of this FEIR) includes analysis of the Red Hill/Warner intersection. Dedicated eastbound and southbound right-turn lanes were not identified as required to provide an acceptable level of service at this intersection. Analysis of the Red Hill/Carnegie intersection would be incorporated into the additional analysis noted in the response to comment A4-17, above.
- A4-20 The CEQA traffic analysis is based on vehicle miles traveled, consistent with current CEQA guidelines. The analysis of vehicle miles traveled does not require the development of land use trip generation forecasts.
- A4-21 Language was revised in the traffic impact analysis report to note agreement between City of Santa Ana and Caltrans. A fair-share calculation for this intersection is provided in the revised report as well (see Appendix B of this FEIR).
- A4-22 Traffic forecasts used in the traffic impact analysis report were generated using the most recent version of OCTA's OCTAM Model. Forecasts were reviewed with OCTA and determined to be reasonable for use in this analysis. The analysis for intersection #98 at Red Hill Avenue and Warner Avenue is updated to reflect the noted loss time adjustment (see Appendix B of this FEIR). An appropriate mitigation measure for this intersection was developed in coordination with the City of Tustin and OCTA.
- A4-23 Language was revised in the traffic analysis to note agreement between the City of Santa Ana and Caltrans (see Appendix B of this FEIR). A fair-share calculation is provided in the revised traffic impact analysis report.
- The 0.05 loss-time calculation has been added to the Red Hill/Warner intersection per the response to comment A4-22.

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LETTER A4A – City of Tustin/Shute, Mihaly and Weinberger (17 page[s]).



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October 6, 2020

**Via E-Mail**

Justina L. Willkom  
Acting Community Development Director  
300 Centennial Way  
Tustin, CA 92780

Re: Draft Program Environmental Impact Report for the City of Santa  
Ana General Plan Update

Dear Ms. Willkom:

We have been retained by the City of Tustin to review and comment on the draft program environmental impact report (“DEIR”) for the City of Santa Ana General Plan Update (“GPU”). Unfortunately, our review of the DEIR reveals violations of the California Environmental Quality Act (“CEQA”) (Public Resources Code section 21000 et seq.) and CEQA Guidelines (California Code of Regulations, title 14 section 15000 et seq.) that must be addressed before this EIR may proceed. As explained below, the current DEIR’s environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the City and the public to make informed decisions about the Project and because it fails to identify feasible mitigation measures capable of reducing the GPU’s significant environmental impacts.

A4A-1

The City, through its GPU process, has a unique opportunity to implement creative land use policies and ensure the compatibility of future land uses. To that end, it is important that the City undertake a thorough analysis of the GPU’s environmental impacts and identify feasible mitigation measures for any significant impacts.

**I. The DEIR’s Analysis of and Mitigation for the GPU’s Environmental Impacts Are Legally Inadequate.**

The EIR is “the heart of CEQA.” *Laurel Heights Improvement Ass’n v. Regents of University of California* (1988) 47 Cal.3d 376, 392 (“*Laurel Heights*”) (citations omitted). It is “an environmental ‘alarm bell’ whose purpose it is to alert the public and

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its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended ‘to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.’ Because the EIR must be certified or rejected by public officials, it is a document of accountability.” *Id.* (citations omitted).

CEQA requires the EIR not only to identify a project’s significant effects, but also to identify ways to avoid or minimize them. Pub. Res. Code § 21002.1. An EIR generally may not defer evaluation of mitigation to a later date. CEQA Guidelines<sup>1</sup> § 15126.4(a)(1)(B). Rather, an EIR must assess each mitigation proposal that is not “facially infeasible,” even if such measures would not completely eliminate an impact or render it less than significant. *Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1029-31. Furthermore, for every mitigation measure evaluated, the agency must demonstrate that the mitigation measure either: (1) will be effective in reducing a significant environmental impact; or (2) is ineffective or infeasible due to specific legal or “economic, environmental, social and technological factors.” *Friends of Oroville v. City of Oroville* (2013) 219 Cal.App.4th 1352, 1359-61; Pub. Res. Code §§ 21002, 21061.1; CEQA Guidelines §§ 15021(b), 15364.

A4A-2  
cont.

Although it is clear that the proposed GPU has the potential to degrade the environment, neither the public nor decisionmakers have any way of knowing the magnitude of this harm. The DEIR fails to provide decisionmakers and the public with detailed, accurate information about the Project’s significant environmental impacts and to analyze mitigation measures that would reduce or avoid such impacts.

### **A. A Programmatic EIR Does Not Excuse the City From Its Obligation to Conduct a Thorough Analysis of the GPU’s Environmental Impacts.**

The “programmatic” nature of this DEIR is no excuse for its lack of detailed analysis. Indeed, the DEIR misconstrues the requirements of a “program” EIR by asserting that at the General Plan level of analysis, it is speculative and infeasible to evaluate project-specific environmental impacts. (See e.g., DEIR at 5.14-42; 5.14-46; 5.15-16). This approach is flawed at the outset because CEQA requires that a program EIR provide in-depth analysis of a project, looking at effects “as specifically and comprehensively as possible.” CEQA Guidelines § 15168(a), (c)(5). Indeed, because it looks at the big picture, a program EIR must provide “more exhaustive consideration” of effects and alternatives than can be accommodated by an EIR for an individual action,

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<sup>1</sup> 14 California Code of Regulations § 15000 *et seq.*

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and must consider “cumulative impacts that might be slighted by a case-by-case analysis.” CEQA Guidelines § 15168(b)(1)-(2).

Further, it is only at this early stage that the City can design wide-ranging measures to mitigate City-wide and regional environmental impacts. *See* CEQA Guidelines § 15168(b)(4) (programmatic EIR “[a]llows the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility”). A “program” or “first tier” EIR is expressly not a device to be used for deferring the analysis of significant environmental impacts. *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182,199. It is instead an opportunity to analyze impacts common to a series of smaller projects, in order to avoid repetitious analyses.

A4A-3  
cont.

Thus, it is particularly important that the DEIR for the GPU analyze the impacts of the complete level of development it is authorizing *now*, rather than deferring that analysis to a later point when individual specific projects are proposed. A general plan, as the “constitution for all future development,” dictates the location and type of future development in the County. *Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540. An EIR for a general plan must take into account all of “the future development permitted by the [general plan].” *City of Redlands v. County of San Bernardino v. County of San Bernardino* (2002) 96 Cal.App.4th 398 409 (citation omitted); *see also City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 245. The City must provide this analysis.

### **B. The DEIR Fails to Adequately Analyze or Mitigate the GPU’s Impacts on Park and Recreational Facilities and Lacks Evidentiary Support that These Impacts Would Be Less than Significant.**

According to the DEIR, Santa Ana currently does not meet its Municipal Code requirements or General Plan standard of two acres of parkland per 1,000 residents. DEIR at 5.15-2; 5.15-10; 5.15-16. The document also makes clear that future park space is not anticipated. (*See* DEIR at 5.15-2, “[l]ittle current or future potential exists for the acquisition of additional park lands and open spaces, both because the city is almost fully developed and because demands on capital funds are highly competitive.”)

A4A-4

The GPU’s proposed increase in residential density would lead to increased demand for parks and open space. DEIR at 5.15-15, 5.15-17. The GPU’s proposed land use changes would result in construction of an estimated 36,261 residential units and a population increase of 96,855 people. DEIR at 5.15-16. However, park acreage under the GPU would increase by only 1.84 acres. *Id.* Because the GPU would generate tens of

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thousands of additional residents that would increase the use of existing park and recreational facilities, the GPU has the potential to result in a significant impact on nearby park and recreational facilities. DEIR at 5.15-16. Despite this acknowledgement, the DEIR frustrates CEQA because it fails to actually analyze the implications of this impact. A thorough analysis of impacts effectuates one of CEQA's fundamental purposes: to inform the public and decisionmakers of environmental consequences of their decisions before they are made. To accomplish this purpose, an EIR must contain facts *and* analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal.3d 553, at 568 (1990). Thus, a conclusion regarding the significance of an environmental impact that is not based on an analysis of the relevant facts fails to fulfill CEQA's informational mandate.

A4A-4  
cont.

Here, the DEIR acknowledges that Santa Ana residents do not have adequate access to parks and that residents currently rely on regional recreation areas. DEIR at 5.15-2. The DEIR errs however by not disclosing Santa Ana residents' actual existing use of parks outside the City (i.e., within Tustin). Nor does the DEIR make any attempt to examine impacts on Tustin's recreational facilities as a result of the substantial increase in population that will accompany the GPU, particular in the 55 Freeway/Dyer Road Focus Area.

A4A-5

Tustin shares a border with the 55 Freeway/Dyer Road Focus Area. Given its proximity to the Tustin Legacy park facilities and the lack of recreational opportunities in this section of Santa Ana (*see* DEIR at 5.15-2), future residents of this Focus Area will likely increase demand on the Tustin Legacy park and other Tustin recreational facilities. The EIR should be revised to provide a comprehensive analysis of increased demands on Tustin's parks and recreation facilities that would result from Santa Ana's dearth of parks.

In lieu of conducting the impact analysis required by CEQA, the DEIR concludes that the GPU's impacts on park and recreation facilities would be less than significant because the Project would be required to comply with the City's Municipal Code and the Quimby Act. DEIR at 5.15-16. Yet compliance with applicable regulations does not excuse the City from its obligation to analyze a project's impacts and is not a sufficient basis to conclude that a project's impacts would be less than significant. *See Californians for Alternatives to Toxics v. Dept. of Food & Agriculture* (2005) 136 Cal.App.4th 1, 15-17 (compliance with environmental regulations cannot displace an agency's separate obligation to consider whether a project's environmental impacts are significant); *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1108-09 (same). Moreover, the Quimby Act has been in place since 1975 and has thus been in use by public agencies since then to develop parkland and

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recreational facilities.<sup>2</sup> If Santa Ana has historically been unable to meet its park obligations, there is no assurance that it will be able to meet its park standards in the future. Indeed, Tustin raised this concern in its September 16, 2020 letter to Santa Ana explaining that Santa Ana apparently does not plan to develop parkland within the 55 Freeway/Dyer Road Focus Area. (See September 16, 2020 letter at 5, “[i]t further brings into question how Santa Ana intends to use in-lieu park fees collected from development if they are not going to be used for the acquisition of park land within the Focus Area.”). Santa Ana should use the GPU as an opportunity to dedicate land for park and recreation uses.

Furthermore, because the DEIR relies on regulatory compliance, it fails to identify any mitigation for the GPU’s impacts on Tustin’s park and recreational facilities. An agency cannot approve a project with significant environmental impacts if any feasible mitigation measure or alternative is available that will substantially lessen the severity of any impact. Pub. Resources Code § 21002; CEQA Guidelines § 15126(a). An agency is legally required to mitigate or avoid the significant impacts of the projects it approves whenever it is feasible to do so. Pub. Resources Code § 21002.1(b). “In the case of the adoption of a plan, policy, regulation, or other public project [such as the General Plan], mitigation measures can be incorporated into the plan, policy, regulation, or project design.” CEQA Guidelines § 15126.4(a)(2).

A4A-6  
cont’d

Although the DEIR calls for the eventual preparation of a Parks and Recreation Master Plan which would identify funding sources for new parks (at 5.15-17), the DEIR does not explain why the City is deferring this important planning effort. The City has spent considerable time and resources to undertake a comprehensive update of its General Plan. It stands to reason that including a parks plan should be an integral component of this effort especially given the insufficiency of existing parkland in the City.

A4A-7

Nor is there any indication that the City has considered modifications to land use designations to mitigate the park and recreation impacts that would accompany the GPU. Yet those changes are the easiest, most effective, and most obvious ways to lessen or avoid many of the GPU’s impacts. The City could identify park sites and redesignate land uses now as part of this GPU to facilitate the eventual development of park and recreation facilities. Exploring alternative land use scenarios would go a long way toward reducing the GPU’s park and recreation impacts. Indeed, the DEIR makes clear that there are opportunities for Santa Ana to meet its parkland requirements. For example, in the 55 Freeway/Dyer Road Focus Area—which currently has no parks—there is an open space

A4A-8

<sup>2</sup> <https://www.jdsupra.com/legalnews/the-quimby-act-is-amended-to-allow-citie-40293/>

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parcel that is currently vacant that could be designated for park and recreation uses. DEIR at 5.15-6.

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cont.

As part of this mitigation measure or alternative land use scenario, the City should also identify a specific funding mechanism to ensure that park development keeps pace with population growth, especially in the 55 Freeway/Dyer Road Focus Area. Finally, in order to mitigate for the GPU's increased demand on Tustin's park and recreation facilities, Santa Ana should consider a mitigation measure that contributes fair share funding to Tustin so that it is able to avoid physical deterioration of its recreational facilities from overuse caused by the GPU.

A4A-9

### **C. The DEIR Fails to Adequately Analyze or Mitigate Impacts Relating to the GPU's Potential to Expose Sensitive Receptors to Substantial Toxic Air Contaminant Emissions.**

The DEIR acknowledges that various industrial processes (e.g., manufacturing, dry cleaning) allowed under the proposed land use plan would be expected to release toxic air contaminants ("TACs"). DEIR at 5.2-34. In addition, industrial land uses, such as chemical processing facilities, chrome-plating facilities, and dry cleaners could also generate substantial emissions. *Id.* The DEIR also acknowledges that other types of operations such as warehousing could generate diesel particulate emissions and that these new land uses could be as close as 200 feet from existing sensitive receptors. DEIR at 5.2-34; 5.2-35. Despite acknowledging the potential for sensitive receptors to be exposed to a substantial increase in TACs as a result of the GPU, the DEIR does not analyze how emissions from these industrial sources could impact nearby receptors. The DEIR dismisses the obligation to conduct this analysis stating that until future development projects are proposed, emissions and concentrations cannot be determined or modeled. Although the DEIR correctly concludes that such undefined impacts would be potentially significant (at 5.2-35), the failure to disclose the severity and extent of these impacts is a violation of CEQA. A legally adequate EIR "must contain sufficient detail to help ensure the integrity of the process of decision making by precluding stubborn problems or serious criticism from being swept under the rug." *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692 733; CEQA Guidelines § 15151.

A4A-10

The public has a right to know, for example, whether and to what extent the City already suffers from elevated cancer rates and whether and to what extent those cancer rates will be higher in future years under the GPU. The DEIR could have made some attempt to identify the increase in TACs near those sensitive receptors that are expected to be very close to industrial emission sources. CEQA requires such analysis. See *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th

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1184, 1219-20, which requires a lead agency to correlate a project's adverse air quality impacts to expected adverse health impacts and *Keep Berkeley Jets Over the Bay Com. v. Board of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1370-71, which requires a lead agency to make a conscientious effort to collect data about a project's public health impacts and, in addition, to analyze that data. Such an analysis is particularly important as the GPU process affords the City an important opportunity to conduct its land use planning exercise with the explicit intent of avoiding incompatible land uses, (i.e., exploring alternative land uses to avoid excessive health risks).

A4A-10  
cont.

Even with its deficient impact analysis, the DEIR determines the GPU would result in significant health risk impacts. DEIR at 5.2-35. The DEIR then looks to Mitigation Measure AQ-3 (calling project-specific health risk assessments ("HRA") and potential implementation of best available control technologies ("BACT")). DEIR at 5.2-41; 5.2-42. By the DEIR's own admission, however, these measures would not reduce the Project's significant health risk impacts to less than significant levels. DEIR at 5.2-45. As an initial matter Measure AQ-3 is inadequate. Critically, the DEIR does not explain how preparation of a HRA and possible implementation of BACT will ensure that the health of sensitive receptors is protected. These are not minor details that can be worked out after the Project is approved. An agency may not defer development of mitigation measures to some point in the future absent specific performance standards and a clear commitment to mitigate. *See King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 857-58. The public and decisionmakers simply do not know if the use of undefined BACT measures would be sufficient to protect the public from potentially severe health effects caused by the GPU's incompatible land uses.

A4A-11

Finally, even where all available and feasible mitigation measures have been identified, but such measures are inadequate to reduce an environmental impact to a less-than-significant level, an EIR may conclude that the impact is significant and unavoidable. *See* CEQA Guidelines § 15126.2. However, the lead agency cannot simply conclude that an impact is significant and unavoidable and move on. *Berkeley Keep*, 91 Cal.App.4th at 1371 (DEIR may not "travel the legally impermissible easy road to CEQA compliance . . . [by] simply labeling [an] effect 'significant' without accompanying analysis"); *accord, Cleveland Nat. Forest Foundation v. San Diego Assn. of Govs.* (2017) 3 Cal.5th 497, 514-15. Rather, "a more detailed analysis of how adverse the impact will be is required." *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1123. Specifically, the agency must (1) perform a thorough evaluation of the impact and its severity before and after mitigation, and (2) propose *all* feasible mitigation to "substantially lessen the significant environmental effect." CEQA Guidelines §§ 15091(a)(1), 15126.2(c) (requiring an EIR to discuss "any significant

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impacts, including those which can be mitigated but not reduced to a level of insignificance”).

Thus, the City is legally required to mitigate or avoid the significant impacts of the GPU wherever it is feasible to do so. *See* Pub. Resources Code § 21002.1(b). In other words, it cannot approve the GPU with significant environmental impacts if any feasible mitigation measure or alternative is available that will substantially lessen the severity of any impact. Pub. Resources Code § 21002; CEQA Guidelines § 15126(a). Here, the DEIR’s single mitigation measure for the Project’s significant health risk impacts fails to satisfy CEQA’s standards.

A4A-12  
cont.

### **D. The DEIR Fails to Adequately Analyze or Mitigate the GPU’s Noise Impacts.**

The DEIR’s analysis of the noise impacts that would result from buildout allowed by the GPU is flawed. First, although the GPU would facilitate noise generating industrial land uses directly adjacent to residential uses, the DEIR provides no analysis of how noise generated by these sources would impact sensitive receptors. As discussed above, the GPU would introduce industrial development (e.g., manufacturing, chemical processing facilities, chrome-plating facilities, and warehouses) as close as 200 feet from existing sensitive receptors. DEIR at 5.2-34; 5.2-35. The failure to provide *any* analysis of noise impacts from these industrial uses is a serious flaw warranting that the DEIR be revised and recirculated.

A4A-13

Second, the GPU would place noise-sensitive land uses (e.g., residential development) in areas that would exceed the City’s noise standards due to John Wayne Airport’s (“JWA”) operations. DEIR at 5.12-45; 5.12-47. In particular, portions of the 55 Freeway/Dyer Road Focus Area lie within the JWA flightpath, with a substantial portion of this area included within the 65 dB and 60 dB CNEL contours. DEIR at 2-4. Yet, rather than mitigate for this clearly significant noise impact, the DEIR looks to General Plan policies to *ensure* that aircraft noise affecting noise-sensitive land uses would be mitigated to acceptable levels. DEIR at 5.12-45. The DEIR provides no evidentiary support for this conclusion, nor could it as the named General Plan policies would do nothing to protect sensitive land uses from adverse impacts.

A4A-14

In particular, the DEIR looks to the following policies to allegedly reduce aircraft-related noise impacts to a less than significant level:

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- *Policy 1.1. Noise Standards: Utilize established Citywide Noise Standards and guidelines to inform land use decisions and guide noise management strategies.* DEIR at 5.12-26.
- *Policy 1.4. Sensitive Uses: Protect noise sensitive land uses from excessive, unsafe, or otherwise disruptive noise levels.* DEIR at 5.12-27
- *Policy 3.1. Residential Development: Residential development within the John Wayne Airport (JWA) 65 dB(A) CNEL Noise Contour or greater is not supported.* DEIR at 5.12-27.

A4A-14  
cont.

Rather than comply with these policies, and ensure that noise sensitive land uses would not be developed in locations that experience excessive noise from aircraft operations, the draft GPU would direct future noise-sensitive land uses in areas that will exceed the City's clearly established noise standards due to airport operations at JWA. DEIR at 5.12-45. The City's approach defies sound land use planning practices and is particularly troublesome in light of the fact that the Airport Land Use Commission ("ALUC") informed the City that all residential units within the 65 dB CNEL contour (i.e., the 55 Freeway/Dyer Road Focus Area) should typically be considered inconsistent unless it can be shown conclusively that such units are sufficiently sound attenuated." DEIR at 2-4. The ALUC also strongly recommended that residential uses within the 60 dB CNEL contour *should be limited or excluded and that that residential uses within the 65 dB CNEL are not permitted at all. Id.* The City should comply with its own General Plan provisions and abide by this clear direction from the ALUC and avoid designating residential land uses in these noise sensitive locations.

The GPU does include one policy that tangentially relates to sound attenuation. GPU Policy 1.2. Sound Design calls for encouraging functional and attractive designs to mitigate excessive noise levels. DEIR at 5.12-26. Yet this policy is vague (calling for "functional and attractive designs" does not identify specific noise attenuation measures) and unenforceable (calling for the City to encourage designs does not commit the agency to take action). Nor does the DEIR make any attempt to disclose how this policy would protect residents from aircraft-related noise impacts. To support a conclusion that a project would have less-than-significant impacts, an EIR "must provide a quantitative or qualitative determination or estimate of the mitigation measures' effect" on project impacts. *Friends of Oroville v. City of Oroville* (2013) 219 Cal.App.4th 832, 845.

Again, the City should consider a land use alternative that restricts residential development from locations within the 65 dB CNEL contour and commit to specific and enforceable noise attenuation measures for residential land uses that are within the 60 dB

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CNEL. The DEIR does neither. Consequently, the DEIR's conclusion that impacts relating to airport-related noise would be less than significant does not withstand scrutiny.

A4A-14  
cont.

The DEIR fares no better in its approach to mitigation for the GPU's significant traffic-related noise impacts. The DEIR acknowledges that significant traffic noise increases would occur along several of the study roadway segments from implementation of the GPU. Of the roadway segments with significant traffic noise increases, Warner Avenue – Grand Avenue to Red Hill Avenue is within the 55 Freeway/Dyer Road Focus Area. DEIR at 5.12-25; 5.12-30; *see also* Table 5.12.-10 at 5.12-34 identifying significant noise impacts on Warner Avenue between Grand Avenue and Red Hill Avenue and Dyer Road between Red Hill Avenue to Pullman Street.

A4A-15

The DEIR identifies mitigation measures for these impacts including the use of special roadway paving, sound barrier walls, and insulation for residences. DEIR at 5.12-50. Although the DEIR acknowledges that certain of these measures would in fact result in notable reductions in noise, the document rejects the measures without adequate analysis. In particular, the DEIR asserts that roadway paving measures would be too expensive and that no funding is available for sound insulation measures. *Id.* The DEIR includes no factual support for these claims.

Moreover, by rejecting each of these mitigation measures, the DEIR is left with no mitigation at all for the GPU's traffic-related noise impacts, an approach that directly violates CEQA. CEQA Guidelines § 21002; Guidelines § 15002(a)(3), 15126.4(a)(2); *City of Marina v. Bd. of Trustees of Cal. State Univ.* (2006) 39 Cal.4th 341, 359, 368-69. The DEIR should be revised to identify feasible mitigation measures for the GPU's traffic-related noise impacts.

### **E. The DEIR Fails to Adequately Analyze the GPU's Transportation Impacts.**

The DEIR's transportation impact analysis also fails to comply with CEQA. As an initial matter, the DEIR does not include key assumptions used to calculate the GPU's vehicle miles traveled ("VMT") analysis. The DEIR concludes that the GPU's projected VMT/service population ("VMT/SP") will decline over time and that VMT-related impacts would be less than significant. DEIR at 5.16-35. Yet, the DEIR does not provide any explanation as to why a GPU which contemplates substantial growth would result in a reduction in vehicular trips. Unfortunately, the DEIR does not disclose its assumptions for quantifying VMT so it is not possible to verify the accuracy of the DEIR's conclusions. The EIR should have included a land use and trip generation summary table

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and a map of all focus areas comparing current conditions and those under the GPU. Without clear, accessible information the DEIR cannot serve as an informational document. CEQA Guidelines § 15121(a).

A4A-16  
cont'd

The DEIR also fails to provide the information necessary to determine the GPU's consistency with the Master Plan of Arterial Highways ("MPAH"). According to the DEIR, the MPAH includes level of service ("LOS") criteria for its roadway system. DEIR at 5.1-24. The DEIR acknowledges that to achieve the minimum LOS for some roadway segments at GPU buildout, some roadway improvements may be required. *Id.* The DEIR identifies this as a planning issue and not a CEQA issue, since auto delay can no longer be considered a significant impact under CEQA. *Id.* We concur that LOS should no longer be used to evaluate a project's impacts under CEQA. However, the draft GPU contains Policy 1.9, Regional Consistency which requires that the City "[e]nsure the street network is consistent with standards set in the OCTA Master Plan of Arterial Highways and the Congestion Management Program." DEIR at 5.16-20. Consequently, if the increase in traffic from the GPU causes an inconsistency with the MPAH, the GPU would also be directly inconsistent with Policy 1.9.

A4A-17

Under the State Planning and Zoning Law (Gov. Code § 65000 et seq.), development decisions must be consistent with the jurisdiction's general plan. General plans establish long-term goals and policies to guide future land use decisions, thus acting as a "constitution" for future development. *Leshner Communications*, 52 Cal.3d at 540. As reiterated by the courts, "[u]nder state law, the propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." *Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806. Accordingly, "[t]he consistency doctrine [is] the linchpin of California's land use and development laws; it is the principle which infuses the concept of planned growth with the force of law." *Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors* (1998) 62 Cal.App.4th 1332, 1336 (citations omitted).

To promote coordinated land use policies and practices, state law requires local governments not just to formulate theoretical land use plans, but also to conform their development and land use projects and approvals with those duly certified plans. *Citizens of Goleta*, 52 Cal.3d at 570-71; see also Gov. Code §§ 65860 (requiring consistency of zoning to general plan); 66473.5, 66474 (requiring consistency of subdivision maps to general plan); 65359, 65454 (requiring consistency of specific plan and other development plan and amendments thereto to general plan). It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov. v. Napa County* (2001) 91 Cal.App.4th 342, 379. In addition, a General

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Plan must be internally consistent. Gov. Code § 65300.5.<sup>3</sup> Thus, if the development (and increase in traffic) allowed by the GPU results in an inconsistency with the MPAH (by exceeding LOS standards), this inconsistency would result in an internally inconsistent General Plan.

In order to evaluate the GPU's consistency with the MPAH and to determine whether the GPU would be internally inconsistent, the DEIR should disclose how and when the City would work with the Orange County Transportation Authority to amend the MPAH to achieve consistency. In addition, the GPU DEIR acknowledges that to achieve the minimum LOS for some roadway segments at GPU buildout, some improvements may be required to achieve consistency with the MPAH. The GPU DEIR must identify these roadway improvements and also disclose whether implementation of these improvements would result in environmental impacts.

A4A-17  
cont.

Finally, it is important to note that the DEIR also fails to resolve deficiencies raised by Tustin in its September 16, 2020 letter to Santa Ana regarding the proposed MPAH amendment. In particular, the impact at Red Hill Avenue/Warner Avenue has been understated by leaving out the "Lost Time" input of 5 seconds (or .05) in the Intersection Capacity Utilization ("ICU") calculation. The "Lost Time" input is required by both the Tustin and Santa Ana LOS analysis Guidelines. *See* Santa Ana LOS Guidelines, excerpts, attached as Exhibit A. It is important that this deficiency is rectified as it affects the GPU's consistency with the MPAH.

A4A-18

### **II. The DEIR Must Be Recirculated.**

Under California law, the present DEIR cannot properly form the basis of a final EIR. CEQA and the CEQA Guidelines describe the circumstances that require recirculation of a draft EIR. Such circumstances include: (1) the addition of significant new information to the EIR after public notice is given of the availability of the DEIR but before certification, or (2) the draft EIR is so "fundamentally and basically inadequate

A4A-19

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<sup>3</sup> This argument is also valid for charter cities. (*See* Santa Ana Municipal Code section 27-21, "[t]he general plan and specific plans shall be implemented in accordance with those laws of the State of California which are applicable to or in a charter city and in accordance with the Santa Ana Municipal Code, insofar as those laws and code provisions require a finding of consistency of a proposed project, activity or entitlement with the general plan and any applicable specific plan, or otherwise provide for the implementation of a general plan and specific plans.").

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and conclusory in nature that meaningful public review and comment were precluded.” CEQA Guidelines § 15088.5.

Here, both circumstances apply. Decisionmakers and the public cannot assess the GPU’s impacts, or even its feasibility, through the present DEIR, which contains numerous deficiencies. Among other fundamental deficiencies, the DEIR understates the GPU’s significant environmental impacts and assumes that unformulated and unenforceable mitigation measures will effectively reduce these impacts. In order to resolve these issues, the City must prepare a revised EIR that would necessarily include substantial new information.

A4A-19  
cont.

### III. Conclusion

As set forth above, the GPU DEIR suffers from numerous deficiencies, many of which would independently render it inadequate under CEQA. Taken as a whole, the deficiencies of the DEIR necessitate extensive revision of the document and recirculation for public comment.

A4A-20

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Laurel L. Impett, AICP,  
Urban Planner

Attachment: Santa Ana LOS Guidelines

cc: Minh Thai, Executive Director, Santa Ana Planning and Building Agency  
Phil Johnson, Fire Chief, Orange County Fire Authority  
Matthew S. West, City Manager  
Nicole Bernard, Assistant City Manager  
David Kendig, City Attorney  
Stu Greenberg, Police Chief  
Jason Al-Imam, Director of Finance  
Chris Koster, Director of Economic Development

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Douglas S. Stack, Public Works Director  
Chad Clanton, Parks and Recreation Director  
Ken Nishikawa, Deputy Director of Public Works/Engineering  
Kris Saldivar, Public Works Manager  
Scott Reekstin, Principal Planner  
Ryan Swiontek, Senior Management Analyst

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### APPENDIX D

#### TRAFFIC IMPACT ANALYSIS SITE SPECIFIC REQUIREMENTS

- Trip generation forecast including existing and cumulative projects.
- Trip distribution forecast and trip assignment customized to accommodate the nature of project and cumulative project traffic.
- Capacity analysis at the following intersections during both the morning (am) and evening (pm) peak periods. The City of Santa Ana utilizes the following values in calculating Intersection Capacity Utilizations (ICU's): 1600 vphpl for turning lanes, 1700 vphpl for through lanes, 5% clearance intervals. For Unsignalized intersection, the HCM shall be used.
  - **LIST OF INTERSECTIONS TO BE STUDIED**
  - **LIST OF INTERSECTIONS TO BE STUDIED**
- Assessment and recommendation of existing and future configuration/stripping and Level of Service (LOS) at all impacted areas including the following segment location(s). Please note road segment analysis shall be based on the Orange County MPAH methodology and the City of Santa Ana Circulation Element, No V/C capacity ratios in segment analysis:
  - **LIST OF ROADWAY SEGMENTS TO BE STUDIED**
  - **LIST OF INTERSECTIONS TO BE STUDIED**
- Adequacy of storage length of the left turn pockets for:
  - **LIST OF INTERSECTION TURN POCKETS TO BE STUDIED**
  - **LIST OF INTERSECTION TURN POCKETS TO BE STUDIED**
- Field inspect the subject roadway areas and inventory the existing street system as to base line width, striping patterns, and traffic.
- Collect traffic counts on key site area roadways and intersections. These counts will include morning and afternoon peak hour turning movements as well as 24-hour daily volumes at locations between selected intersections.
- Study shall include scenario analysis as follow:
  - Existing Conditions – utilized to establish the current level or existing baseline of traffic operations.
  - Existing Conditions – utilized to establish the current level or existing baseline of traffic operations with project.
  - Project Opening Year No Project Conditions – establishes project opening year baseline to evaluate the proposed Project.
  - Project Opening Year with Project Conditions – represents project opening year baseline traffic conditions.
  - 2040 Project Design Year No Project Conditions – establishes future year baseline to evaluate the proposed Project.

1

### EXHIBIT A

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➤ 2040 Project Design Year with Project Conditions – represents future year baseline traffic conditions with the proposed Project.

- Prepare site traffic access analysis to include the potential impacts associated with other uses to be identified.
- Investigate the adequacy of site access and internal circulation. Internal circulation, particularly with respect to vehicular queues at driveways, required stacking distance and potential impacts upon on-street traffic. Ensure that all access locations will provide safe egress and ingress including adequate sight distance in all directions.
- Evaluate the need for additional on-site and/or off-site traffic controls.
- Identify measures to mitigate the impact of project traffic including roadway and intersection widening, traffic signals installation & modification signing, localized street improvement striping/channelization and all others improvements to provide acceptable LOS.
- Prepare a professional traffic engineering site traffic access analysis report to include appropriate text, tabular and graphic material, suitable for presentation to the City as a freestanding document.
- The consultant must review relevant traffic and parking studies and documents containing traffic analysis conducted in the area. The report must include investigation of the mitigation list presented in the original development agreement/traffic study as it relates to any proposed mitigation recommended in this study.
- An assessment of traffic entering and exiting adjacent arterials must be included particularly with respect to the ability of project to find an "acceptable" gap in the traffic stream without being overtaken by the major street traffic.
- Traffic Consultant shall be responsible to reach out to other jurisdictions, as needed, for concurrence on proposed study locations.
- The City of Santa Ana adopted LOS "D" as the maximum threshold of significance at all intersections and mid-block locations. See Definitions below:

### **LEVEL OF SERVICE DEFINITION**

**Maximum Daily Average for Arterial Roads**

Street Classification	Lane Configuration	A	B	C	D	E	F
Principal Arterial	8 Lanes Divided	45,000	52,500	60,000	67,500	75,000	>75,000
Major Arterial	6 Lanes Divided	33,900	39,400	45,000	50,600	56,300	>56,300
Primary Arterial	4 Lanes Divided	22,500	26,300	30,000	33,800	37,500	>37,500
Secondary Arterial	4 Lanes Undivided	15,000	17,500	20,000	22,500	25,000	>25,000
Commuter Street	2 Lanes Undivided	7,500	8,800	10,000	11,300	12,500	>12,500

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## Level of Service Descriptions

Level of Service	Description of Operation	Range of V/C Ratios
A	Free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent.	0.00 – 0.60
B	Stable flow. The presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver within the traffic stream from LOS A. The general level of comfort and convenience provided is somewhat less than that of LOS A, because the presence of others in the traffic stream begins to affect individual behavior.	0.61 – 0.70
C	Stable flow. This LOS marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream. The selection of speed is affected by the presence of others, and maneuvering within the traffic stream requires substantial vigilance on the part of the user. The general level of comfort and convenience declines noticeably at this level.	0.71 – 0.80
D	High density, but stable flow. Speed and freedom to maneuver are severely restricted, and the driver or pedestrian experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.	0.81 – 0.90
E	Operating conditions at or near the capacity level. All speeds are reduced to a low but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and generally accomplished by forcing a vehicle or pedestrian to “give way” to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and drivers or pedestrian frustration is generally high. Operations at this level are usually unstable because small increases in flow or minor variations within the stream will cause a breakdown.	0.91 – 1.00
F	Forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse that point. Queues form up behind such locations as arrival flow exceeds discharge flow.	> 1.00

**ADDITIONAL TRAFFIC ANALYSIS REQUIREMENTS (PROJECT SPECIFIC)**

- Evaluate the potential driveway entrance congestion going into the lot from “**X ROAD**”. The southeast parking lot, on the corner of “**Y ROAD**” and “**X ROAD**”, can possibly cause an obstruction in the entrance to the lot. Vehicles parked in the southeast parking lot, especially those in accessible (ADA) parking near the entrance that are backing out of their parking space can prevent vehicles from entering the parking lot. As a result, other vehicles behind will be held back thus creating a traffic jam. This may cause an overflow of vehicles in the parking lot entrance, leading to vehicles being backed up all the way to the “**X ROAD**” entrance as well.
- Vehicles that are exiting the lot making a left onto “**X ROAD**” can potentially be hazardous. Having a raised median on “**X ROAD**” will restrict vehicles from making that left turn out of the lot. In result, there will need to be a path identified for those vehicles exiting the lot to head eastbound.

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## 2. Response to Comments

### A4A Response to Comments from City of Tustin/Shute, Mihaly, and Weinberger, dated 10/6/2020.

A4A-1 Please refer to responses to comments A4A-2 through A4A-19.

A4A-2 The City concurs with the commenter regarding the summary of CEQA and its importance. An EIR is “the heart of CEQA” and plays a critical role in disclosing potential environmental impacts to the public and evaluating feasible mitigation measures and project alternatives to reduce and/or eliminate those impacts. The City disagrees with the commenter’s contentions that the GPU Draft PEIR approach to mitigation measures is inadequate and that the Draft PEIR fails to disclose the potential magnitude of harm related to implementation of the proposed GPU.

The Draft PEIR includes a comprehensive analysis and quantifies potential environmental impacts wherever possible. For example, air quality, greenhouse gases, noise, public services, and utilities include quantified analyses of impacts. Transportation quantifies VMT impacts; population and housing forecasts are quantified; and the increased demand for open space/recreation is also quantified. Public service and utility impacts are quantified, including a detailed analysis of infrastructure by geographical area.

The framework of the Draft PEIR comprehensively describes applicable regulatory measures and proposed GPU policies that would mitigate the impacts of the GPU. Finally, the Draft PEIR recommends mitigation measures to address remaining impacts after implementation of applicable regulatory measures and GPU policies.

A4-3 The commenter contends that the Draft PEIR lacks adequate detailed analysis and inappropriately relies on the definition of a “programmatic” document to avoid the required analysis. As described in Response A4-2, the Draft PEIR is comprehensive and does include detailed, quantified impact analysis throughout each topical area. Some topics, like aesthetics, do not lend themselves to quantified analyses, but such sections do provide applicable comparisons to existing conditions (for example, the allowed building height/stories by area and plan designation).

The GPU Draft PEIR is charged with forecasting and analyzing impacts to the year 2045. Project-specific impacts for individual developments, therefore, are inherently speculative. The commenter cites three pages in the Draft PEIR to support the contention that the document inappropriately relies on the programmatic nature of the document to avoid more detailed impact analysis. These are pages 5.14-42, 5.14-62, and 5.15-16. These references relate to conclusions that it is speculative and infeasible to evaluate construction-related impacts of future school facilities, libraries, and park/recreation improvements, respectively. The City believes these conclusions are appropriate.

A4-4 Section 5.15.4 of the Draft PEIR evaluates the potential impacts on existing park and recreation facilities of the project. As acknowledged in the Draft PEIR, the projected increase in population from the GPU will lead to additional demands on parks and

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recreational facilities. This additional demand will be met by park and recreational amenities developed and maintained by the City in addition to private parks and recreational facilities owned and maintained by homeowner associations. The City's ability to plan and implement future parks and recreational facilities is tied to funding availability. For example, grant funding was recently approved to develop two new parks—Raitt/Myrtle Park and Standard/McFadden Park.

Future development will also be required to dedicate land or pay in-lieu impact fees per the Municipal Code and the Quimby Act, which will fund future park acquisition and development to assist with meeting the City's parkland standard of 2 acres per 1,000 residents. The GPU requires that new residential development meet the City's standards and would result in improving the existing parkland ratio per city resident. Furthermore, the City is working closely with neighboring cities in preparing the Parks and Recreation Master Plan to ensure that the Dyer/55 Focus Area and other areas of growth provide additional recreational facilities and parks. Parks and recreational improvements under the implementation of the GPU will keep pace with the increase in population growth and would not result in a significant impact. Thus, this impact was properly analyzed in the Draft PEIR. (Draft PEIR, p. 5.15-16.)

Please refer to Section 2.1.3, *Parks and Open Space* for an expanded discussion of GPU impacts. In response to the comments received, refined and supplemental policies and implementation actions have been added to the GPU as follows:

### Open Space Element: Policies

- **Policy 1.3 Park Standard.** Achieve a minimum citywide park standard ratio of two acres per 1,000 residents in the City. For new residential development in Focus Areas, prioritize the creation and dedication of new public parkland over the collection of impact fees.

### Open Space Element: Implementation Actions

**OS 1.6 No-net-loss of parkland.** ~~Study whether a no-net-loss policy for public parkland would improve access and limit the conversion.~~ Establish land use provisions in the Municipal Code that prevent a net loss of parkland in the city. Require at least a 1:1 replacement if there is any loss of public parkland due to development. [Agency PRCSA/PB; Timeline 2022]

**OS-1.8 Development fees.** Conduct a nexus study and update the City's Acquisition and Development Ordinance every periodically to require new development projects to pay fair share to cover the cost of parkland acquisition and improvement if the project is unable to provide adequate parkland within the project. Require that fees collected in place of parkland dedication for specific development projects be utilized to acquire, expand, or improve facilities within the same quadrant or geographic sub-area to be defined in the



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Parks Master Plan as the project for which the fee was collected. [Agency: Planning and Building Agency (PBA)/Parks, Recreation and Community Services Agency (PRCSA); Timeline: 2022]

### [New Action]

**OS-1.14 Public parklands requirements for larger residential projects.** Amend the Residential Development Fee in the Municipal Code (Chapter 35, Article IV) to reflect requirements for Larger Residential Projects (100+ units, residential only or mixed-use) to provide two acres of new public parkland concurrent with the completion of and within a 10-minute walking radius of the new residential project. Establish provisions that allow the Larger Residential Projects to reduce all onsite private and common open space requirements by 50 percent if new public parkland is provided within a 10-minute walking radius and by 75 percent if the new public parkland is immediately adjacent to or on the residential project property. Work with property owners and new development projects within the Focus Areas to identify options (e.g., 100 percent reduction of onsite private and public open space requirements) that would incentivize the creation of public park areas that are more than the minimum and/or if a location can expand park access for an adjoining under-served neighborhood and/or environmental justice area. Establish incentives for coordination between two or more residential project (of any size) to create larger and/or more centralized public park space. [Agency: PBA/PRCSA; Timeline: 2022]

### [New Action]

**1.16 Incentives for more parkland and facilities.** Develop an incentives program that encourages private development and public agencies to provide park and recreation facilities beyond the minimum requirements. [Agency: PRCSA/PBA; Timeline 2022]

A4A-5 While agencies typically have models in place that enable them to analyze impacts such as traffic on neighboring jurisdictions, the City does not have a model or methodology in place to identify the impacts the GPU will have on Tustin's parks and recreational facilities. Analyzing the impacts of the GPU to park facilities in adjacent cities is not as definitive and more speculative than analyzing traffic impacts on neighboring jurisdictions. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).) When no accepted methodology exists to assess an environmental impact, the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown. (See State CEQA Guidelines § 15145; *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1137; *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899.) Nevertheless, the City has conducted a reasonable analysis to the best of its ability.

Moreover, the City appreciates the commenter's concern and will continue to work with the City of Tustin in preparing its Parks and Recreation Master Plan, as stated in the Draft PEIR.

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In addition, as discussed in the Draft PEIR, the City will identify additional funding sources from new development projects to procure land or in-lieu fees for installation of parks in the immediate vicinity of proposed development in order to minimize the potential for impacts on adjacent communities with regard to parks and open space use. The inclusion of publicly accessible open space is also part of the City's development standards for residential/mixed use development projects to address open space and recreation needs. (Draft EIR, p. 2-18.)

Please also refer to response A4A-4.

**A4A-6** Please see Responses to Comments A4A-4 and A4A-5.

Compliance with applicable regulatory standards can provide a basis for determining that the project will not have a significant environmental impact. (*Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912). A requirement that a project comply with specific laws or regulations may also serve as adequate mitigation of environmental impacts in an appropriate situation. (*Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 994, 906). Unlike in *Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, where the lead agency did not independently evaluate impacts of pesticides but instead relied solely on another agency's conclusion that there would be no significant impact, the analysis in the Draft PEIR takes into account the specific existing condition of the parks and recreation facilities in the city, looks at the potential incremental impacts of the GPU on such existing facilities, and appropriately determines that RR REC-1 and RR-REC-2, along with the policies identified on Draft PEIR pages 5.15-11 through 5.15-15, will reduce impacts to less than significant. (See State CEQA Guidelines, 15125(a)(1) [CEQA treats the environmental setting as it exists as the baseline for evaluating the changes to the environment that will result from the project and determining whether those environmental effects are significant].) Thus, the Draft PEIR properly determines that compliance with the City's Municipal Code and Quimby Act will be sufficient to prevent significant adverse impacts on parks and recreation from new development.

**A4A-7** As explained in the Draft PEIR, the City will be preparing its Parks and Recreation Master Plan and is committed to working with cities adjacent to the GPU's Focus Areas to ensure that the 55 Freeway/Dyer Road Focus Area and other growth areas of the city provide additional recreation, parks, and core services essential in making complete communities. (Draft PEIR, p. 5.15-16.) This Parks and Recreation Master Plan is not identified as a mitigation measure in the Draft PEIR, and therefore, to the extent that the City proposes to work on this plan as an implementation action in the future, it is not subject to the same rules prohibiting improper deferral of mitigation measures under CEQA.

**A4A-8** An EIR must focus on alternatives that can avoid or substantially lessen one or more of the project's significant environmental impacts. (See State CEQA Guidelines, § 15126.6(a)

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to (b).) As analyzed in the Draft PEIR, impacts to parks and recreational facilities were determined to be less than significant. (See Draft PEIR, pp. 5.15-15 through 5.15-17.) When the City is determining which alternatives to analyze in the EIR, the City is not required to examine an alternative that would mitigate the park and recreational impacts because the impacts are already less than significant.

Even if the impacts were found to be significant, State CEQA Guidelines section 15126(f) describes that the range of alternatives evaluated in an EIR only includes the alternatives necessary to permit a reasoned choice and foster informed decision making; that EIRs do not need to consider every conceivable alternative to a project; and that there is no ironclad rule governing the nature or scope of alternatives other than the rule of reason. The City of Santa Ana, as the lead agency, selected three project alternatives that met the parameters identified by CEQA for alternatives. These alternatives include a reduced intensity alternative, 2020 RTP/SCS consistency alternative, and a no project/current General Plan alternative. Thus, the alternatives analyses in the EIR conforms to CEQA requirements, and additional alternatives are not required to be evaluated.

An alternative land use scenario that would facilitate the eventual development of parks and recreational facilities would not meet any of the project objectives. State CEQA Guidelines section 15126.6(c) describes that the range of alternatives “shall include those that could feasibly accomplish most of the basic objectives of the project.” Here, the project’s objectives are to promote infill development; optimize high density residential and mixed-use development that maximizes potential use of mass transit; provide locations for new housing development that maximizes affordable housing opportunities; facilitate new development at intensities sufficient to generate community benefits and attract economic activity; provide housing and employment opportunities at an urban level of intensity at the city’s edge; introduce mixed-use urban villages and encourage experiential commercial uses that are more walkable, bike-friendly, and transit-oriented; and develop opportunities for live-work, artist spaces, and small-scale manufacturing. (Draft PEIR, p. 3-2.) Thus, a parks and recreational facilities alternative was not evaluated because it would not meet the basic project objective.

- A4A-9 State CEQA Guidelines section 15370 defines “mitigation” as including: a) avoiding the impact altogether by not taking a certain action or parts of an action; b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; c) rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; or e) compensating for the impact by replacing or providing substitute resources or environments. Where potentially significant impacts are identified, the Draft PEIR proposes and describes mitigation measures designed to minimize, reduce, or avoid each identified potentially significant impact whenever it is feasible to do so. (Pub. Resources Code, § 21002.1(b) and State CEQA Guidelines § 15126.4.)

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As described in Response to Comment A4A-4, the Draft PEIR determined that impacts related to increased use of existing parks and recreational facilities would be less than significant with the implementation of RR REC-1, RR REC-2, and related GPU policies. Specifically, RR REC-1 requires that residential development be mandated to pay fees, dedicate land in lieu thereof, or a combination of both for the purpose of preserving recreational facilities in the city. With these mitigation measures and policies, impacts will be less than significant, and no additional mitigation measures are required.

See Response to Comment A4A-5 regarding the impacts on Tustin's park and recreation facilities. Because this impact is speculative and not reasonably foreseeable, this proposed mitigation measure to contribute fair share funding to Tustin is not feasible.

An alternative land use scenario that would identify a specific funding mechanism to ensure park development would not meet any of the project objectives. State CEQA Guidelines section 15126.6(c) describes that the range of alternatives "shall include those that could feasibly accomplish most of the basic objectives of the project." Here, the project's objectives are to promote infill development; optimize high density residential and mixed-use development that maximizes potential use of mass transit; provide locations for new housing development that maximizes affordable housing opportunities; facilitate new development at intensities sufficient to generate community benefits and attract economic activity; provide housing and employment opportunities at an urban level of intensity at the city's edge; introduce mixed-use urban villages and encourage experiential commercial uses that are more walkable, bike-friendly, and transit-oriented; and develop opportunities for live-work, artist spaces, and small-scale manufacturing. (Draft PEIR, p. 3-2.) Thus, an alternative that focuses on a funding mechanism to promote park development was not evaluated because it would not meet the basic project objectives.

A4A-10 The commenter's citation of *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184 is inapplicable here. That case concerned a specific retail shopping center, whereas the DEIR at issue here is for a long-range planning document that does not have sufficient detail on specific development projects that would be developed as part of the proposed project (e.g., type, location, and sizing of potential sources of TACs, etc.). There is insufficient information available at this level of analysis to conduct a reasonable or scientifically valid analysis of toxic air contaminants (TAC). Specific development projects in the city that have the potential to generate potentially significant risks associated with the release of TACs are required to undergo an analysis of their potential health risks associated with TACs, based upon the specific details of each individual project. Overall, because there are no specific development projects identified or approved under the GPU, the location of the development projects and the exact nature of the development are unknown, and determining health risk at this time is speculative.

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In addition, and as stated above, because determining health risk at this time is speculative, analyzing an alternative land use scenario that would avoid excessive health risks would be infeasible. Moreover, it would also not meet project objectives. (See State CEQA Guidelines section 15126.6(c); PEIR, p. 3-2.)

In *Keep Berkeley Jets Over the Bay Com. v. Board of Port Comrs.* (2001) 91 Cal.App.4th 1344 (a case the commenter cites), the court found the agency failed to analyze the impacts of TACs because the EIR simply concluded that because there was no “approved, standardized protocol” for assessing such a risk, the EIR could not evaluate the significance of the impact. Unlike *Keep Berkeley Jets*, the Draft PEIR here does qualitatively analyze the impacts of the TACs on sensitive receptors and concludes impacts would be potentially significant. The Draft PEIR engages in a qualitative analysis of TAC health risk by analyzing the development and operation of new land uses under the GPU that could generate new sources of TACs in the city from stationary and mobile sources. (See PEIR, p. 5.2-34.)

The Draft PEIR evaluates the potential impacts from implementation of the GPU. However, the Draft PEIR does not include modeling of potential increases of TAC concentrations because sufficient information is not available at the time of this programmatic analysis to do so. The Draft PEIR quantifies the increase in the city in criteria air pollutants emissions, including PM<sub>2.5</sub> from vehicle exhaust. However, at a programmatic level analysis, it is not feasible to quantify the increase in TACs from stationary sources, area sources, and mobile sources associated with a general plan. For determining cancer and noncancer health risk, the location, velocity of emissions, meteorology and topography of the area, and locations of receptors are equally important model parameters as the quantity of TACs. Stationary sources of TACs require a permit from the South Coast Air Quality Management District (South Coast AQMD) and are required to submit a health risk assessment (HRA) to ensure risk levels are less than significant. The Draft PEIR includes Mitigation Measure AQ-3 to ensure that industrial projects with mobile/area sources of emissions (i.e., warehouses) also prepare an HRA and include measures to ensure that risk does not exceed the thresholds of South Coast AQMD.

Furthermore, no new heavy industrial growth is anticipated as a result of buildout of the GPU. While the GPU forecasts an increase in industrial land uses, this is mainly a result of redevelopment in areas proposed to be designated Industrial Flex. As identified in the GPU, the Industrial Flex zone is being introduced in areas already designated for industrial land uses as a means of providing a buffer between existing industrial areas and existing residential areas (i.e., transition use). The intent of the Industrial Flex zone is to allow for cleaner industrial and commercial uses, professional office, and creative live-work spaces. This proposed zone would not expand industrial areas within the city and would improve the air quality compatibility in existing areas in the city that are adjacent to industrial areas.

## 2. Response to Comments

A4A-11 Under “Multiple Air Toxics Exposure Study” in Section 5.2.1.2, *Existing Conditions*, the Draft PEIR includes a discussion of the level of cancer risk within the area. As described in this section and in the South Coast AQMD Air Quality Management Plan (AQMP), health risks and cancer risks in the South Coast Air Basin (SoCAB) are decreasing (see page 5.2-14). The MATES IV interactive map identifies that cancer risk in the City of Santa Ana ranges from 752 to 1,105 in one million.<sup>3</sup> As described in response to Comment A4A-10, dispersion modeling is required to predict concentrations of TACs, and programmatic analyses, like a general plan, do not contain sufficient information to model an increase in TACs (i.e., the location of the emissions source, velocity of emissions, meteorology and topography of the area, and locations of receptors relative to the source). For this reason, the Draft PEIR includes Mitigation Measure AQ-3, which requires that an HRA be conducted at the time project-specific information is available for project-level dispersion modeling to identify cancer and noncancer health risks.

As described in Section 5.2.4.2 of the Draft PEIR, the General Plan Update includes several policies to avoid incompatible land uses and minimize health risks:<sup>4, 5</sup>

- **Policy 1.5 Sensitive Receptor Decisions (Conservation Element).** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks.
- **Policy 3.8 Sensitive Receptors (Land Use Element).** Avoid the development of sensitive receptors in close proximity to land uses that pose a hazard to human health and safety, due to the quantity, concentration, or physical or chemical characteristics of the hazardous materials that they utilize, or the hazardous waste that they generate or emit.
- **Policy 3.9 Noxious, Hazardous, Dangerous, and polluting Uses (Land Use Element).** Improve the health of residents by discontinuing the operation of noxious, hazardous, dangerous, and polluting uses that are in close proximity to sensitive receptors

The following implementation actions are included in the General Plan Update to avoid incompatible land uses and minimize health risks:

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<sup>3</sup> South Coast AQMD. MATES IV Estimated Risk. <https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>

<sup>4</sup> The EIR evaluates the project’s physical impacts to the environment. Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

<sup>5</sup> Note that the updated policies are included here as shown under section 3.2.2, *Changes to GPU Policies*, of this FEIR.

## 2. Response to Comments

- **1.4 Health risk criteria.** Establish criteria for requiring Health Risk Assessment for existing and new industries, including the type of business, thresholds, and scope of assessment.
- **1.9 Truck idling.** Evaluate strategies to reduce truck idling found or reported in areas with sensitive receptors, with a priority placed on environmental justice areas.
- **3.2 Design guidelines and standards.** Update the Zoning Code development and operational standards for industrial zones to address incompatibility between adjacent residential uses, including minimum distance requirements to buffer heavy industrial uses from sensitive receptors.
- **3.3 Healthy lifestyles.** Collaborate with residents and industry stakeholders to create a program to incentivize and amortization the removal of existing heavy industrial uses adjacent to sensitive uses.
- **3.4 Funding for air filtration.** Seek funding from South Coast Air Quality Management District and other regional sources for the installation of high-efficiency air filtration systems in buildings, homes, and schools located in areas with high levels of localized air pollution, especially for those within environmental justice area boundaries

The commenter's citation to *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184 is inapplicable here. That case concerned a specific retail shopping center, whereas the DEIR at issue here is for a long-range planning document that does not have sufficient detail on specific development projects that would be developed as part of the GPU (e.g., type, location, and sizing of potential sources of TACs). There is insufficient information available at this level of analysis to conduct a reasonable or scientifically valid analysis of TACs. Specific development projects in the city that have the potential to generate potentially significant risks associated with the release of TACs are required to undergo an analysis of their potential health risks associated with TACs, based upon the specific details of each individual project. Overall, because there are no specific development projects identified or approved under the GPU, the location of the development projects, and the exact nature of the development are unknown, determining health risk at this time is speculative.

In addition, and as stated above, because determining health risk at this time is speculative, analyzing an alternative land use scenario that would avoid excessive health risks would be infeasible. Moreover, it would also not meet project objectives. (See State CEQA Guidelines section 15126.6(c); DEIR, p. 3-2.)

In *Keep Berkeley Jets Over the Bay Com. v. Board of Port Comrs.* (2001) 91 Cal.App.4th 1344 (a case the commenter cites), the court found the agency failed to analyze the impacts of

## 2. Response to Comments

TACs because the EIR simply concluded that because there was no “approved, standardized protocol” for assessing such a risk, the EIR could not evaluate the significance of the impact. Unlike *Keep Berkeley Jets*, the DEIR here does qualitatively analyze the impacts of the TACs on sensitive receptors and concludes impacts would be potentially significant. The DEIR engages in a qualitative analysis of TAC health risk by analyzing the development and operation of new land uses under the GPU that could generate new sources of TACs in the city from stationary and mobile sources. (See DEIR, p. 5.2-34.)

- A4A-12 See response to Comments A4A-10 and A4A-11. Pursuant to the CEQA Guidelines Section 15126.4(a)(1)(B), mitigation measures may specify performance standards for mitigating a significant impact when it is impractical or infeasible to specify the specific details of mitigation during the EIR review process, provided the lead agency commits to implement the mitigation, adopts the specified performance standard, and identifies the types of actions that may achieve compliance with the performance standard. Mitigation Measure AQ-3 would require a project-level HRA to determine the overall effects of the project’s emissions on nearby sensitive receptors relative to the South Coast AQMD threshold. Mitigation Measure AQ-3 identifies several potential measures that may be taken to reduce risk at an individual site, including, but not limited to, restricting idling on-site, electrifying warehousing docks to reduce diesel particulate matter, or requiring use of newer equipment and/or vehicles. Mitigation Measure AQ-3 commits future projects to reducing emissions below a clear performance standard, and thus is not impermissible deferral.

While Mitigation Measure AQ-3 would reduce health impacts associated with an individual project, it does not address cumulative impacts associated with existing and future sources of TACs in the SoCAB. The MATES IV interactive map identifies that cancer risk in the City of Santa Ana ranges from 752 to 1,105 in one million.<sup>6</sup> New sources of stationary, area, and mobile sources of TACs would contribute to elevated health risks in the city. For this reason, impacts were considered significant and unavoidable.

The commenter states that a single mitigation measure doesn’t satisfy CEQA standards, but does not provide suggestions of other mitigation measures or alternatives that would reduce or eliminate this impact. No additional mitigation measures are available to reduce the proposed project’s contribution to health risk in the SoCAB. This comment is general in nature and does not provide any specific information as to how the Draft PEIR supposedly fails to provide information or impose all feasible mitigation measures. (*Browning-Ferris Indus. v. City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) To the extent this comment is referring to MM AQ-3, the City directs the commenter to its response to A4A-11.

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<sup>6</sup> South Coast AQMD. MATES IV Estimated Risk. <https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>



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Furthermore, where potentially significant impacts are identified, the Draft PEIR proposes and describes mitigation measures designed to minimize, reduce, or avoid each identified potentially significant impact *whenever it is feasible to do so*. (See Pub. Resources Code, § 21002.1(b) and State CEQA Guidelines § 15126.4.)

The purpose of the DEIR is to fully disclose the environmental impacts of the project as proposed and to provide mitigation to, if possible, reduce or eliminate the impacts. Where impacts that cannot be avoided, the DEIR identifies the impact and the reasons why the project is being proposed, notwithstanding the impact. (State CEQA Guidelines § 15126.2(b).) Appropriately, the DEIR focuses on mitigation measures that are feasible, practical, and effective. (*Napa Citizens for Honest Govt. v. Napa County Bd. Of Supervisors* (2001) 91 Cal.App.4th 342, 365.) As described in the Draft PEIR, MM AQ-3 would reduce impacts related to the exposure of TACs to sensitive receptors; however, impacts would remain significant and unavoidable after implementation of the mitigation.

- A4A-13 As discussed on Page 5.12-45 of the Draft PEIR, "stationary source noise, such as from HVAC units and commercial loading docks, is controlled by the City's Municipal Code." Specifically, Section 18.312 of the Santa Ana Municipal Code establishes noise standards for stationary noise sources, such as from commercial and industrial facilities. As discussed in the Draft PEIR, proposed Noise Element Policy 2.2, Stationary Related Noise, would ensure that new stationary noise sources are mitigated to acceptable noise limits established by the City. New residential and noise-sensitive land uses are evaluated against the City's interior and exterior noise compatibility standards, as outlined in proposed Noise Element Policy 1.1. New projects would incorporate mitigation in their design at the project level to reduce excessive noise levels per proposed Noise Element Policy 1.2. As a programmatic document, project-specific mitigation cannot be identified at this time and would be addressed at the project level once a development application and site plans are available.

Because specific project-level information is not available at this time, it is not possible to quantify future vibration levels at vibration-sensitive receptors that may be near existing and future vibration sources. To do so would be speculative. (State CEQA Guidelines, § 15145; *Citizens for a Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 Cal.App.4th 1036, 1058.) Therefore, with the potential for sensitive uses within the plan area to be exposed to annoying and/or interfering levels of vibration from commercial or industrial operations and existing railroad lines, operations-related vibration impacts associated with the implementation of the GPU are considered potentially significant. Thus, the GPU would result in potentially significant impacts related to groundborne vibration without mitigation. With the implementation of MMs N-2, N-3, and N-4, coupled with adherence to associated performance standards, this impact would be reduced to less than significant levels. MM N-2 would reduce potential vibration impacts during construction below the pertinent thresholds, and MM N-3 and N-4 would reduce potential vibration impacts from commercial/industrial uses and proposed uses near

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existing railroads and facilities to less than significant levels. No significant and unavoidable vibration impacts would remain. (DEIR, p. 5.12-47.)

- A4A-14 The commenter states a substantial portion of the 55 Freeway/Dyer Road Focus Area is within the JWA 65 dB and 60 dB CNEL noise contours. As shown in Figure 5.12-6, while a portion of the 60 dB CNEL contour does extend through this area, only a relatively small portion of the 65 dB CNEL contour extends into the city and 55 Freeway/Dyer Road Focus Area. The commenter then highlights several proposed Noise Element policies (Policies 1.1, 1.4, and 3.1), which the commenter states “would do nothing to protect sensitive land uses from adverse impacts.” This is incorrect and the commenter neglects to list proposed Policy 3.3 and Policy 3.1. Policy 3.1 clearly does not support residential development within the JWA 65 dBA CNEL or greater noise contour. The commenter states that the ALUC indicated that all residential units within the 65 dB CNEL contour should typically be considered inconsistent. Proposed Policy 3.1 is consistent with this recommendation from the ALUC. Furthermore, per Policy 3.3, all residential land uses in the 60 dBA CNEL are required to be sufficiently mitigated so as not to exceed an interior standard of 45 dBA CNEL.

The commenter states that GPU Policy 1.2 is vague. The following text changes have been made to proposed Policy 1.2 to clarify the policy as a requirement to comply with the City’s noise standards:

- **Policy 1.2. Sound Design (Noise Element).** ~~Encourage~~ Require functional ~~and attractive~~ designs to mitigate excessive noise levels to the City’s acceptable interior and exterior noise limits (e.g., through the use of noise barriers, setbacks, sound-rated building materials, or other methods). ~~In designing such mitigation, encourage attractive designs.~~

As a programmatic document, project-specific mitigation cannot be identified at this time and would be addressed at the project level once a development application and site plans are available.

Moreover, because the purpose of CEQA is to protect the physical environment, it is concerned with adverse changes to the environment that may be brought about by approval of a proposed project. (Pub. Resources Code, §§ 21065, 21068.) CEQA is generally not, however, concerned with the effect the existing environment might have on proposed projects, and such effects are not treated as changes in the physical environment. (See, e.g. *California Bldg. Indus. Ass’n v. Bay Area Air Quality Mgmt. Dist.* (2015) 62 Cal.4th 369, 378.) Thus, airport noise impacts on future residential developments proposed by the GPU is outside the scope of the standard CEQA analysis, which requires the City to examine impacts of the project on the environment. Here, the Draft PEIR states that while noise from existing sources is taken into account as part of the baseline, the direct effects of exterior noise from nearby noise sources relative to land use compatibility of a

## 2. Response to Comments

future project as a result of the GPU is not a required topic for impact evaluation under CEQA. As required by Noise Element Policy 1.1, noise levels will be considered in land use planning decisions to prevent future noise and land use incompatibilities. At the discretion of the Santa Ana Planning and Building Agency, considerations may include, but not necessarily be limited to, standards that specify acceptable noise limits for various land uses, noise-reduction features, acoustical design in new construction, and enforcement of the California Uniform Building Code and City provisions for indoor and outdoor noise levels. (See Draft PEIR, p. 5.12-28.)

Though the commenter is concerned that the GPU will exacerbate the existing noise within the JWA contours, and while an EIR must “analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected” (State CEQA Guidelines, § 15126.2(a)), an analysis of exacerbating effects should be confined to those that are reasonably foreseeable. (See Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines, pp. 38–39 (Nov. 2018).) Further, the Natural Resources Agency’s Statement of Reasons for the 2018 amendments to the State CEQA Guidelines states that EIRs should analyze effects that a project might “cause or risk exacerbating,” and the language is intended to make clear that EIRs need not analyze effects that a project does not cause directly or indirectly. Because the GPU does not include any project-specific developments within the JWA airpath, analyzing those future projects and whether they will exacerbate the existing noise levels is speculative and not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).)

The GPU is not contrary to ALUC’s recommendations to limit residential uses within the 60 dBA CNEL noise contour or to prohibit residential uses within the 65 dBA CNEL contour. Noise Element Policy 3.1, Residential Development, states that residential development within the John Wayne Airport 65 dBA CNEL noise contour or greater is not supported. Noise Element Policy 3.3, Residential Mitigation, also requires all residential land uses in 60 dBA CNEL or 65 dBA CNEL noise contours to be sufficiently mitigated so as not to exceed an interior standard of 45 dBA CNEL. (Draft PEIR, p. 5.10-16.) Thus, the GPU’s policies are consistent with ALUC’s recommendations.

The commenter is stating that Policy 1.2, Sound Design, is deficient because it is vague and unenforceable; however, the GPU’s policies, including Policy 1.2, Sound Design, are not mitigation measures. In particular, Policy 1.2, Sound Design, is a part of the GPU and is not a mitigation measure being adopted after the project was proposed. GPU Policy 1.2 is designed so that implementation of the GPU will result in less than significant impacts. Thus, the commenter’s reliance on *Friends of Oroville v. City of Oroville* (2013) 219 Cal.App.4th 832, 845—“provide a quantitative or qualitative determination or estimate of the mitigation measures’ effect” on project impacts”—is inapplicable here. The GPU policies concerning noise are intended to avoid or reduce noise-related impacts. (See Draft PEIR, pp. 5.12-26 through 5.12-27; see also p. 5.12-45.) As the Draft PEIR states, no

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single goal or policy is expected to completely avoid or reduce an identified potential environmental impact. (Draft PEIR, p. 5.12-26.) However, the collective, cumulative mitigating benefits of the policies are intended to reduce noise-related impacts.

The commenter's suggestion for a land use alternative that restricts residential development from locations within the 65 dBA CNEL contour and commits to specific and enforceable noise attenuation measures for residential land uses that are within the 60 dB CNEL would not meet project objectives and therefore will not be analyzed any further.

- A4A-15 An EIR must describe feasible measures that could minimize the project's significant adverse impacts. (State CEQA Guidelines, § 15126.4(a)(1).) An EIR need not identify and discuss mitigation measures that are infeasible. "Nothing in CEQA requires an EIR to explain why certain mitigation measures are infeasible." (*Clover Valley Found. v. City of Rocklin* (2011) 197 Cal.App.4th 200, 245.) Nor must an EIR analyze in detail mitigation measures it concludes are infeasible. (*Cherry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 351.) If specific economic, social, or other conditions make mitigation measures infeasible, individual projects may be approved in spite of one or more significant effects. (Pub. Resources Code, § 21002.)

In looking at mitigation measures for Impact 5.12-2 (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), the Draft PEIR found that traffic noise increases would be significant along several roadway segments throughout the city. (Draft PEIR, p. 5.12-47.) The Draft PEIR also looked at three potential mitigation measures—special roadway paving, sound barrier walls, and sound insulation of existing residences and sensitive receptors—and determined that these were not feasible due to costs and technical issues, such as the sound barrier walls preventing access to individual properties and there being no funding mechanism or procedures to guarantee implementation of sound insulation features at each residence. (Draft PEIR, p. 5.12-50.)

There are no feasible or practical mitigation measures available to reduce project-generated traffic noise to less than significant levels for existing residences along the affected roadways. The traffic noise would remain a significant and unavoidable impact in the plan area. However, identification of this program-level impact does not preclude the finding of less than significant impacts for subsequent projects analyzed at the project level. (Draft PEIR, 5.12-51.)

- A4A-16 The GPU Draft PEIR VMT analysis was conducted using forecasts obtained from OCTA's OCTAM regional countywide model. Section 3.1 of the Traffic Impact Analysis Report (see Appendix B of this FEIR) provides a detailed explanation of the VMT analysis methodology used in conjunction with these travel demand model forecasts. In

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response to this comment, it is important to distinguish between vehicle trips and vehicle miles traveled. The comment requests an explanation of how increased vehicle trips does not result in a significant impact. The key distinction is the VMT analysis methodology, which is based on the ratio between vehicles miles traveled and service population. An increase in vehicle trips as a result of new development does not specifically result in a significant environmental impact. Instead, the analysis considers the VMT associated with this increase in trips and the ratio of VMT to the increase in service population. In this case, while there may be more forecast vehicle trips, the ratio of VMT compared to service population is lower for the GPU land use scenario when compared to the current general plan. It is the ratio of VMT to service population that is also the City of Santa Ana's adopted metric for determining the presence of a significant traffic impact. Similarly, because trip generation is specifically *not* a CEQA analysis issue, this information is not required to be included in the traffic impact analysis report or the Draft PEIR.

- A4A-17 The City of Santa Ana has coordinated extensively with OCTA throughout the preparation of the GPU and the GPU Draft PEIR with regard to MPAH consistency. This coordination has resulted in the development of a Memorandum of Understanding (MOU) between the City of Santa Ana and OCTA that spells out the roadway and intersection improvements and mitigations that the City of Santa Ana has committed to as part of ensuring consistency with the MPAH. The City of Tustin has been given the opportunity to review this MOU and will be a party to the MOU as well.

Intersection and roadway improvements identified in the MOU between City of Santa Ana and OCTA are identified in the revised traffic impact analysis report contained as Appendix B of this FEIR.

As the commenter notes, this comment does not relate to the DEIR's sufficiency under CEQA. Instead, the comment is raising concerns about the internal consistency of the General Plan Update. This comment will be provided to the City decision-makers for their review and consideration in determining whether to approve the project. Since the comment does not provide any specific environmental issues, no further response is required. (State CEQA Guidelines, § 15204(a).)

- A4A-18 The revised traffic impact analysis report in the FEIR addresses the comment related to the inclusion of the 0.05 loss time in the analysis of the Red Hill/Warner intersection. This comment and issue have been previously discussed and resolved with City of Tustin staff as a result of the coordination between City of Santa Ana, City of Tustin, and OCTA around the MPAH.

This comment will be provided to the City decision-makers for their review and consideration in determining whether to approve the project. The comment does not provide any specific environmental issues, and thus no further response is required. (State CEQA Guidelines, § 15204(a).)

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A4A-19 The commenter asserts that two stated circumstances for recirculation of the Draft PEIR apply: 1) the addition of significant new information to the Draft PEIR after public notice is given of the availability of the Draft PEIR but before certification, or 2) the Draft PEIR is so “fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” The commenter supports the first assertion by concluding that substantial new information would necessarily be required to remedy the inadequacies of the Draft PEIR. As detailed in the preceding responses (A4A-1 through A4A-18), the City of Santa Ana disagrees that the Draft PEIR is inadequate or deprives the public from meaningful review of the proposed GPU. Moreover, substantial new information is not required and has not been provided in this FEIR. The City contends that the conditions under CEQA Guidelines 15088.5 (b) apply to this project:

- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR.

Responses throughout this FEIR provide clarification and support the conclusions in the Draft PEIR. Required revision to the Draft PEIR, as clearly documented in Chapter 3 of this FEIR, do not constitute substantial new information and do not trigger the conditions warranting recirculation of the Draft PEIR.

State CEQA Guidelines section 15088.5 sets forth the circumstances under which a lead agency must recirculate an EIR. A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice of the Draft EIR but before certification of the Final EIR. Such information can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not considered “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project, or the project’s proponents have declined to implement a feasible way (including a feasible project alternative) to mitigate or avoid such an effect. As defined in State CEQA Guidelines section 15088.5(a), significant new information requiring recirculation shows any of the following:

- 5. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- 6. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- 7. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.

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8. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Draft PEIR adequately analyzes the environmental effects of the GPU, and the conclusions in the Draft PEIR are supported by substantial evidence in the record. None of the conditions requiring recirculation listed in State CEQA Guidelines section 15088.5 have been triggered. None of the revisions that have been made to the Draft PEIR indicate new significant impacts; a substantial increase in the severity of an environmental impact identified in the Draft PEIR, and none of the revisions identify a feasible project alternative or mitigation measure that is considerably different from those set forth in the Draft PEIR and which will lessen the environmental impacts of the GPU. Furthermore, no new information brought forward indicates that the Draft PEIR is so fundamentally flawed that it precludes meaningful public review. None of the CEQA criteria for recirculation have been met. As stated in State CEQA Guidelines section 15088.5(b), “recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” Therefore, the EIR does not need to be recirculated.

A4A-20      Please see Response to Comment A4A-19.

## 2. Response to Comments

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## 2. Response to Comments

LETTER A5 – Orange County Public Works (3 page[s])



A5

September 16, 2020

NCL-20-0010

Verny Carvajal  
Principal Planner  
City of Santa Ana  
Planning and Building Agency  
PO Box 1988 (M-20)  
Santa Ana, CA 92702

**Subject:** Notice of Availability of a Program Environmental Impact Report for the Santa Ana General Plan Update (State Clearinghouse Number: 2020029087)

Dear Verny,

Thank you for the opportunity to comment on Notice of Availability of a Program Environmental Impact Report for the Santa Ana General Plan Update. The County of Orange offers the following comments for your consideration.

**Orange County Health Care Agency (OCHCA) Hazardous Materials Program (HMMP)**

1. If any known or previously unknown underground storage tanks (USTs) are encountered during site development, please contact the OC HMMP supervisor at (714) 433-6260 or the Environmental Health Main Line at (714) 433-6000. A5-1
2. The subject document identifies the OCHCA as the Lead Agency for oversight of leaking underground storage tank (LUST) sites; however, does not reference the OCHCA's Voluntary Cleanup Program (VCP) for industrial release/cleanup sites nor the Orange County UST Program (OCUST) which oversees releases from non-petroleum USTs. Further, the search of "Hazardous Material Sites" provided in the document does not include sites in the VCP or OCUST programs and should be updated following a review of sites listed within the following links: A5-2



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☎ (714) 667-8800

🌐 [OCPublicWorks.com](http://OCPublicWorks.com)

## 2. Response to Comments



<https://www.ocalthinfo.com/civicax/filebank/blobdload.aspx?BlobID=21840> and  
<https://www.ocalthinfo.com/civicax/filebank/blobdload.aspx?BlobID=21842>.

A5-2  
cont'd

### OC Infrastructure Programs/ Traffic Engineering

- 1) Please incorporate the minor comments (discussed with Zdenek on 9/4/2020) and the Letter of Support comments into the Traffic Impact Study.
- 2) LOS mitigation measures were not included for the deficient Roadway Segments on the Traffic Impact Study. Please include and address.
- 3) There are possible Orange County CIP (Capital Improvement Project) conflicts with the five focus areas. Please address these and clarify:
  - a) Old County Courthouse Project (Santa Ana Blvd/Broadway)
    - i) Reclassification of Broadway (1st to 17th Street) from Secondary Arterial to Divided Collector Arterial may affect the CIP project of Old County Courthouse Project, which is located on Broadway and Santa Ana Blvd.
  - b) Regional Traffic Signal Synchronization Projects (Westminster/17th street)
    - i) Does Focus Area 2, Roadway Intersections (8, 31, 50, 58, 59, 76, 93) and Roadway Segments (3, 12, 28) consider the OC Regional Traffic Signal Synchronization CIP?
  - c) FY 2023 Santa Ana Gardens Channel Bikeway Extension.
    - i) Focus Area 3 (West Santa Ana Blvd) may affect this CIP project because they are adjacent. Construction for Focus Area 3 may impact the construction for Santa Ana Gardens Channel Bikeway Extension. Please address.
- 4) Please consider adding these Roadway Intersections and Segments to the Traffic Impact Study. If these are not added, please address and clarify:
  - a) Intersections
    - i) Main Street/MacArthur Blvd
      - (1) CIP Lane Channel Improvements is from Jamboree to Main Street is relatively near the project sites. Thus, we need to see how this intersection will be affected and in turn affect the CIP.
    - ii) Fairhaven Avenue/Yorba Street
      - (1) Reclassification of Fairhaven Avenue may affect this intersection in OC jurisdiction.
    - iii) Santa Clara Avenue/Yorba Street
      - (1) Reclassification of Santa Clara Avenue may affect this intersection in OC jurisdiction.
    - iv) 1st Street/South Center Street
      - (1) FY 2023 Santa Ana Gardens Channel Bikeway Extension CIP Project. West Santa Ana Blvd Focus area may affect this. Also, reclassification of 1st street may influence this intersection as well.

A5-3



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## 2. Response to Comments



b) Segments

i) Fairhaven Avenue (Tustin Street to Yorba Street)

- (1) Fairhaven Avenue (between Grand Ave and Tustin Ave) is currently secondary arterial but is going to be reclassified as Divided Collector Arterial, which may affect this roadway segment.

ii) Santa Clara Avenue (Tustin Street to Yorba Street)

- (1) Santa Clara Ave (between Grand Ave and SR-55) is currently secondary arterial but is going to be reclassified as Divided Collector Arterial, which may affect OC jurisdiction of Santa Clara Avenue.

iii) Main Street (Red Hill Avenue to MacArthur Blvd)

- (1) This segment may affect a portion of OC jurisdiction on Main Street.

iv) Harbor Blvd (McFadden Avenue and Edinger)

- (1) This roadway segment connects to an area under OC jurisdiction that could potentially be affected.

v) Harbor Blvd (Edinger and Warner Avenue)

- (1) This roadway segment connects to an area under OC jurisdiction that could potentially be affected.

A5-3  
cont'd

If you have any questions regarding these comments, please contact Geniece Higgins at (714) 433-6260 in Orange County Health Care Agency or Paul Lee at (714) 647-3995 in OC Infrastructure Programs/Traffic Engineering or Steven Giang at (714) 667-8816 in OC Development Services.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Vuong', with a large loop at the end.

Richard Vuong, Interim Deputy Director  
OC Public Works Service Area/OC Development Services  
601 North Ross Street  
Santa Ana, California 92701  
[Richard.Vuong@ocpw.ocgov.com](mailto:Richard.Vuong@ocpw.ocgov.com)

cc: Geniece Higgins, Orange County Health Care Agency  
Paul Lee, OC Infrastructure Programs/Traffic Engineering



County Administration South  
601 North Ross Street  
Santa Ana, California 92701

P.O. Box 4048  
Santa Ana, CA 92702-4048

[info@ocpw.ocgov.com](mailto:info@ocpw.ocgov.com)

(714) 667-8800

[OCPublicWorks.com](http://OCPublicWorks.com)

## 2. Response to Comments

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## 2. Response to Comments

**A5. Response to Comments from Orange County Public Works, dated 9/16/2020.**

A5-1 The commenter states that if any known or previously unknown underground storage tanks (USTs) are encountered during site development, to contact the Orange County Health Care Agency Hazardous Materials Program supervisor at (714) 433-6260 or the Environmental Health Main Line at (714) 433-6000. This is consistent with Regulatory Requirement HAZ-3 that all UST repairs and/or removals and use of existing USTs will be conducted in accordance with Title 23, Chapter 16 of the California Code of Regulations.

A5-2 The commenter states that the Draft PEIR did not identify the Orange County Health Care Agency's Voluntary Cleanup Program for industrial release/cleanup sites nor the Orange County UST program which oversees releases from nonpetroleum USTs. The commenter also recommends updating the search of Hazardous Materials Sites (likely referring to Table 5.8-5) to include sites in the Voluntary Cleanup Program and Orange County UST program. The paragraphs in the Draft PEIR have been changed as follows:

The OCHCA is charged with the responsibility of conducting compliance inspections of regulated facilities in Orange County. Regulated facilities are those that handle hazardous materials, generate or treat hazardous waste, and/or operate an underground storage tank. Nonpetroleum USTs receive oversight from OCHCA through the Orange County UST Program (OCUST). All new installations of underground storage tanks require an inspection, along with the removal of the old tanks under strict chain-of-custody protocol.

In addition, Table 5.8-5 has been changed as follows:

**Table 5.8-5 Hazardous Materials Sites in the Plan Area: Open Cases**

Site Name	Address	Type of Site	Cleanup Status
<b>Plan Area</b>			
1300 Normandy Partners	1300 E. Normandy Pl.	Cleanup Program Site	Open – Inactive
7-Eleven Store #18167	1020 S. Bristol St.	LUST	Open – Site Assessment
Aeromil Engineering Co., Inc.	2344 Pullman St.	LUST	Open – Remediation
Aluminum Precision Products	2621 S. Susan St.	Cleanup Program Site	Open – Inactive
AMR Combs Fuel Farm	19301 Campus Dr.	LUST	Open – Remediation
Archies Texaco	4502 Westminster Ave.	LUST	Open – Site Assessment
ARCO #1047	2646 W. 1st St.	LUST	Open - Remediation
ARCO #3085	3361 S. Bristol St.	LUST	Open - Remediation
ARCO #5147	2245 S. Main St.	LUST	Open – Eligible for Closure
ARCO #6071	3414 S. Main St.	LUST	Open - Remediation
Barlen Enterprises Industrial Park	1410 E. St. Gertrude Pl.	Cleanup Program Site	Open – Assessment & Interim Remedial Action
Behr Process Corporation	3001 S. Yale St.	Cleanup Program Site	Open - Remediation
Bell Industries	1831 Ritchey St.	Cleanup Program Site	Open - Remediation

## 2. Response to Comments

**Table 5.8-5 Hazardous Materials Sites in the Plan Area: Open Cases**

Site Name	Address	Type of Site	Cleanup Status
BFM Energy Products Corp.	2040 E. Dyer Rd.	Cleanup Program Site	Open - Remediation
Bristol Fiberlite Industries	401 E. Goetz Ave.	LUST	Open – Eligible for Closure
<u>Cabrillo Park Shopping Center – Aztec Cleaners</u>	<u>1730 E. 17<sup>th</sup> St.</u>	<u>Voluntary Cleanup Program</u>	<u>Open</u>
Cherry Aerospace	1224 E. Warner Ave.	Cleanup Program Site	Open - Remediation
Chevron #9-1825	2261 N. Fairview St.	LUST	Open – Verification Monitoring
Circuit One	2103 S. Grand Ave.	Cleanup Program Site	Open – Remediation
CTC Global Facility	3901 S. Main St.	Cleanup Program Site	Open – Site Assessment
Diceon Electronics (Former)/Elexsys International Corp.	2215 S. Standard Ave.	Cleanup Program Site	Open – Site Assessment
Dyer Business Park	3107 Kilson Dr.	Cleanup Program Site	Open – Site Assessment
E-Z Serve #100841	2409 W. Edinger Ave.	LUST	Open – Verification Monitoring
Eco Gasoline	1131 S. Main St.	LUST	Open - Remediation
El Modena Flood Channel Investigation	Esplanade Ave. & Fairhaven Ave.	Cleanup Program Site	Open – Site Assessment
Embee Plating	2144 S. Hathaway St.	Cleanup Program Site	Open - Remediation
<u>Empire Auto</u>	<u>110 E. Dyer Rd.</u>	<u>Voluntary Cleanup Program</u>	<u>Open</u>
Former Alcoa Composites/Tre Astech Facility	3030 S. Red Hill Ave.	Cleanup Program Site	Open - Remediation
Former Industrial Property	201 E. Stevens Ave.	Cleanup Program Site	Open – Site Assessment
Former Los Amigos Dry Cleaner	1312 W. Edinger Ave.	Cleanup Program Site	Open – Verification Monitoring
Former Unocal 76 SS #5247 (AKA Crevier BMW)	1500 Auto Mall Rd. (Formerly 2031 E. Edinger)	LUST	Open – Site Assessment
G & M Oil #24	3301 S. Bristol St.	LUST	Open – Verification Monitoring
Gallade Chemical Inc	1230 E. St. Gertrude Pl.	Cleanup Program Site	Open - Remediation
GE Plastics	1831 E. Carnegie Ave.	Cleanup Program Site	Open - Remediation
Guadalajara Tires	2501 Westminster	LUST	Open - Remediation
Gulf Station (Chevron #35-2689)	1606 S. Standard Ave.	LUST	Open – Assessment & Interim Remedial Action
Halladay Properties	3035 Halladay	Cleanup Program Site	Open – Site Assessment
Holchem Service Chemical Co.	1341 Maywood Ave., East	Cleanup Program Site	Open - Remediation
Humble Oil Station 7-8869	1440 Broadway	LUST	Open – Site Assessment
Isaac Main Plaza/Metro CW	1801 S. Main St.	LUST	Open – Verification Monitoring
Isaac, Inc. (Village Pnt & Bdy)	1734 W. 1st St.	LUST	Open – Eligible for Closure
ITT Cannon	666 E. Dyer Rd.	Cleanup Program Site	Open - Remediation
JMA Trust	3320 S. Yale St.	Cleanup Program Site	Open – Site Assessment
Key Cleaners	3033 S. Bristol St.	Cleanup Program Site	Open – Site Assessment
L&N Costume Services	1602 E. Edinger Ave.	Cleanup Program Site	Open – Site Assessment
Llyod Pest Control Upgradient VOC Plume	566 E. Dyer Rd.	Cleanup Program Site	Open - Inactive
Martin Aviation (Fuel Farm)	19331 S. Airport Way	LUST	Open - Remediation
Mobil #18-HCN	1351 E. Dyer Rd.	LUST	Open – Eligible for Closure
Newport Hydraulics	1716 S. Santa Fe St.	LUST	Open - Inactive
OCWD – South Basin	Hotel Terrace Dr.	Project	Open – Site Assessment

## 2. Response to Comments

**Table 5.8-5 Hazardous Materials Sites in the Plan Area: Open Cases**

Site Name	Address	Type of Site	Cleanup Status
Orange County Fire Station #33	18992 Ike Jones Rd.	Cleanup Program Site	Open – Site Assessment
Orange County South Basin		Complex Site Cleanup Program Facility	
Orco Tools and Equipment	2100 Ritchey St.	LUST	Open - Remediation
SA Recycling	2002 W. 5th St.	Cleanup Program Site	Open – Eligible for Closure
Safety-Kleen	2120 S Yale St.	LUST	Open – Site Assessment
Santa Ana Tower F.A.A.	18990 Ike Jones Rd.	Cleanup Program Site	Open – Site Assessment
Shell #510 Former	510 N. Bristol St.	LUST	Open – Site Assessment
Shell Station #1202 (Former)	1202 E. Edinger Ave.	LUST	Open - Remediation
South Coast Auction	2202 S. Main St.	LUST	Open – Verification Monitoring
South Coast Business Center	3400-3500 Warner Ave.	Cleanup Program Site	Open - Remediation
SPS Technologies	2701 S. Harbor	Cleanup Program Site	Open - Remediation
Thrifty Oil #008	704 N. Bristol St.	LUST	Open - Remediation
Thrifty Oil #015	2016 W. 17th St.	LUST	Open - Remediation
Thrifty Oil #150	1539 S. Standard Ave.	LUST	Open - Remediation
Thrifty Oil #376	801 N. Bristol St.	LUST	Open – Eligible for Closure
Troy Computer	2322 Pullman St.	Cleanup Program Site	Open - Site Assessment
Ultramar, Inc. Station #750	1501 S. Broadway	LUST	Open - Site Assessment
Universal Circuits	1720-1800 Newport Circle, East	Cleanup Program Site	Open - Site Assessment
Unocal #5356	1913 W. Edinger Ave.	LUST	Open – Verification Monitoring
Unocal #5422	1502 E. Edinger Ave.	LUST	Open - Remediation
Unocal #7470	114 S. Bristol St.	LUST	Open - Remediation
US Divers	3323 W. Warner Ave.	Cleanup Program Site	Open - Inactive
Waste Oil UST	3323 W. Warner Ave.	Cleanup Program Site	Open - Inactive
Wells Fargo Bank	2301 S. Main St.	LUST	Open – Site Assessment
West Coast Plating, Former	2525 S. Birch St.	Cleanup Program Site	Open – Inactive

Source: SWRCB 2020 and OCHCA 2020a and 2020b.

Section 5.8.6 of the Draft PEIR has also been updated to include the following:

Orange County Health Care Agency (OCHCA). 2020a, October 1 (accessed). Industrial Cleanup Program Cases Listed by City.

<https://www.ochealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=21840>.

———. 2020b, October 1 (accessed). Nonpetroleum UST Cases Listed by City.

<https://www.ochealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=21842>.

These changes are included in Chapter 3 of this FEIR.

- A5-3 The commenter requests that minor comments—as discussed with the City on September 4, 2020 and included in the Letter of Support—be incorporated into the traffic impact analysis report. The revised traffic impact analysis report (Appendix B of this FEIR)

## 2. Response to Comments

includes these comments. The report includes the ADT forecast for Broadway between 1st and 17th Streets. While the forecast ADT volume on 1st Street for the segment noted creates an unacceptable level of service for the roadway in terms of volume-to-capacity (V/C) ratio, this is not a significant impact under CEQA. Roadway level of service is not a traffic evaluation criterion under CEQA. In terms of the MPAH, these forecasts were reviewed with OCTA and no significant concerns were identified.

The commenter also requests that the LOS mitigation measures for the deficient roadway segments be included in the traffic impact analysis report. Level of service for roadway segments is no longer required to be evaluated under CEQA. Roadway level of service information was provided in the traffic impact analysis report as part of the parallel MPAH reclassification analysis conducted per OCTA guidelines. The City of Santa Ana has coordinated with OCTA about mitigation measures required for MPAH reclassifications, and these are reflected in the revised traffic impact analysis report provided as Appendix B.

With regard to possible conflicts with Orange County capital improvement projects (CIP):

- a) The reclassification of Broadway from a Secondary arterial to a Divided Collector arterial will not result in any changes to the roadway outside of the existing public right-of-way. No impact on the Old County Courthouse CIP Project is anticipated.
- b) The MPAH roadway reclassifications planned for the Grand Avenue/17th Street Focus Area would not have any impact on implementation of traffic signal synchronization projects.
- c) The reclassification of West Santa Ana Blvd would not result to changes outside of the roadway right-of-way. No impacts to the Santa Ana Gardens Channel are anticipated.

The commenter also requests adding a number of roadway intersections and segments to the traffic impact analysis report.

Intersection volumes are not expected to be significantly affected by the reclassifications during peak hours. Thus, physical roadway improvements are not required, and no impact is expected to OCPW infrastructure. See Appendix G of the updated traffic impact analysis report for reference.

Roadway average daily traffic (ADT) information was added to the revised traffic impact analysis report in this FEIR. No significant impacts are observed.



## 2. Response to Comments

LETTER A6 – City of Irvine (3 page[s])



Community Development

[cityofirvine.org](http://cityofirvine.org)

City of Irvine, One Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 949-724-6000

**A6**

September 16, 2020

Mr. Verry Carvajal, Principal Planner  
City of Santa Ana  
20 Civic Center Plaza, M-20  
Santa Ana, CA 92701

**Subject: Notice of Availability of a Program Environmental Impact Report  
(PEIR) for the Santa Ana General Plan Update**

Dear Mr. Carvajal:

The City is in receipt of a Notice of Availability for the PEIR for the Santa Ana General Plan Update. The update will provide long-term policy direction and communication for the vision, values, and goals for the City's physical development, fiscal and environmental sustainability, and overall quality of life. At project buildout, it is projected that the City's population would grow to 431,629, with a total of 170,416 jobs, 115,052 housing units, and 72,967,816 non-residential square footage. The Draft PEIR indicates there may be significant unavoidable environmental impacts associated with the following environmental categories: Air Quality, Cultural Resources (historic resources), Greenhouse Gas Emissions, Noise (construction), and Population and Housing (population growth).

Intro

Staff has reviewed the PEIR and has enclosed the following comments. If you have any questions, please contact me at [jequina@cityofirvine.org](mailto:jequina@cityofirvine.org)

Sincerely,

Justin Equina  
Associate Planner

cc: Kerwin Lau, Manager of Planning Services  
Lisa Thai, Supervising Transportation Analyst

Enclosure: City of Irvine Comments

## 2. Response to Comments

### ENCLOSURE 1 CITY OF IRVINE COMMENTS

- |   |      |
|---|------|
| 1. On page 32, Project Alternatives, explain why the total number of dwelling units in the "2020 RTP/SCS Consistent" alternative is lower than the "No Project/Current General Plan" alternative. | A6-1 |
| 2. On page 556, Section 5.13.4 – Environmental Impacts, explain why there are differences in the General Plan Update and OCCOG projections when both are using 2045 as the horizon year.          | A6-2 |

#### Traffic Study

- |  |      |
|--|------|
| 3. Please work with City of Irvine staff on the proposed mitigations identified on page 89, LOS Impact Intersections in the City of Irvine, as some of the proposed improvements might not be preferred or feasible. | A6-3 |
|--|------|

Additionally, under the discussion for each impacted intersection, include language that the City of Santa Ana will work with City of Irvine to address the impacts including entering into an agreement on the implementation of the improvements.

4. Staff has provided comments for the following intersections listed below:

#### A. Dyer (Red Hill to Pullman):

- |   |       |
|---|-------|
| <ul style="list-style-type: none"> <li>• Please note that this segment was assessed as a six-lane roadway that was found to be deficient in the future 2045 No Project and With Project scenarios.</li> <li>• Use this segment in determining the project related traffic share since the GPU has identified significant intensification in this area near Dyer and the SR-55.</li> <li>• Coordinate with the City of Irvine to provide a fair share cost towards the future widening of Dyer (Red Hill to the SR-55 NB ramps) to the ultimate geometry.</li> <li>• Under Chapter 7, include a discussion indicating that the City of Santa Ana will work with City of Irvine to address roadway segment impacts including a fair share contribution towards the future widening of Dyer (Red Hill to SR-55 NB Ramps).</li> </ul> | A6-4A |
|---|-------|

## 2. Response to Comments

### B. Red Hill/Alton:

- Review the 2045 WP PM Peak Hour ICU volumes as the PM volumes are significantly different from the ITAM forecast, specifically the WBL volumes.
- If the Alton/SR-55 overcrossing is assumed in the baseline, City staff also recommends including the Alton/SR-55 intersection improvements. This includes: NBR, SBR, 2<sup>nd</sup> EBL, and 2<sup>nd</sup> WBL.
- Include the 2045 NP PM Peak Hour ICU worksheets as it appears to be missing from the document.

A6-4B

### C. Red Hill/MacArthur:

- Please review the ICU worksheets and revise accordingly. The ICU worksheets do not reflect the free right-turn lanes on SBR and WBR.  
  
Additionally, the 2045 No Project EBT<sup>PM</sup> volume is half of ITAM's forecast for this movement.
- Please note that the proposed mitigation for this intersection is a third EBL. The improvement might not be appropriate because of the high EBT; additionally, it is not identified in the ICU worksheets.

A6-4C

## 2. Response to Comments

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## 2. Response to Comments

### A6. Response to Comments from Orange County Public Works, dated 9/16/2020.

- A6-1 The update process for the 2020 RTP/SCS began in 2018 and was based on population, housing, and employment projections generated for jurisdictions in Orange County, referred to as Orange County Projections (OCP) and prepared by the Center for Demographic Research (CDR). The OCP figures are intended to communicate expected growth and do not necessarily correlate to land use capacity or buildout figures associated with a general plan. CDR finalized the OCP in September 2018, which was prior to the land use planning and buildout efforts associated with the General Plan Update. The current OCP figures for Santa Ana are substantially smaller than what is being evaluated as a long-term buildout capacity for the City's General Plan Update. Communications with CDR indicate that the earliest that interim adjustments will be made to the OCP figures is late 2021/early 2022, which will therefore mean that Santa Ana's updated projections will be factored into the 2024 RTP/SCS (which is expected to begin in 2022—approximately 18 months after the City will potentially adopt its updated general plan).
- A6-2 Please see Response A6-1.
- A6-3 This comment is regarding the proposed GPU and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration. The revised traffic impact analysis report included as Appendix B of this FEIR includes the requested language for intersections 100, 101, and 105 on page 92.
- A6-4A See response to comment A6-3. The traffic impact analysis report included as Appendix B of this FEIR has been updated to include the segment of Dyer Road between Pullman and Red Hill in the roadway ADT summary. The City of Santa Ana will coordinate with the City of Irvine to determine Santa Ana's fair share cost towards the future widening of Dyer between Red Hill and the SR-55 ramps.
- A6-4B See response to comment A6-3. Year 2045 traffic forecasts were developed using the latest version of OCTA's OCTAM model and incorporate land use and socioeconomic data updates consistent with the land use plan proposed in the General Plan Update. These updates would be anticipated to result in differences in traffic volume forecasts compared to forecasts generated by the City of Irvine using the city-specific ITAM model.
- A6-4C See response to comment A6-3. The analysis for this intersection in the traffic impact analysis report is updated to include free right for SBR/WBR for 2045 scenarios. This update removes the traffic impact, and no mitigation is required for this location following this update.

## 2. Response to Comments

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## 2. Response to Comments

### LETTER A7 – Orange County Transit Authority (7 page[s])



A7

OCT 05 2020

#### AFFILIATED AGENCIES

Orange County  
Transit District  
Local Transportation  
Authority  
Service Authority for  
Freeway Emergencies  
Consolidated Transportation  
Service Agency  
Congestion Management  
Agency

October 1, 2020

Mr. Verny Carvajal, Principal Planner  
City of Santa Ana  
Planning and Building Agency  
PO Box 1988 (M-20)  
Santa Ana, CA 92702

**Subject: Notice of Availability of a Program Environmental Impact Report  
for the Santa Ana General Plan Update**

Dear Mr. Carvajal:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Notice of Availability for the Santa Ana General Plan Update Program Environmental Impact Report (PEIR). Below is a synopsis of OCTA's comments for your consideration. A more detailed discussion is included in the attachment to this letter.

Intro

- OCTA appreciates being kept apprised of the City of Santa Ana's (City) General Plan ("Golden City Beyond: A Shared Vision"). We would like to continue coordination with the City in order to maintain consistency with the Master Plan of Arterial Highways (MPAH), Transit service performance, and active transportation plans. A7-1
- Proposed lane reductions on 1<sup>st</sup> Street and McFadden Avenue may affect OCTA's ability to provide high-quality transit service. The City should coordinate with OCTA to plan and implement strategies to preserve or improve transit performance on these two facilities, including but not limited to Transit Signal Priority and queue-jumping lanes. A7-2
- Although the PEIR indicates there are no mitigation measures required for transportation impacts under the California Environmental Quality Act, OCTA expects the City to mitigate, where feasible, level of service impacts consistent with the MPAH Guidelines, and the Congestion Management Program (CMP). OCTA looks forward to collaborating with the City on a memorandum of understanding related to the MPAH amendment process. As part of this process, mitigation measures will be identified to minimize impacts to MPAH facilities. A7-3
- The intersection at the State Route 55 Southbound Ramps and Irvine Boulevard is a CMP intersection and should be analyzed for potential traffic impacts, consistent with CMP requirements. A7-4
- The City's proposed General Plan Update and supporting environmental documents maintain a planned primary arterial (four-lane divided arterial) on the Pacific Electric Right-of-Way (PE ROW). OCTA is requesting that the City A7-5

Orange County Transportation Authority  
550 South Main Street / P.O. Box 14184 / Orange / California 92663-1584 / (714) 560-OCTA (6282)

## 2. Response to Comments

Mr. Verny Carvajal  
October 1, 2020  
Page 2

initiate an MPAH amendment to consider removing the planned primary arterial due to the following conflicts:

- The OC Streetcar Project is currently under construction along the PE ROW, which will primarily function as a transit corridor. There may not be sufficient right of way available to accommodate both the OC Streetcar and the planned primary arterial noted above. A7-5 cont.
- OCTA, in coordination with the City and the City of Garden Grove, is currently seeking grant funding to complete environmental studies for a bike and pedestrian pathway on the PE ROW. This pathway would extend a planned bicycle facility on Santa Ana Boulevard that was coordinated as part of the OC Streetcar Project. Implementation of the bike and pedestrian pathway on the PE ROW would further constrain right of way for the planned primary arterial.
- OCTA recommends that the City continue to coordinate with the City of Garden Grove to determine the appropriate configuration of the roadways nearby the Willowick Golf Course. A7-6
- The PEIR (pages 5.16-4 and 5.16-8) should update information to reflect the current Measure M2 requirements. A7-7
- The City should continue to coordinate with OCTA to ensure any planned projects would not conflict with the ongoing OC Streetcar Project. A7-8
- OCTA completed the OC Active Plan (Plan) [<https://www.octa.net/Bike/OC-Active/>], and encourages the City to look for opportunities to integrate elements of this Plan into the General Plan. A7-9

We encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at [dphu@octa.net](mailto:dphu@octa.net).

Sincerely,



Dan Phu  
Manager, Environmental Programs

DP:ha  
Attachment



## 2. Response to Comments

### ATTACHMENT

#### OCTA Comments

- Thank you for keeping the Orange County Transportation Authority (OCTA) apprised of the Santa Ana's "Golden City Beyond: A Shared Vision" General Plan. The City of Santa Ana (City) has been coordinating with OCTA to analyze the impacts from the changes to the Circulation Element Update, and OCTA has provided comments to the City staff on the Traffic Impact Study prior to the release of the General Plan Update PEIR (Exhibit 1). Please ensure that these comments are reflected in the final Traffic Impact Study. Continued coordination with OCTA is encouraged to maintain consistency between the Circulation Element and the Orange County Master Plan of Arterial Highways.

A7-10
- OCTA provides high quality transit service on 1<sup>st</sup> Street (Route 64/64X) and McFadden Avenue (Route 66) which are being recommended for lane reductions. Additionally, the OC Transit Master Plan identified McFadden Avenue as one of the ten "Transit Opportunity Corridors" in Orange County where transit capital investment is warranted. On an average weekday, approximately 30,000 bus boarding and alightings take place on these key transit corridors within the City. While reducing lanes will improve safety by reducing traffic speeds, this will also have the unintended consequence of decreasing the speed of the OCTA bus routes on these corridors. Without mitigating the impacts to the bus service, OCTA would need to either degrade frequencies on these routes. Degrading frequencies is not recommended because it will cause overcrowding on the buses and discourage people from taking transit. If frequencies are degraded to worse than 15 minutes, these corridors will lose their High-Quality Transit Corridor designation which may have implications for the City's land use planning. OCTA does not have the financial resources to add service to these routes to keep the current frequencies if the lanes were removed.

A7-11
- Based on the speed impacts to the bus service and importance of these corridors for transit service in the City, OCTA recommends the City coordinate with OCTA to identify and implement transit improvements. This should include, at a minimum, Transit Signal Priority and queue-jumping lanes on 1<sup>st</sup> Street and McFadden Avenue to mitigate the impacts of lane reductions.

A7-12
- PEIR, Page 1-33, Table 1-4 Summary of Environmental Impacts, Mitigation Measures, and Level of Service After Mitigation, Impact 5.16-1 states that there are no mitigation measures required. OCTA understands that the July 1, 2020 California Environmental Quality Act (CEQA) Guidelines update included the incorporation of SB 743 (Chapter 386, Statutes of 2013), which shifts transportation impact metrics for CEQA from level of service (LOS) to vehicle miles traveled. SB 743 and the new guidelines do not, however, require lead agencies to abandon LOS for purposes other than for CEQA purposes. The City, as well as surrounding jurisdictions, should continue to include LOS as a performance standard in their general plans.

A7-13

## 2. Response to Comments

<p>The Traffic Impact Study identifies intersection impacts due to the proposed Circulation and Land Use Element changes. The City should implement mitigation measures at impacted MPAH intersections, where feasible, within their jurisdiction and coordinate with the affected agencies to determine appropriate mitigations at intersections outside of the City.</p>	<p>A7-13 cont'd</p>
<ul style="list-style-type: none"> <li>• Please ensure that the OC Congestion Management Program (CMP) intersections listed below are analyzed for any potential traffic impacts. <ul style="list-style-type: none"> <li>◦ State Route 55 (SR-55) southbound ramps/Irvine Boulevard,</li> <li>◦ Harbor Boulevard and State Route 22 westbound off-ramp/Banner Drive,</li> <li>◦ Harbor Boulevard and 1<sup>st</sup> Street,</li> <li>◦ Harbor Boulevard and Warner Avenue</li> <li>◦ Harbor Boulevard and Interstate 405 (I-405) northbound off-ramp,</li> <li>◦ Harbor Boulevard and I-405 southbound off-ramp,</li> <li>◦ Interstate 5 southbound ramps and 1<sup>st</sup> Street,</li> <li>◦ SR-55 southbound ramp and Auto Mall/Edinger Avenue.</li> </ul> </li> </ul>	<p>A7-14</p>
<ul style="list-style-type: none"> <li>• <u>Page 5.16-4 of the PEIR, Section 'Orange County Measure M'</u> states: "To be eligible for Measure M funds, a general plan circulation element must be consistent with Measure M requirements. The element must contain a growth management program that includes LOS standards, a monitoring program, development phasing with circulation improvements, and impact fees." This statement refers to the original Measure M Ordinance. Measure M2 requires the City's Circulation Element to maintain consistency with the MPAH and does not include the other requirements listed above.</li> </ul>	<p>A7-15</p>
<ul style="list-style-type: none"> <li>• <u>Page 5.16-8 of the PEIR, Section 'Santa Ana Municipal Code'</u> states: "The Orange County Revised Traffic Improvement and Growth Management Ordinance (approved as Measure M by the voters of Orange County in the general election of November 6, 1990) requirement for the adoption of a transportation system management ordinance or alternative mitigation to reduce single occupancy automobile travel." This information is outdated and should be updated to reflect the more recent Measure M2 Program.</li> </ul>	<p>A7-16</p>
<ul style="list-style-type: none"> <li>• <u>Page 5.16-8 of the PEIR, Table 5.16-1 Street Classifications in Santa Ana:</u> a secondary arterial is described as "A roadway with four travel lanes and no center median. Typically provides sidewalks and may include bus transit and bicycle lanes. Serves more local traffic than a Primary Arterial. Example: Civic Center Drive." Please note that the phrase "Serves more local traffic than a primary arterial" may be misconstrued to suggest a secondary has higher capacity. Furthermore, the example should specify that Civic Center Drive east of Bristol is a secondary, as west of Bristol is proposed to be reclassified to a divided collector.</li> </ul>	<p>A7-17</p>
<ul style="list-style-type: none"> <li>• <u>Page 5.16-11 of the PEIR, Bullet Point 5:</u> "Collector and Divided Collector. A two-lane unrestricted access roadway (divided or undivided) with a typical right-of-way width of 56 feet and a roadway width from curb to curb of 40 feet.</li> </ul>	<p>A7-18</p>

## 2. Response to Comments

A divided collector street is designed to accommodate up to 22,000 vehicle trips daily." The other facilities describe capacity values for LOS through LOS D. To be consistent in description for the collectors and divided collectors, please note that collectors are designed to accommodate 7,500-11,300 average daily traffic (ADT) and divided collectors are designed to accommodate 9,000-20,000 ADT, as identified in the Guidance to the MPAH Appendix 3 Table A-4-1 Arterial Highway MPAH Capacity Values.

A7-18  
con'd.

- Page 5.16-26 of the PEIR, Section Regional Express Network states: "As part of the RTP/SCS, SCAG is proposing an extension of its regional Express/HOT Lane network. In Orange County, Express/HOT Lanes will be built along SR-55 and I-405 and will be accessible to users for a monthly or onetime toll." This is a plan proposed by SCAG, however, it has not been endorsed by the OCTA Board of Directors. OCTA is currently studying express lane options in Orange County and the actual implementation or priority of implementation has not been determined.

A7-19

- Page 3-36 of the PEIR: the OC Streetcar is described as "Expected to begin operations in 2021, the OC Streetcar will link the Santa Ana Regional Transportation Center to a new multimodal hub at Harbor Boulevard/ Westminster Avenue in Garden Grove." The OC Streetcar is scheduled to begin operations in late 2022.

A7-20

## 2. Response to Comments

Exhibit 1		
Page 1 - Traffic Impact Study Comments		
July 2020 Review	Page/Location	Comment
		Is Intersection 8: Harbor/17th Street shared with the City of Garden Grove?
		Is Intersection 14: Hyland/MacArthur in the City of Santa Ana? Looks like it is part of Costa Mesa.
1	Pg 6, Exhibit 2.1	Is Intersection 15: MacArthur/Harbor shared with Costa Mesa?
		It appears that the roadway capacities match Pg 21 Table 3-1 Roadway Capacity and LOS for all except the Divided Collector and Collector. In this section, the Divided Collector capacity seems to pull from the MPAH whereas Table 3-1 may show the City's values? Additionally, the Collector capacity uses LOS C rather than LOS D like the other roadways. Please see the Guidance to the MPAH Appendix D, Table A-4-1 for more information.
2	Pg 8, Section 2.3	
		This map has some incorrect designations/missing information. - It is missing Logan Street. - Alton west of Bristol is not on the MPAH and Alton east of Main is classified as a Primary on this figure while the MPAH has it as a Secondary. - Flower north of 17th is not shown as an arterial on this figure but it is a Collector on the MPAH. - Greenville Street is not on the MPAH. - Talbert west of Hyland is a Major on this figure while the MPAH shows it as a Primary Arterial. - 5th Street west of French is not on the MPAH. - Chestnut east of Elk Street is a Secondary on the MPAH. - Does City of Santa Ana have jurisdiction over Edinger Avenue between Euclid Street and east of Newhope Street? If so, it should be included on this exhibit.
3	Pg 12, Exhibit 2.4 OCTA MPAH	
		- The Exhibit does not show the Logan Street removal. - I think we also want to add the removal of Civic Center east of Santiago to the MPAH reclassifications list. - Chestnut Avenue reclassification does not extend further than Elk Street towards the east. Exhibits 2.4 and 2.7 suggest that the City of Santa Ana may have jurisdiction of Chestnut Avenue east of Elk Street. Please confirm which is correct and update maps as appropriate. - This map includes Mabury between 1st and 4th Street as a Divided Collector. This is not included in the list on pages 14-15. Please confirm whether this should be amended.
4	Pg 16, Exhibit 2.6 Proposed Arterial Roadway Classifications	
		- Santa Clara east of Grand needs to be on Exhibit 2.7. - Why is Tustin Avenue, north of 17th Street shown as a Primary on Exhibit 2.7? This is not a proposed reclassification. The MPAH classification is a Major. - Chestnut includes a portion west of Broadway on Exhibit 2.7. It is fine to include other local roadways on the City's Circulation Element, but I just wanted to check if this was correct. The extension of Chestnut Avenue provides a connection to Santa Ana High School, but does not connect to another roadway. - MacArthur Blvd is shown as a Primary Arterial from Hyland to Flower Street on Exhibit 2.7. This was not a proposed reclassification. The MPAH classification is a Major from Hyland to Flower Street. - Barranca east of Grand Avenue is classified as a Principal Arterial on Exhibit 2.7. It is fine to go above the MPAH classification, but I just wanted to check if this is correct. Does the City not want to include it in the reclassifications either? - Is Main Street north of Town and Country to the SR-22 not part of the City of Santa Ana's jurisdiction? - Alton Parkway is classified as a Primary Arterial on Exhibit 2.7, but a Secondary on the MPAH. It is fine to go above the MPAH classification but I just wanted to check if it is correct. - Does City of Santa Ana have jurisdiction over Edinger Avenue between Euclid Street and east of Newhope Street? If so, it should be included on this exhibit. - Cabrillo Park between 1st and 4th Street is classified as a Secondary in Exhibit 2.7. This was not a proposed reclassification that has been discussed. The MPAH classification is a Primary. - Tustin Avenue between 1st Street and 4th Street is classified as a Major in Exhibit 2.7. It is fine to go above the MPAH classification, but I just wanted to check if this is correct. Does the City not want to include it in the reclassifications either? - Mabury between 1st Street and 4th Street is classified as a Divided Collector in Exhibit 2.7. This was not a proposed reclassification that has been discussed. The MPAH classification is a Secondary.
5	Pg 17, Exhibit 2.7 Proposed Santa Ana Circulation Element	
6	Transportation Network	
7	Pg 20, Section 3.2	Which facilities are 5 lane divided arterial roadways?
		"The minimum level of service for roadways in the City of Santa Ana is LOS D, per the Circulation Element (1998)."
8	Pg 21, 1st Paragraph	Is this the standard for roadways? I thought this only applied to intersections? Please clarify Footnote 4 in Tables 4-4, 6-4, and 7-4 "LOS E is based on criteria established by the City of Santa Ana."
9	Pg 21, Table 3-1 Roadway Capacity and LOS	See comment #2 above. Please make these two sections consistent.
10	Pg 25, Section 3.4.4, OC CMP	The list of OC CMP Intersections should also include: Intersection 6: Harbor Blvd and SR-55 WB Off-Ramp; Intersection 17: Harbor Blvd and I-405 NB Off Ramp; and Intersection 18: Harbor Blvd and I-405 SB Off Ramp.
	Pg 27, Table 3-5 Intersection Count Inventory	It is still unclear what year the counts for these intersections are taken for the intersections listed 2020. Based on Section 3.5.1, it sounds like the counts were conducted in September and October 2019 and that the was a 1% compound annual growth applied to bring the counts to 2020 levels. However, what do the intersections with Count Year 2020 mean?

## 2. Response to Comments

11	Pg 48, Section 4.5 Existing Year (2020) Intersection LOS	Please update the jurisdiction information as appropriate. I believe Intersections 14 and 91 need to be updated as they are shared with other jurisdictions. Also please update the following sentence: "The following intersections are forecast to have unacceptable level of service in the existing year (2020) condition; all intersections are under the jurisdiction of the City of Santa Ana."
12	Pg 51, Section 5.2.3 Santa Ana Fixed Guideway (OC Streetcar) Pg 63, Table 6-4, Footnote 3	"Santa Ana Boulevard is reclassified between Ralitt Street and Shelton Street from a four lane undivided roadway to a two lane roadway (divided with a center left turn lane or raised median with left turn pockets. The project also proposes to reconfigure portions of Santa Ana Boulevard between Ralitt Street and SARTC to accommodate a bike lane on the north side of the street throughout the alignment as well as 14-inch high platforms."  This part has been written in memos to OCTA from IBI accurately. The TIA should be appropriately updated to reflect the MPAH amendments conditionally approved by the OCTA Board in 2016 for the OC Streetcar Project - Fourth Street from French to Grand from a Secondary to Divided Collector - Santa Ana Blvd from Flower to Ross from a Major to Primary - Santa Ana Blvd from French Street to Santiago Street from Primary to Divided Collector - Santa Ana Blvd from Ralitt Street to Flower from Major to Divided Collector.
13	Pg 63-64, Section 6.3 Intersection LOS	What is #TWLT? There are no segment links with a TWLT under the Lanes column. Please update the jurisdiction information as appropriate. I believe Intersections 8 and 14 need to be updated as they are shared with other jurisdictions.
14	Pg 79, Table 7-4 Footnotes 3, 5, and 6	Footnote 3: What is #TWLT? There are no segment links with a TWLT under the Lanes column. Footnote 5: There are no bolded letters, only red and orange highlighted cells. Footnote 6: There is no italic text in the table.
15	Pg 105, Section 9.2 Intersection LOS Analysts	"The City of Santa Ana will pursue the development of a Transportation System Improvement Assessment (TSIA) in order to provide funding for the implementation of the full transportation network buildout, including the mitigation measures identified in this report." Does this mean the City will pay for all mitigations?
16	Pg 84-90, Level of Service Assessment	The Traffic Impact Study's Intersection LOS tables were compared to Appendix D Analysis Worksheets.  Table 4-5 Existing Year (2020) LOS Summary - Intersection 16 AM V/C is .702. This should be shown as LOS C. - Intersection 24 AM V/C is .704. This should be shown as LOS C. - Intersection 51 PM V/C is .801. This should be shown as LOS D. - Intersection 55 AM V/C is .902. This should be shown as LOS E. - Intersection 64 AM V/C is .803. This should be shown as LOS D. - Intersection 71 AM V/C is .603. This should be shown as LOS B. - Intersection 79 AM V/C is .803. This should be shown as LOS D. - Intersection 83 PM V/C is .704. This should be shown as LOS C. - Intersection 94 AM V/C is .701. This should be shown as LOS C.  Table 6-5: Future Year (2045) No Project Intersection LOS Summary - Intersection 16 AM V/C is .704. This should be shown as LOS C. - Intersection 45 AM V/C is .900. This should be shown as LOS E. - Intersection 47 PM V/C is .900. This should be shown as LOS E. - Intersection 71 AM V/C is .800. This should be shown as LOS D. - Intersection 80 AM V/C is .704. This should be shown as LOS C. - Intersection 82 PM V/C is 1.004. This should be shown as LOS F.  Table 7-5: Future Year (2045) With Project Intersections LOS Summary - Intersection 28 AM V/C is .704. This should be shown as LOS C. - Intersection 30 PM V/C is .904. This should be shown as LOS E. - Intersection 34 AM V/C is .902. This should be shown as LOS E. - Intersection 54 PM V/C is .803. This should be shown as LOS D. - Intersection 98 PM V/C is .902. This should be shown as LOS E.
17	Pg 99, Table 8-4: LOS Improvement Measures	For Intersection 96, it seems like the impact is a result of both land use and the reclassifications. Can you confirm and revise as needed.
18	General Question	- Intersection 62: According to Appendix E, isn't the the NB/SB controls changing from Permitted to Protected.  - Intersection 76: According to Appendix E, NB changes from Protected to Permitted. Additionally, there is no SB right-turn lane to change into a shared thru right. The SB approach stays the same as 1L, 2T, 1TR in the 2045 W Project and 2045 W Project W Mitigation conditions.
19	General Question	- Intersection 100: According to Appendix E, the WB approach looks like you're adding a shared TR, not converting. WB goes from 2L, 1T, 1R to 2L, 1T, 1TR, and 1R. Did IBI make any changes to the OCTAM model to adjust for pedestrian/bike projects or multi-family residential?
20	General Question	Can we get an updated phasing/implementation reclassification plan?
21		

## 2. Response to Comments

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## 2. Response to Comments

### A7. Response to Comments from, Orange County Transit Authority, dated October 1, 2020.

- A7-1 Comment acknowledged.
- A7-2 The City of Santa Ana will coordinate with OCTA regarding the implementation of the proposed roadway reclassifications on McFadden Avenue and 1st Street and will evaluate the feasibility of implementing physical and/or operational improvements to help maintain acceptable bus travel times along these two corridors.
- A7-3 The City of Santa Ana is currently coordinating with OCTA in the development of a MOU documenting the MPAH reclassifications and the mitigation measures and improvements required to be implemented as part of the MPAH reclassifications.
- A7-4 Analysis for this intersection has been incorporated into the update traffic impact analysis report included as Appendix B to this FEIR.
- A7-5 The City of Santa Ana is coordinating with the City of Garden Grove with regard to proposed land uses and roadway changes in the vicinity of the Willowick Golf Course. Once more clarity is available regarding the proposed land uses for this site, a determination will be made with regard to the ability to consider removal of the PE ROW arterial extension from the General Plan Update and the MPAH.
- A7-6 As noted above, the City of Santa Ana will continue to coordinate with Garden Grove regarding roadways in the vicinity of the Willowick Golf Course.
- A7-7 The text in the Draft PEIR has been updated as follows in response to OCTA's comment:

#### *Orange County Measure M*

~~Measure M (also called OC Go) was approved by Orange County voters in 1990. Measure M is the half-cent sales tax for transportation improvements first approved by Orange County voters in 1990 and renewed by voters for a 30-year extension in 2006 (Measure M2). The combined measures raise the sales tax in Orange County by one-half cent through 2041 to help alleviate traffic congestion. The measure raises the sales tax by one-half cent for 50 years (to 2041) for projects and programs that alleviate traffic congestion. To be eligible for Measure M2 funds, a general plan circulation element must be consistent with Measure M requirements. The element must contain a growth management program that includes LOS standards, monitoring program, development phasing with circulation improvements, and impact fees.~~

~~Key parts of the growth management program including the standard for traffic circulation as LOS D are incorporated into the circulation element. To achieve this standard, the City requires that new development pay its fair share of the street improvement costs associated with proposed projects, including improvements for regional traffic mitigation. A local jurisdiction must satisfy the following requirements:~~

## 2. Response to Comments

- Comply with the conditions and requirements of the Orange County Congestion Management Program (CMP).
- Establish a policy which requires new development to pay its fair share of transportation related improvements associated with their new development.
- Adopt a General Plan Circulation Element consistent with the MPAH.
- Adopt and update a Capital Improvement Program (CIP).
- Participate in Traffic Forums.
- Adopt and maintain a Local Signal Synchronization Plan (LSSP).
- Adopt and update biennially a Pavement Management Plan (PMP).
- Adopt and provide an annual Expenditure Report to OCTA.
- Provide OCTA with a Project Final Report within six months following completion of a project funded with Net Revenues.
- Agree to expend Net Revenues received through M2 within three years of receipt.
- Satisfy Maintenance of Effort (MOE) requirements.
- Agree that Net Revenues shall not be used to supplant developer funding.
- Consider, as part of the eligible jurisdiction's General Plan, land use and planning strategies that accommodate transit and non-motorized transportation.

These changes are also reflected in Chapter 3 of the FEIR.

- |       |  |
|-------|--|
| A7-8  | The City of Santa Ana will continue to coordinate with OCTA on the OC Streetcar project and will coordinate any roadway improvement projects along the streetcar alignment with OCTA to avoid potential conflicts.   |
| A7-9  | The City of Santa Ana acknowledges OCTA's comment regarding OC Active. The City was an active stakeholder and coordinated with OCTA throughout the development of OC Active. The City provided input to OC Active in coordination with the City's Active Transportation Plan. This helps to ensure coordination and integration between the recommendations of the two documents for pedestrian and bicycle improvements in Santa Ana. |
| A7-10 | The City of Santa Ana appreciates the close coordination that OCTA has provided during the City's efforts to process the MPAH Amendment requests. The City has updated and   |



## 2. Response to Comments

revised the traffic impact analysis report to incorporate OCTA's comments. The updated traffic impact analysis is included as Appendix B of this FEIR.

- A7-11 The traffic impact analysis report includes a detailed review of future traffic conditions along 1st Street and McFadden Avenue with the proposed reclassifications. At locations where significant traffic impacts or unacceptable level of service are forecast consistent with the MPAH Guidelines, the traffic impact analysis report identified appropriate mitigation measures. With these mitigation measures, the City of Santa Ana does not anticipate significant impacts to traffic or transit operations. Additionally, during the future design efforts that will be conducted for the improvements to 1st Street and McFadden Avenue, the City of Santa Ana will coordinate with OCTA with regard to the design of transit stops and identification of design treatments to ensure that transit operations in the two corridors are not significantly impacted.
- A7-12 As noted in the response to comment A7-11, the City of Santa Ana will coordinate with OCTA during the design process for improvements on 1st Street and McFadden Avenue to identify appropriate treatments to maintain transit operations and travel times in these two corridors. Specific design treatments and the specific locations for placement of these treatments would be determined as part of the future design process.
- A7-13 The Draft PEIR traffic impact analysis report includes a comprehensive LOS analysis of over 100 study intersections within Santa Ana and adjacent cities. While not requested under CEQA, where significant LOS traffic impacts were identified, appropriate mitigation measures are proposed in the traffic impact analysis report, and the City of Santa Ana has committed to implementing these mitigations, or if appropriate, paying the City's fair share towards the implementation of mitigation measures.
- A7-14 The traffic impact analysis report in the Draft PEIR includes analysis of all CMP intersections identified by OCTA in comment A7-14, except for the SR-55 SB Ramps and Irvine Boulevard. Analysis of this CMP intersection is included in an addendum to the traffic impact analysis report incorporated into the FEIR (see Appendix B, *Addendum to Santa Ana General Plan Traffic Impact Study*). No significant impacts per CMP analysis guidelines are identified for this intersection.
- A7-15 Please refer to response to comment A7-7.
- A7-16 Outdated text from the Municipal Code is removed from the Draft PEIR, as shown in Chapter 3 of this FEIR.
- A7-17 Table 5.16-1 has been updated as follows. Changes are also shown in Chapter 3 of the FEIR.

## 2. Response to Comments

**Table 5.16-1 Street Classifications in Santa Ana**

Street Classification	Description
Major Arterial	A street with six travel lanes and a center median. Typically includes bus transit, pedestrian sidewalks, and bicycle lanes. Example: Bristol Street.
Primary Arterial	Typically a roadway with four travel lanes and a center median. Typically includes pedestrian sidewalks and may include bus transit services and bicycle lanes. Example: 4th Street east of Grand Avenue.
Secondary Arterial	A roadway with four travel lanes and no center median. Typically provides sidewalks and may include bus transit and bicycle lanes. <del>Serves more local traffic than a Primary Arterial</del> than a Primary Arterial. Example: Civic Center Drive <u>east of Bristol Street.</u>
Divided Collector Arterial	Typically a roadway with two travel lanes and a continuous, central two-way left-turn lane, but it may be divided by a raised median as well. Right-of-way typically is 80 feet to accommodate bicycle lanes. Example: Flower Street south of 1st Street.
Collector Street	A roadway with two travel lanes and no center median. Typically includes sidewalks and may include shared bicycle routes. Example: Broadway south of 1st Street.
Local Street	A roadway with two travel lanes serving residences and businesses. Typically includes sidewalks and on-street parking. May include shared bicycle routes.

A7-18 The following changes were made to the text of the Draft PEIR. Changes are also shown in Chapter 3 of this FEIR.

- **Collector and Divided Collector.** A two-lane unrestricted access roadway (divided or undivided) with a typical right-of-way width of 56 feet and a roadway width from curb to curb of 40 feet. ~~A divided collector street is designed to accommodate up to 22,000 vehicle trips daily. Collectors are designed to accommodate an average daily traffic of 7,500 to 11,300 trips, and divided collectors are designed to accommodate an average daily traffic of 9,000 to 20,000 trips.~~

A7-19 The following changes were made to the text of the Draft PEIR. Changes are also shown in Chapter 3 of this FEIR.

### *Regional Express Network*

Recent planning efforts have focused on enhanced system management, including value pricing to better use existing capacity and to offer greater travel choices, particularly during times of traffic congestion. As part of the RTP/SCS, SCAG is proposing an extension of its regional Express/HOT Lane network. In Orange County, Express/HOT Lanes will be built along SR-55 and I-405 and will be accessible to users for a monthly or one-time toll. While these freeway improvements do not directly cross Santa Ana, the City supports these investments as they benefit the region and the city. OCTA is currently studying express lane options in Orange County and the actual implementation or priority of implementation is being determined.

A7-20 The following changes were made to the text of the Draft PEIR. Changes are also shown in Chapter 3 of this FEIR.

## 2. Response to Comments

The circulation element update incorporates the proposed Santa Ana-Garden Grove Fixed Guideway project, which will introduce new transit service to the city. Santa Ana is working with Garden Grove and Orange County Transit Authority to build a fixed guideway system called the OC Streetcar. Expected to begin operations in ~~2022~~ 2024, the OC Streetcar will link the Santa Ana Regional Transportation Center to a new multimodal hub at Harbor Boulevard/Westminster Avenue in Garden Grove (see Figure 3-10, *Master Plan of Transit*). OC Streetcar will serve historic downtown Santa Ana and Civic Center. Along its four-mile route, OC Streetcar will connect with 18 Orange County Transit Authority bus routes and increase transportation options along Santa Ana Boulevard, 4th Street, the Pacific Electric right-of-way, and Harbor Boulevard.

## 2. Response to Comments

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## 2. Response to Comments

LETTER O1 – Joyce Stanfield Perry, Juaneño Band of Mission Indians (4 page[s])

O1

**From:** [Joyce Perry](#)  
**To:** [Carvajal, Verny](#)  
**Subject:** RE: Santa Ana General Plan Draft PEIR  
**Date:** Tuesday, August 4, 2020 1:20:16 PM  
**Attachments:** [Resolution County of Orange JBMI.pdf](#)

Good Afternoon,

I am responding on behalf of the Juaneno Mission Indians to the Draft PEIR for the Santa Ana General Plan. Are comments are as follows:

- We reject the designation of territory within the "Ethnographic Setting" portion of the PEIR. Santa Ana is shared territory. Archaeological data indicates that Aliso Creek is not a boundary of the Juaneno traditional territory. The Acjachemen homeland boundaries stretch from coastal Long Beach to the north, to Camp Pendleton to the south and include all of Orange County as well as parts of western Riverside. Please see attached a map of our traditional cultural territory, as well as a resolution from the County of Orange recognizing the Juaneno Band of Mission Indians as the indigenous people of Orange County. [Map of Traditional Territory](#)

O1-1
- We are concerned about the disclosure of the burials at site CA-ORA-300. In our attempt to comply with current laws, we request that information regarding burials is not disclosed to public record, and only provided to culturally affiliated tribes. Since these burials were unearthed in 1971 and the NALC was not established until the late 1970s It would be helpful to us if you could provide any information regarding what was done with these Ancestors after they were unearthed, and who has been taking care of their remains.

O1-2
- **Mitigation Measure CUL-6:** We request that this mitigation measure be amended to include Native Monitoring as a condition of approval, by monitors selected from the list of culturally affiliated tribes provided by the Native American Heritage Commission. We request that Native monitors along with archaeologists are included in determining the sensitivity of the site. Additionally the designation of "disturbed" is an archaeological term that does not necessarily indicate a lack of potential for sensitivity, evidenced by the hundreds of Ancestors that have been unearthed in "previously disturbed" areas. We request that Archaeo and Native monitoring is required as a condition of approval for all ground disturbance within areas identified as sensitive by retained Archaeologists and Native Monitors.

O1-3

Thank you and I look forward to hearing from you.

Húu'uni 'óomaqati yáamaqati.  
Teach peace  
Joyce Stanfield Perry  
Payomkawichum Kaamalam - President  
Juaneño Band of Mission Indians, Acjachemen Nation  
Tribal Manager, Cultural Resource Director

## 2. Response to Comments

May-20-06 15:22 From: 7148344439 Page: 2/4 Date: 5/26/2006 7:21:58 AM  
F:\M\CLERK OF THE BOARD 1148344439 1-231 P.02/04 P-310

### ORANGE COUNTY BOARD OF SUPERVISORS

#### MINUTE ORDER

March 07, 2006

Submitting Agency/Department: Supervisor Wilson

Adopt resolution supporting and declaring Juaneno Band of Mission Indians, Acjachemen Nation, to be aboriginal tribe of Orange County

**The following is action taken by the Board of Supervisors:**

APPROVED AS RECOMMENDED ☒ OTHER ☐

**Unanimous** ☐ (1) CORREA: Y (2) SILVA: Y (3) CAMPBELL: N (4) NORBY: N (5) WILSON: Y

*Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order*

**Documents accompanying this matter:**

- ☒ Resolution(s) 06-028
- ☐ Ordinances(s)
- ☐ Contract(s)

Item No. S43B

Special Notes:

Copies sent to:

CEO  
District 5  
Auditor

3/27/06



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.  
DARLENE J. BLOOM, Clerk of the Board

By: \_\_\_\_\_  
Deputy

## 2. Response to Comments

MAY-20-06 19:22 From: 7148344439 Page: 3/4 Date: 5/26/2006 7:21:58 AM  
FROM: CLERK OF THE BOARD 1148344439 1-231 P. 03/04 P-310

1  
2  
3 RESOLUTION OF THE BOARD OF SUPERVISORS OF  
4 ORANGE COUNTY, CALIFORNIA

5 MARCH 7, 2006

6 WHEREAS, the Juaneño Band Mission Indians, Acjachemen Nation, whose villages were  
7 spread out over their aboriginal territory throughout Orange County, from the Pacific Ocean to the West,  
8 to parts of Los Angeles County to the North, to parts of Riverside County to the East, and to parts of  
9 Camp Pendleton to the South; it is appropriate at this time that they be given special recognition and  
10 commendations by the public; and

11 WHEREAS, archeological reports through carbon dating have shown the Juaneño Band of  
12 Mission Indians, Acjachemen Nation, to be in existence dating back 10,000 years in Orange County; and

13 WHEREAS, the Juaneño Band of Mission Indians were known as the Acjachemen Nation long  
14 before the expansion of the Spanish Empire in 1769 into their ancestral homeland, usurping their lands,  
15 their religion, and affecting the well-being of their people; and

16 WHEREAS, conservatively over 7,000 Juaneño have continued to live in and around Orange  
17 County and Mission San Juan Capistrano; and

18 WHEREAS, without being informed or consulted, the Juaneño Band of Mission Indian's  
19 Acjachemen Nation, official existence was terminated; and

20 WHEREAS, the Juaneño Band of Mission Indians, Acjachemen Nation, exercising great  
21 patience, with continued hope and through their own funding and means have toiled to regain  
22 recognition of the existence of their tribe for over 30 years through the Bureau of Indian Affairs-Federal  
23 Recognition Processing; and

24 WHEREAS, the Juaneño Band of Mission Indians, Acjachemen Nation, is recognized as the  
25 aboriginal tribe of Orange County by the Tribal Chairman's Association of Recognized Tribes;

26 NOW, THEREFORE, BE IT RESOLVED BY ORANGE COUNTY BOARD OF  
27 SUPERVISORS that they take great pride in supporting and declaring that the Juaneño Band of Mission  
28 Indians, Acjachemen Nation, to be the aboriginal tribe of Orange County.

Resolution No.06-028  
The Juaneño Band of Mission Indians  
DHR:rw

-1-

This fax was received by GFI FAXmaker fax server. For more information, visit: <http://www.gfi.com>

## 2. Response to Comments

May-20-06 15:22 From: 7148344439 Page: 4/4 Date: 5/26/2006 7:21:58 AM  
FURN-CLERK OF THE BOARD 1148344439 1-231 P.04/04 P-910

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on March 07, 2006, to wit:

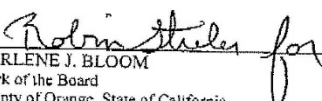
AYES:	Supervisors:	THOMAS W. WILSON, LOU CORREA, JIM SILVA
NOES:	Supervisor(s):	CHRIS NORBY, BILL CAMPBELL
EXCUSED:	Supervisor(s):	
ABSTAINED:	Supervisor(s):	

  
\_\_\_\_\_  
CHAIRMAN

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )

I, **DARLENE J. BLOOM**, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

  
DARLENE J. BLOOM  
Clerk of the Board  
County of Orange, State of California



Resolution No: 06-028  
Agenda Date: 03/07/2006  
Item No: S43B



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California

DARLENE J. BLOOM, Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

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## 2. Response to Comments

### **O1. Response to Comments from Joyce Stanfield Perry, Juaneño Band of Mission Indians, dated 8/04/2020.**

- O1-1 In response to this comment, Section 5.17, *Tribal Cultural Resources*, of the Draft PEIR has been updated to indicate that the plan area is located in a shared use area between the Gabrielino and the Juaneño/Acjachemen. An ethnographic subsection pertaining to the Juaneño/Acjachemen has been added. The changes are shown in Chapter 3 of the FEIR.
- O1-2 While the Draft PEIR indicates that human burials have been found in association with archaeological site CA-ORA-300, neither the Draft PEIR nor the accompanying cultural resources technical report disclose the location of the site, thereby ensuring confidentiality requirements are met. In addition, the presence of human burials denotes a heightened level of significance, and that information should be contained within the Draft PEIR. Please note that the archaeological site record for the resource does not disclose the details of the final disposition of the human remains.
- O1-3 Mitigation Measure CUL-6 has been revised to include and clarify participation of a Native American monitor, as requested in the comment. This includes both archaeological and Native American monitoring where warranted, and inclusion of both the archaeologist and Native American representative in discussions regarding the determination of significance and treatment for inadvertently discovered resources. In addition, the City acknowledges that disturbed land may contain resources or human remains considered sensitive to Native American tribes. Accordingly, language regarding monitoring of only “undisturbed soil” in high sensitivity areas has been removed. The changes are shown in Chapter 3 of the FEIR.

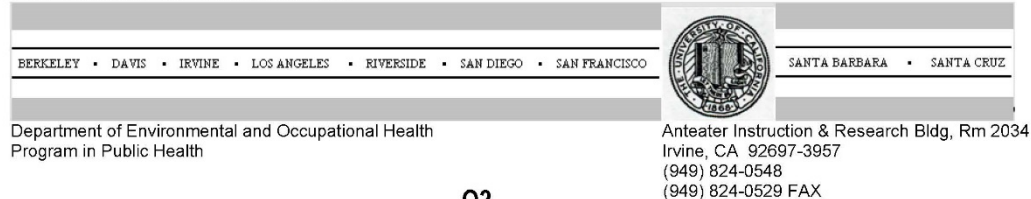
## 2. Response to Comments

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## 2. Response to Comments

LETTER O2 – Jun Wu, PhD, UC Irvine Department of Environmental and Occupational Health (2 page[s])

### UNIVERSITY OF CALIFORNIA



August 24, 2020

O2

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am Professor of Environmental Health and Graduate Director of the Department of Environmental and Occupational Health, University of California, Irvine. My research focuses on population-based research of environmental exposure assessment, environmental health, and environmental health disparity. I have been working with community partners in Santa Ana for the past few years on environmental justice issues.

Intro

I am writing to request that the City of Santa Ana delay the process moving forward with the General Plan to allow time for community input. These are my top reasons for this request.

1. The over 2,500 page of General Plan is overwhelming to read even for professionals like myself. The Santa Ana community, with mostly Spanish-speaking population and lower education attainment, cannot fully understand the very technical content presented in the Plan. In addition, only 45 days were given for the public to digest all the information and provide feedback, which is unrealistic given the sheer amount of information presented, and the numerous challenges the residents face during the COVID-19 pandemic. Santa Ana residents are not properly informed of the Plan, and were given inadequate time to voice their concerns.
2. The current General Plan mainly focuses on providing information to residents in Santa Ana. However, effective outreach should not simply provide information, but actively collect community inputs through multiple channels and further incorporate these feedbacks into the Plan.
3. Environmental justice issues required by SB 1000 are not adequately reflected in the General Plan. Our recently-published work through a collaboration with Orange County of Environmental Justice and Jóvenes Cultivando Cambios, based on over 1,500 soil samples in Santa Ana, shows that Census tracts with a higher concentration of children, lower household income, less college educated residents, higher proportion of renters, and higher fraction of residents lacking health insurance coverage had a higher soil lead concentration compared to other areas (Masri et al. 2020). This is a striking environmental justice problem that put disadvantaged communities at higher risk of diseases from harmful environmental exposures. In addition to soil lead exposure, there are other environmental justice problems facing by Santa Ana residents, including air pollution, lack of green space, and disproportionate impacts of climate change etc. I strongly suggest that the General Plan underscores the environmental justice issues, which will also help reduce the large health disparity issues facing the communities.

O2-1

O2-2

O2-3

*Masri, S., A. LeBron, M. Logue, E. Valencia, A. Ruiz, A. Reyes, J.M. Lawrence, and J. Wu, Social and spatial distribution of soil lead concentrations in the City of Santa Ana, California: Implications for health inequities. Sci Total Environ, 2020. 743: p. 140764.*

## 2. Response to Comments

4. The General Plan focuses on future environmental impacts from new projects, but does not adequately address existing environmental problems, such as air pollution and soil lead exposures that Santa Ana residents are experiencing now. Pediatric emergency room asthma visits in Orange County are the highest in Santa Ana. Residents in Madison Park Neighborhood in Santa Ana raised concerns about chemical emissions from over 40 facilities permitted by the South Coast Air Management District (SCAQMD) in an “industrial corridor” adjacent to the neighborhood. But such environmental health issues and community concerns are omitted in this version of the Plan. In addition, the General Plan relies on the Anaheim monitoring station operated by the SCAQMD monitoring to measure the air quality in Santa Ana, which does not reflect hot-spot locations close to sources (e.g. industrial corridor or freeways). I suggest that the Plan incorporates regular sampling for environmental agents (e.g. air, soil, water) within the city, which can provide a foundation to address the existing environmental health concerns raised by residents.

02-4

In summary, the General Plan does not properly inform the Santa Ana residents and give them sufficient time to comprehend and comment. It also does not adequately address environmental justice issues and the existing environmental health problems the Santa Ana residents are facing. I strongly urge the City to delay approval of the General Plan so that the residents can have more time to understand the information presented and voice their concerns and suggestions.

Sincerely,



Jun Wu, Ph.D.

Professor and Graduate Program Director, Environmental and Occupational Health  
Program in Public Health, Susan and Henry Samueli College of Health Science  
University of California, Irvine

cc: Adolfo Sierra, President, Madison Park Neighborhood Association  
José Rea, Treasurer, Madison Park Neighborhood Association  
Leonel Flores, GREEN Community Organizer, Madison Park Neighborhood Association

Miguel Pulido, Mayor, City of Santa Ana  
Phil Bacerra, Councilmember, City of Santa Ana  
Nelida Mendoza, Councilmember, City of Santa Ana  
David Penaloza, Councilmember, City of Santa Ana  
Vicente Sarmiento, Councilmember, City of Santa Ana  
Jose Solorio, Councilmember, City of Santa Ana  
Juan Villegas, Mayor Pro Tem/Councilmember, City of Santa Ana  
Kristine Ridge, City Manager, City of Santa Ana  
Verny Carvajal, Principal Planner, City of Santa Ana  
Sonia Carvalho, City Attorney, City of Santa Ana  
Nabil Saba, Public Works Agency Executive Director, City of Santa Ana  
Minh Thai, Planning & Building Agency Executive Director, City of Santa Ana

## 2. Response to Comments

### O2. Response to Comments from Jun Wu, PhD, UC Irvine Department of Environmental and Occupational Health, dated 8/24/2020.

O2-1 This commenter requests that additional time be provided for review of the Draft PEIR. Subsequent to receipt of this letter, the City extended the public review period by 20 days (extending the deadline for comments from September 16, 2020, to October 6, 2020). The City recognizes the broad scope of the General Plan Update and its accompanying Draft PEIR. Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.

O2-2 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.

O2-3 This comment concludes that environmental justice issues required to be addressed by the General Plan Update pursuant to SB 1000 are not adequately addressed. The commenter appropriately assigns SB 1000 requirements to the General Plan Update and not the Draft PEIR. The evaluation of environmental justice impacts is not a mandate of the California Environmental Quality Act (CEQA). Please refer to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.

Note that although environmental justice is not a specific CEQA issue, the related, topical environmental impacts are addressed in the Draft PEIR, including air quality, greenhouse gases, hazards, noise, hydrology/water quality, public services, and utilities. In accordance with CEQA, the Draft PEIR evaluates the potential impacts of implementing the General Plan Update in comparison to existing conditions.

O2-4 As explained in response O2-3, CEQA requires that environmental analysis determine the impact of a proposed project (in this case the GPU) on existing conditions. It is not the purview of an EIR to “adequately address existing environmental problems such as air pollution and soil lead exposures,” as recommended by this commenter. The Draft PEIR is required to evaluate impacts on existing physical conditions and determine cumulative impacts.

In addition to Section 2.1.2, *Environmental Justice*, please refer to Section 2.1.4, *Health Risk / Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city. This section includes a summary of GPU policies and City efforts to address these impacts.

## 2. Response to Comments

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## 2. Response to Comments

LETTER O3 – Kim D. Lu, UC Irvine, Pediatric Exercise and Genomics Research Center (1 page[s])

O3

UNIVERSITY OF CALIFORNIA, IRVINE

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SANTA BARBARA • SANTA CRUZ

UC IRVINE MEDICAL CENTER  
DEPARTMENT OF PEDIATRICS

101 THE CITY DRIVE, ZC 4482  
ORANGE, CA 92868

August 31, 2020

Rc: Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am a pediatric pulmonologist and Assistant Professor at the University of California, Irvine School of Medicine and the Children's Hospital of Orange County. I have expertise in asthma, specifically the impact of obesity and physical activity on asthma as well as relationships of air pollution and environmental exposures on asthma. I am particularly interested in the impact of asthma in communities with disproportionate asthma prevalence including communities with predominantly minority and lower socio-economic status.

Intro

I would like to raise concerns regarding the General Plan update Process:

1. Pediatric emergency room visits for asthma in Santa Ana rank among the worst 25% within Orange County. Furthermore, asthma is the most common cause of missed school days for children, which can impact their academic performance as well as the financial and work impact on families.
2. James Madison Elementary, a school in the Madison Park community and the largest elementary school in the City of Santa Ana, was found to be less than 1,000 feet from an industrial corridor housing 42 South Coast Air Quality Management District (SCAQMD) permitted facilities. The local community was not made aware of this corridor until recently. Furthermore, there is currently little to no real-time data collection of common pollutants including PM, NO<sub>x</sub>, SO<sub>2</sub>, or ozone near the industrial corridors in Santa Ana.

O3-1

In summary, there are significant environmental and health disparities that exist in Santa Ana. It is imperative that the current deadline is delayed to allow for additional time to the community to respond to the General Plan.

O3-2

Sincerely,

A handwritten signature in black ink that reads 'Kim Lu'.

Kim D. Lu, MD, MS  
Assistant Professor of Clinical Pediatrics  
Pediatric Exercise and Genomics Research Center  
101 Academy Way, Suite 150  
Irvine, CA 92617

## 2. Response to Comments

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## 2. Response to Comments

### O3. Response to Comments from Kim D. Lu, UC Irvine, Pediatric Exercise and Genomics Research Center, dated 8/31/2020.

O3-1 Comment noted. The General Plan Update includes policies for the City to coordinate with the South Coast AQMD to reduce air pollution that affects vulnerable populations in the city.

O3-2 Per CEQA, the purpose of the Draft PEIR is to evaluate the potential impacts of the proposed General Plan Update on the environment.<sup>7</sup> The Draft and Final PEIR therefore focus on this mandate and not on remediating existing conditions. The Draft PEIR quantifies existing conditions, including criteria air pollutants as referenced in this comment, and also quantifies these pollutants upon buildout of the GPU on a citywide basis (see Draft PEIR Section 5.2, *Air Quality*). However, the Draft PEIR does not provide subarea detail and, as noted by this commenter, there is currently little real-time data collection of pollutants near Santa Ana industrial corridors.

The proposed GPU does not change any existing land use designations within the area of Madison Elementary School (please see Draft PEIR Figures 3-6 and 3-7, *Current General Plan Land Use Plan* and *Proposed General Plan Land Use Plan*, respectively). As described in this section, however, even with implementation of required regulatory measures, GPU policies, and CEQA mitigation measures, air quality impacts would remain significant.

The GPU policies, as described in Draft PEIR Section 5.2.4.2, include several policies to minimize air quality impacts on existing sensitive receptors, including the James Madison Elementary School and surrounding community, to achieve appropriate health standards. Additionally, South Coast AQMD has embarked on a community air initiative pursuant to Assembly Bill 617. Through this initiative, the South Coast AQMD is working with selective disadvantaged communities to implement a local air quality monitoring program. However, Santa Ana was not identified or nominated as one of the potential disadvantaged communities in the latest South Coast AQMD Year 2 Community Recommendations for AB 617 sent to CARB.<sup>8</sup> The only Orange County cities identified through the self-recommendation process were the “South Fullerton, Buena Park, Anaheim” community. However, the City worked with the Madison Park Neighborhood through Charitable Ventures Orange County to obtain a grant from the California Air Resources Board (CARB) to expand the engagement between Madison Park residents and

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<sup>7</sup> The Draft PEIR evaluates the project’s physical impacts to the environment. Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

<sup>8</sup> South Coast AQMD. 2019, October 30. Final Submittal from South Coast AQMD: Year 2 Community Recommendations for AB 617 Implementation. <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/year-2/community-identification-prioritization/final-submittal-year-2.pdf?sfvrsn=8>

## 2. Response to Comments

create a plan for community-based monitoring of air pollution and its effects.<sup>9</sup> In response to comments received on the GPU and EIR, the City has incorporated the following implementation measure into the General Plan Update:

- **1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.

Please also refer to General Responses sections 2.1.2, *Environmental Justice*, and 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR.

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<sup>9</sup> CARB. 2020 (accessed). Community Air Grants, Proposed Awardees. <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants/proposed-awardees>

## 2. Response to Comments

LETTER O4 – Victoria Lowerson Bredow, PhD, MPH and Connie McGuire, PhD, UC Irvine Newkirk Center for Science & Society (3 page[s])



04

Newkirk Center for Science & Society  
5544 Social and Behavioral Sciences Gateway  
Irvine, CA 92697-7090 [www.newkirk.uci.edu](http://www.newkirk.uci.edu)

September 2th, 2020

**Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process**

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. We are Drs. Connie McGuire and Victoria Lowerson Bredow, co-directors of the Community-based Research Initiative at the Newkirk Center for Science & Society at the University of California Irvine. We have over a decade of experience collaborating with community-based organizations in Santa Ana, including as evaluators on the Santa Ana Building Healthy Communities Initiative where increasing resident inclusion in the update to the City's Strategic Plan was a central aspect of the collaborative's work in 2014. Together we have expertise in collaborating with monolingual Spanish speaking communities to support processes of participation in governance through community forums, listening sessions, participation in community surveys, and the like. Over the past several years we have worked closely with two organizations, the Madison Park-GREEN and Orange County Environmental Justice (OCEJ), placing students in year-long fellowships to support the integration of community knowledge and university derived expertise to address ongoing social and environmental problems. We also sit at a table of UCI scientists from across the campus who are collaborating with community based organizations in Santa Ana to address the complex social and environmental justice issues there. We devote significant time and energy to develop and support inclusive scientific practices. Lastly, we are conducting research with essential workers in California, many of whom reside in Santa Ana. We are aware of the significant challenges that the COVID-19 crisis is posing to public participation in the City of Santa Ana.

Intro

**We would like to express our concerns about the General Plan Update Process:**

1. Our collaborators in Santa Ana have reported contaminants in air, soil and water. Environmental Justice is a serious concern in the community and the City should take SB 1000 seriously and do its due diligence to include impacted communities in the process of creating the Environmental Justice components of the General Plan.
2. We know from our research that the 45-day public comment period on the 2500 page, highly technical Environmental Impact Report for the General Plan is insufficient to meaningfully engage Santa Ana communities under any circumstance, and particularly during the COVID-19 pandemic.
3. The vision and intent for SB 1000 is to employ a community engagement strategy that amplifies community feedback from start to finish (Eng, T. 2018. SB 1000: Community Engagement and Lessons Learned. American Planning Association California Conference, San

O4-1



## 2. Response to Comments



Newkirk Center for Science & Society  
5544 Social and Behavioral Sciences Gateway  
Irvine, CA 92697-7090 [www.newkirk.uci.edu](http://www.newkirk.uci.edu)

Diego, CA). The City's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input. Effectively engaging city residents at any time requires time and due diligence. During a pandemic it can only be expected that more time would need to be dedicated to effectively communicating with residents, especially monolingual Spanish speaking residents.

O4-3  
cont'd

4. The California Environmental Justice Alliance has developed a SB 1000 toolkit that offers step-by-step guidance to help governments fulfill the requirements of SB 1000, including legal defensibility. (See <https://caleja.org/2017/09/sb-1000-toolkit-release/>).

O4-4

In summary, it is imperative that the City of Santa Ana delay the General Plan process to enable the residents who are most impacted by environmental toxins in the air, soil and water in Santa Ana to participate in the development of the plan. To rush this through is to further harm the most vulnerable among us.

Sincerely,

Victoria Lowerson Bredow, PhD, MPH

Connie McGuire, PhD

Co-directors  
Community-based Research Initiative

cc: Adolfo Sierra, President, Madison Park Neighborhood Association  
José Rea, Treasurer, Madison Park Neighborhood Association  
Leonel Flores, GREEN Community Organizer, Madison Park Neighborhood Association

Miguel Pulido, Mayor, City of Santa Ana  
Phil Bacerra, Councilmember, City of Santa Ana  
Nelida Mendoza, Councilmember, City of Santa Ana  
David Penaloza, Councilmember, City of Santa Ana  
Vicente Sarmiento, Councilmember, City of Santa Ana  
Jose Solorio, Councilmember, City of Santa Ana  
Juan Villegas, Mayor Pro Tem/Councilmember, City of Santa Ana

## 2. Response to Comments



Newkirk Center for Science & Society  
5544 Social and Behavioral Sciences Gateway  
Irvine, CA 92697-7090 [www.newkirk.uci.edu](http://www.newkirk.uci.edu)

Kristine Ridge, City Manager, City of Santa Ana  
Verny Carvajal, Principal Planner, City of Santa Ana  
Sonia Carvalho, City Attorney, City of Santa Ana  
Nabil Saba, Public Works Agency Executive Director, City of Santa Ana  
Minh Thai, Planning & Building Agency Executive Director, City of Santa Ana

## 2. Response to Comments

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## 2. Response to Comments

**O4. Response to Comments from Victoria Lowerson Bredow, PhD, MPH, and Connie McGuire, PhD, UC Irvine Newkirk Center for Science & Society, dated 9/2/2020.**

- O4-1 This comment pertains to the GPU and not the Draft PEIR. Please refer to general response 2.1.2, *Environmental Justice*.
- O4-2 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O4-3 The City has implemented a comprehensive community outreach and engagement process. Please refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O4-4 Comment acknowledged.

## 2. Response to Comments

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## 2. Response to Comments

LETTER O5 – Frank Zaldivar, PhD (2 page[s])

UNIVERSITY OF CALIFORNIA, IRVINE

UCI Health

BERKELEY · DAVIS · IRVINE · LOS ANGELES · MERCED · RIVERSIDE · SAN DIEGO · SAN FRANCISCO



SANTA BARBARA · SANTA CRUZ

Frank Zaldivar, PhD  
Director, Bioprocessing and Biobanking Core | Institute for Clinical and Translational Science (NIH-CTSA)  
Director, Community Education and Lead Cytometry Core | Pediatric Exercise & Genomics Research Center (PERC)  
Department of Pediatrics | School of Medicine | Susan and Henry Samueli College of Health Sciences  
101 The City Drive, South | Building 25, 2nd floor | Orange, CA 92668

O5

September 3, 2020

To Whom It May Concern,

Thank you for entertaining my comments as it refers to the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. My name is Dr. Frank Zaldivar and I hold an appointment in the Department of Pediatrics in the College of Health Science at the University of California, Irvine, where I am Director of Community Education and Outreach for the Pediatric Exercise Genomics Research Center. My background is in Research Immunology and Hematology and my research focuses on how inflammation causes pediatric diseases like asthma, obesity and cancer. I have worked in the Madison Park area since 2002 and have collaborated with the residents of the Madison Park Neighborhood Association to address the Social Determinate of Health. Our team has extensive experience in working with community partners in Santa Ana for the past few years on environmental justice issues and their impact on health.

Intro

I am writing to request that the City of Santa Ana delay the process of moving forward with the General Plan to allow time for community input, I have met and heard from many residents say *"that they need time to understand the plan and how it will affect their children"*. Why should we delay a vote to move forward?

O5-1

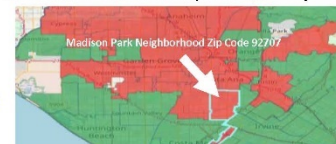
- The General Plan is **2,500 pages** long! I'm a scientist and I read technical reports daily and reviewing the plan is overwhelming to read even for me.
- The Santa Ana community, with mostly a Spanish-speaking population and lower education attainment cannot fully understand the **very technical** content presented in the Plan!
- The city only allowed **45 days** for the public to digest all the information and provide feedback, which is unrealistic given the sheer amount of technical information presented, and the numerous challenges the residents face during the COVID-19 pandemic.
- Conversations with the Madison Park residents shows that the **majority** of Santa Ana residents are **Not** properly versed on the General Plan, and the majority say that they were not given an adequate time review and discuss the plan or have their voices heard.
- The General Plan mainly focuses on providing information to residents in Santa Ana. Effective outreach should not simply provide the 2500 page document, but must engage the community to assure inputs through multiple channels and further incorporate these feedbacks into the Plan.
- Environmental justice issues required by **SB 1000** are **not adequately** reflected in the General Plan. The General Plan focuses on future environmental impacts from new projects, but does not adequately address existing environmental problems, such as air pollution and soil lead exposures that Santa Ana residents are experiencing now.
- Mapping pediatric emergency room asthma visits in Orange County, the map shows different communities **GREEN** is average vs **RED** high rates of pediatric asthma. ([California Office of Statewide Health Planning and Development](#): Maintained By: Conduent Healthy Communities Institute).
- Residents in Madison Park Neighborhood in Santa Ana raised

O5-2

O5-3

O5-4

O5-5



O5-6

O5-7

## 2. Response to Comments

concerns about chemical smells and emissions from over 40 facilities permitted by the South Coast Air Management District (SCAQMD) in an “industrial corridor” adjacent to the neighborhood and some companies are 1000 yards from three schools James Madison and Kennedy Elementary and Century High School.

- However, a quick review of the Plan omits these environmental health issues and community concern. In addition, the General Plan relies on the Anaheim monitoring station operated by the SCAQMD monitoring to measure the air quality in Santa Ana, which does not reflect hot-spot locations close to sources (e.g. industrial corridor or freeways).
- Dr. Wu, is an expert at UCI in Environmental Science recommends an assessment tool be built into the Plan which monitors for environmental agents (e.g. air, soil, water) within the city of Santa Ana and can be a foundation to address the existing environmental health concerns raised by residents.

05-7  
con't

05-8

In my opinion, the General Plan does not properly inform Santa Ana residents and give them sufficient time to comprehend and comment, does not adequately address environmental justice issues as outline in SB100 and does not address the existing environmental health concerns identified by the Santa Ana residents. I strongly urge the City to delay approval of the General Plan so that the residents can have more time to understand the information presented and voice their concerns and suggestions.

05-9

Respectfully,



Frank Zaldivar, PhD

cc: Adolfo Sierra, President, Madison Park Neighborhood Association  
José Rea, MA, Treasurer, Madison Park Neighborhood Association  
Leonel Flores, BA, GREEN Community Organizer, Madison Park Neighborhood Association

Miguel Pulido, Mayor, City of Santa Ana  
Phil Bacerra, Councilmember, City of Santa Ana  
Nelida Mendoza, Councilmember, City of Santa Ana  
David Penaloza, Councilmember, City of Santa Ana  
Vicente Sarmiento, Councilmember, City of Santa Ana  
Jose Solorio, Councilmember, City of Santa Ana  
Juan Villegas, Mayor Pro Tem/Councilmember, City of Santa Ana  
Kristine Ridge, City Manager, City of Santa Ana  
Verny Carvajal, Principal Planner, City of Santa Ana  
Sonia Carvalho, City Attorney, City of Santa Ana  
Nabil Saba, Public Works Agency Executive Director, City of Santa Ana  
Minh Thai, Planning & Building Agency Executive Director, City of Santa Ana

## 2. Response to Comments

### O5. Response to Comments from Frank Zaldivar, PhD, dated 9/3/2020.

- O5-1 This comment requests the City of Santa Ana to delay the process for approval of the General Plan Update to allow more time for community input. An expanded, general response to this comment is provided as Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O5-2 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O5-3 Please refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O5-4 Please refer to 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O5-5 SB 1000 requires environmental justice issues to be addressed in General Plans. It is not a requirement of the California Environmental Quality Act (CEQA). Per CEQA, the purpose of the Draft PEIR is to evaluate the potential impacts of the proposed General Plan Update on the environment.<sup>10</sup> The Draft and Final PEIR therefore focus on this mandate and not on remediating existing conditions. The Draft PEIR, however, inherently addresses environmental justice–related impacts of implementing the GPU, including air quality, hazards, noise, hydrology/water quality, public services, and utilities.
- Although not required for this FEIR, a general response to environmental justice to address recurring comments regarding the General Plan Update has been included as Section 2.1.2, *Environmental Justice*.
- O5-6 Comment noted. The GPU includes policies for the City to coordinate with the South Coast AQMD to reduce air pollution that affects vulnerable populations in the City.
- O5-7 As described in Section 5.2.4.2 of the Draft PEIR, the General Plan Update includes several policies to minimize air quality impacts on existing sensitive receptors, including the James Madison Park Neighborhood, to achieve appropriate health standards.<sup>11</sup> There are no South Coast AQMD monitoring stations in Santa Ana. South Coast AQMD has embarked on a community air initiative pursuant to Assembly Bill 617. Through this initiative, the South Coast AQMD is working with selected disadvantaged communities to implement a local air quality monitoring program. However, Santa Ana was not identified

<sup>10</sup> The Draft PEIR evaluates the project's physical impacts to the environment. Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

<sup>11</sup> The Draft PEIR evaluates the project's physical impacts to the environment. Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

## 2. Response to Comments

or nominated as one of the potential disadvantaged communities in the latest South Coast AQMD Year 2 Community Recommendations for AB 617 sent to CARB.<sup>12</sup> The only Orange County community identified through the self-recommendation process was the “South Fullerton, Buena Park, Anaheim” community. However, the City worked with the Madison Park Neighborhood through Charitable Ventures Orange County to obtain a grant from the California Air Resources Board (CARB) to expand the engagement between Madison Park residents and create a plan for community-based monitoring of air pollution and its effects.<sup>13</sup> In response to comments received on the General Plan Update and Draft PEIR, the City has incorporated the following implementation measure into the General Plan:

- **CN-1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.

O5-8 Please refer to the response to comment O2-7.

O5-9 Please refer to the responses to comments O5-1 through O5-8.

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<sup>12</sup> South Coast AQMD. 2019, October 30. Final Submittal from South Coast AQMD: Year 2 Community Recommendations for AB 617 Implementation. <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/year-2/community-identification-prioritization/final-submittal-year-2.pdf?sfvrsn=8>

<sup>13</sup> CARB. 2020 (accessed). Community Air Grants, Proposed Awardees. <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants/proposed-awardees>

## 2. Response to Comments

### LETTER O6 – Enrique Valencia, Orange County Environmental Justice (X page[s])

#### O6

**From:** [Enrique](#)  
**To:** [Pulido, Miguel](#); [Sarmiento, Vicente](#); [Penaloza, David](#); [Solorio, Jose](#); [Bacerra, Phil](#); [Villegas, Juan](#); [Mendoza, Nelida](#); [Ridge, Kristine](#); [New General Plan](#); [Carvajal, Verny](#)  
**Cc:** [Keila Villegas](#)  
**Subject:** [Update] Re: OCEJ's recommendations for the environmental justice update, general plan  
**Date:** Friday, September 4, 2020 2:01:15 PM  
**Attachments:** [Masri 2020 SoT, Social and spatial distribution of soil lead concentrations in the City of Santa Ana, California.pdf](#)  
[OCEJ SA Gen Plan EJ Update Recommendation 071320 signed.pdf](#)

Dear Santa Ana City Officials:

I write to share a recent publication of our study on soil lead (Pb) in Santa Ana (attached). Our paper demonstrates lead hot spots across the city and how Latinx, low-income, and communities with a high proportion of children under age 5 are impacted by lead. We want to work with all of you in leveraging our findings to benefit the public health of Santa Ana residents and we believe the general plan, specifically the environmental justice element, can be a tool to advance justice to issues of great concern to our communities.

Intro

We appreciate the mention of lead in the policy recommendations. However, we believe the [current recommendation](#) to address lead as outlined on page 14 of the Environmental Justice Policy Framework (Draft) can be improved by adding specifics, such as those that we shared in our letter to you on July 13th (see attached).

O6-1

Additionally, we would like the opportunity to dialogue with you through a round table that specifically focuses on the issue of soil lead contamination in the city. We are working with experts at UC Irvine as well as community members with a deep commitment to finding solutions to this issue and they are willing to engage with you in ensuring the general plan adequately address soil lead toxicity.

O6-2

Finally, we are concerned with the impact of the pandemic on the communities we work with and it is not lost on us that it has also impacted the ability of the most impacted residents to provide comment on the general plan draft. That being said, we strongly request a postponement of the community review process to begin no earlier than January 2021. The general plan is an important document that will impact our communities for years to come and we want to make sure that the most impacted Santa Ana residents can have the opportunity to provide critical input.

O6-3

I am making myself available to all of you to discuss the environmental justice update further and I am happy to also invite my project collaborators to engage in discussion with you all. Please do not hesitate to reach out.

O6-4

Sincerely,

Enrique

On 7/13/2020 7:26 PM, Enrique wrote:

Dear Santa Ana City Officials:

I write to respectfully submit OCEJ's recommendations for the general plan environmental justice update. Please see the attached letter, which outlines our recommendations. I am available to speak further about any of the content and I

## 2. Response to Comments

welcome dialogue as the City moves to update its general plan.

Sincerely,

Enrique

--  
Enrique Valencia  
Project Director  
Orange County Environmental Justice (OCEJ)  
[www.ocej.org](http://www.ocej.org)  
FB/IG: @ocenvironmentaljustice



## 2. Response to Comments

## O6 - Attachment 1

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journal homepage: [www.elsevier.com/locate/scitotenv](http://www.elsevier.com/locate/scitotenv)

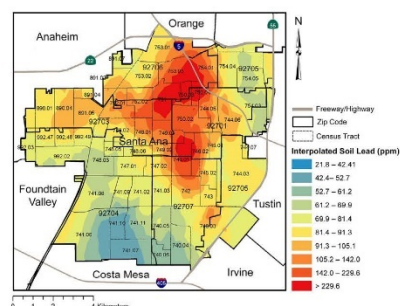
## Social and spatial distribution of soil lead concentrations in the City of Santa Ana, California: Implications for health inequities

Shahir Masri<sup>a,\*</sup>, Alana LeBrón<sup>a,b,1</sup>, Michael Logue<sup>a</sup>, Enrique Valencia<sup>c</sup>, Abel Ruiz<sup>d</sup>, Abigail Reyes<sup>e</sup>, Jean M. Lawrence<sup>f</sup>, Jun Wu<sup>a,g,\*\*</sup><sup>a</sup> Program in Public Health, University of California, Irvine, CA 92697, USA<sup>b</sup> Department of Chicano/Latino Studies, University of California, Irvine, CA 92697, USA<sup>c</sup> Orange County Environmental Justice, Santa Ana, CA 92705, USA<sup>d</sup> Jóvenes Cultivando Cambios, Santa Ana, CA 92705, USA<sup>e</sup> Community Resilience, University of California, Irvine, CA 92697, USA<sup>f</sup> Department of Research & Evaluation, Kaiser Permanente Southern California, Pasadena, CA 91101, USA<sup>g</sup> Center for Occupational and Environmental Health, University of California, Irvine 92617, CA, USA

## HIGHLIGHTS

- Lead exposure is a problem that disproportionately impacts communities of color and low income.
- Assessed the distribution of soil Pb levels and related social vulnerabilities in Santa Ana, CA.
- Soil Pb varied by landuse, with residential and roadway areas showing the highest concentrations.
- Soil Pb concentrations were higher in socioeconomically disadvantaged Census tracts.
- Over 50% of residential samples had Pb levels above California EPA recommendations.

## GRAPHICAL ABSTRACT



## ARTICLE INFO

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## ABSTRACT

**Background:** Lead (Pb) exposure is a problem that disproportionately impacts low-income communities and communities of color. We applied a community-based participatory research approach to assess the distribution of soil Pb concentrations and related social vulnerabilities across Census tracts in Santa Ana, CA.

**Methods:** Soil Pb samples ( $n = 1528$ ) were collected by the *jPlo-NO! Santa Ana! Lead-Free Santa Ana!* partnership in 2018 across Santa Ana, CA, at a high spatial resolution and measured using XRF analysis. Pb concentrations were mapped and spatial interpolation was conducted to generate a continuous smoothed map of soil Pb concentrations across the city. American Community Survey data was used to examine Pb across Census tracts based on social and economic factors, and to allow for the development of a Cumulative Risk Index to identify areas at high risk of health impacts.

**Results:** Soil Pb concentrations varied by landuse type and socioeconomic factors. Census tracts with a median household income below \$50,000 had over five times higher soil Pb concentrations than high-income Census tracts. Soil samples collected in tertiles with the highest percent children, residents without health insurance,

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E-mail addresses: [masris@uci.edu](mailto:masris@uci.edu) (S. Masri), [junwu@uci.edu](mailto:junwu@uci.edu) (J. Wu).<sup>1</sup>First authors with equal contribution.

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Environmental hazards  
Risk assessment

renter-occupied housing units, and lowest percent college educated residents had 90.0%, 96.1%, 75.2%, and 87.0% higher Pb concentrations on average, respectively, compared to their counterparts. Overall, 52.7% of residential samples had Pb concentrations in excess of the 80 ppm California EPA recommendation, and 11 Census tracts were characterized as high risk according to our Cumulative Risk Index.

**Discussion:** This study underscores the need for precautionary measures relating to disturbances of the soil, particularly for areas where children play outside, given children's higher absorption of lead. It also informs environmental justice initiatives and identifies vulnerable subpopulations at greater risk of Pb exposure, thus warranting community-driven recommendations for policies and initiatives to remediate soil Pb and protect public health and health equity.

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### 1. Introduction

Exposure to lead (Pb), a neurotoxicant, is associated with an array of adverse educational, health, and socioeconomic outcomes (LeBrón et al., 2019a, 2019b; Markowitz and Rosner, 2013). Moreover, communities of color, low-income communities, and residents of urban areas are disproportionately affected by Pb exposures (Jones et al., 2009; Mielke et al., 1983; Rothenberg et al., 1996).

The health and health equity implications of Pb exposure are many. For example, evidence links exposure to Pb during childhood with adverse neurological and cognitive outcomes, including smaller brain volume, lower working memory and processing speed, and more limited perceptual reasoning (Canfield et al., 2003; Grandjean and Landrigan, 2014; Lanphear et al., 2005; Reuben et al., 2017); poor school attendance and academic performance (Aizer et al., 2018; Zhang et al., 2013); asthma (Boskabady et al., 2018; Pugh Smith and Nriagu, 2011; Wang et al., 2017; Wu et al., 2018); and engagement with carceral systems (Needleman et al., 2002; Nevin, 2007). Furthermore, previous studies have found positive associations between lead and pregnancy complications including gestational hypertension and pre-eclampsia (Kennedy et al., 2012; Poropat et al., 2018). Maternal eclampsia risk was found to increase dose-responsively to neighborhood soil Pb levels, with women being four times more likely to develop eclampsia in areas with high levels of soil Pb relative to areas with low levels of soil Pb (Zahran et al., 2014). Even relatively low prenatal Pb exposures as assessed by maternal blood or cord blood are also associated with adverse birth outcomes including low birthweight, preterm birth, smaller head circumference, and smaller crown-heel length (Taylor et al., 2015; Xie et al., 2013). Pb exposures throughout the life course – including, for example, during childhood and adulthood – also affects the health of older adults, with implications for cardiovascular risk (Navas-Acien et al., 2007; Vig and Hu, 2000), renal problems (Vig and Hu, 2000), osteoporosis (Alswat, 2017), and reduced cognitive functioning later in life (Reuben et al., 2017; Shih et al., 2006; Weuve et al., 2009).

Pb exposures are unequally distributed in the US population. Blood Pb levels are a common indicator of recent Pb exposures in children (Centers for Disease Control and Prevention, n.d.). The percent of children one to five years of age with blood lead levels above 5 µg/dL has declined in the early 21st century (Centers for Disease Control and Prevention, n.d.; Wheeler and Brown, 2013). Yet, Black (Jones et al., 2009) and Latina/o/x (Jones et al., 2009; Rothenberg et al., 1996) children and children of low-income households (Jones et al., 2009) consistently have elevated blood lead levels relative to their counterparts that are non-Latino white and are from higher income households.

This evidence has led to policies to prevent the sales of lead-based paint and leaded gasoline in the U.S. (Hanna-Attisha, 2018; Markowitz and Rosner, 2013) and to the development of national, state, and local Childhood Lead Poisoning Prevention programs (Centers for Disease Control and Prevention, n.d.). Despite these policies, individuals, households, and communities continue to be

exposed to lead, including through the legacies of past lead-based products as well as contemporary Pb exposures (Hanna-Attisha, 2018; Markowitz and Rosner, 2013). Pathways of Pb exposure include lead paint in older homes and other buildings through lead chips in building and house dust (Jacobs et al., 2002; Rabinowitz et al., 1985), lead-contaminated water systems (Hanna-Attisha et al., 2016), lead in other consumer products (e.g., food systems), Pb exposures in workplace settings (e.g., metal smelting) (Grigoryan et al., 2016), and lead in soil (Laidlaw et al., 2016; Mielke et al., 2016; Wu et al., 2010), which may have originated from lead-based paint, historical gasoline, or other sources. However, environmental assessments indicate ongoing environmental Pb exposures despite the removal of lead from many consumer products (Hanna-Attisha et al., 2016; LeBrón et al., 2019a, 2019b). Importantly, numerous studies show Pb and the resuspension of soil Pb to be strongly associated with blood Pb levels in children (Maisonet et al., 1997; Mielke et al., 2007; Weitzman et al., 1993; Zahran et al., 2013).

In community settings, lead in the soil is a persistent exposure source due in part to limited disturbances of soil and limited degradation of lead. While a robust evidence base indicates that no level of Pb exposure is safe for young children (LeBrón et al., 2019a, 2019b), the Environmental Protection Agency (EPA) indicates a limit of soil Pb levels of 400 ppm (ppm) in areas where children play, and 1200 ppm in other uncovered areas (U.S. Environmental Protection Agency, 2001). However, in an effort to minimize Pb exposure for children, the California EPA's Office of Environmental Health Hazard Assessment advises that areas where children play have soil Pb levels at or below 80 ppm (Carlisle, 2009).

The study described below builds upon a robust history of community-academic partnerships in environmental health research (Israel et al., 2012). Our community-academic partnership, *iPlo-NO! Santa Ana! Lead-Free Santa Ana!*, formed in response to community concerns about soil Pb identified by an investigative report (Cabrera, 2017). The research questions that guided these analyses extend the body of research regarding the spatial distribution of soil Pb by examining cumulative social and environmental exposures. Extending studies of cumulative social vulnerabilities and risk of exposure to air pollution (Morello-Frosch et al., 2011; Sadd et al., 2011; Schulz et al., 2017) to the study of risk of exposure to soil Pb, this study focuses on the following questions: (1) given susceptibility to long-term health effects of lead exposure for children, is a younger age composition at the Census tract level associated with higher soil Pb levels? (2) is residential socioeconomic status at the Census tract level associated with soil Pb concentrations? (3) are residential racial/ethnic characteristics at the Census tract level associated with soil Pb concentrations? and (4) do multiple social and economic vulnerabilities at the Census tract level cumulate to render communities particularly vulnerable to soil Pb? Based on community knowledge elicited through ongoing discussions among our community-academic partnership and review of the literature, we hypothesized that Census tracts with a higher fraction of children, households of lower SES and those with a higher proportion of residents who identify as Latina/o/x/Hispanic, immigrant, or limited English



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proficiency will have higher soil Pb concentrations; and that social and economic vulnerabilities to soil Pb exposure will be correlated with one another and with soil Pb concentrations.

### 2. Materials and methods

This study was conducted as part of the *iPlo-NO! Santa Ana! Lead-Free Santa Ana!* community-academic partnership that has been working together since 2017 to equitably bring together community and academic partners to understand and address environmental injustices and their implications for health equity and social, economic, and political well-being in Santa Ana, CA (LeBrón et al., 2019a, 2019b). Partners include Orange County Environmental Justice; Jóvenes Cultivando Cambios, a youth-led cooperative; and a subset of faculty and staff at the University of California, Irvine. Our partnership emerged following an investigative report by Cabrera (2017), which indicated that several areas in Santa Ana – a predominantly Latina/o/x, immigrant, and low-income community (American Community Survey, 2016a, 2016b) – had soil Pb levels three to ten times higher than the EPA's cut-point for lead toxicity (400 ppm) (U.S. Environmental Protection Agency, 2001). Santa Ana children are 64% more likely to have elevated blood lead levels relative to children across California (California Department of Public Health, 2012a, 2012b). This investigative report activated community-driven questions about the prevalence of Pb and other toxicants in Santa Ana, the distribution of these toxicants, and connections between Pb exposures and adverse social, economic, and health outcomes for residents of Santa Ana, CA. These discussions catalyzed the formation of our community-academic partnership, and the study described below. The University of California, Irvine Institutional Review Board classified this study as exempt. Data for the analyses described below are drawn from soil samples collected by our trained personnel and from the U.S. Census Bureau's American Community Survey.

#### 2.1. Study region

Santa Ana is a densely populated city located in southern California in the southwestern region of the United States. It is the administrative center of Orange County, which is the sixth most populated county in the U.S. With a total population of approximately 337,716 residents, Santa Ana spans an area of 70.6 km<sup>2</sup> and includes 61 Census tracts (The City of Santa Ana, 2020). In terms of population, Santa Ana ranks the second largest city in Orange County, and is the eleventh largest city in the state (The City of Santa Ana, 2020). The majority of Santa Ana residents identify as Latina/o/x (77.3%), followed by Asian (11.4%) and white (9.4%), with a relatively high proportion (45.2%) of residents being immigrants (U.S. Census Bureau, 2020). As of 2019, the city includes 78,563 housing units and has a median household income of \$65,313 (2018 dollars) (The City of Santa Ana, 2020).

Potential sources of soil Pb contamination in Santa Ana include both historic and present-day emissions. Prior to its incremental phaseout beginning in 1986, and its subsequent ban from on-road use by EPA in 1996, leaded gasoline and therefore vehicle traffic represented a major source of lead emissions in the United States (Newell and Rogers, 2003). While leaded gasoline has not been entirely eliminated in the U.S., its use is limited to small piston engine aircraft, marine vessels, farm equipment, and other off-road vehicles (Kessler, 2013). Since Santa Ana is bordered by three major freeways, including the interstate 5 and 405 freeways and state routes 22 and 55, as well as the John Wayne Airport, the city is particularly vulnerable to legacy contamination from on- and off-road vehicle-related lead emissions. Santa Ana is also an industrial center with over 26,432 companies, including many metal-related industries (i.e. metal fabrication, metal cutting, metal processing) (U.S. Census Bureau, 2018). Thus, historic and present-day point-source emissions represent potential contributors. In the U.S., lead paint was historically used on many houses and other buildings. Disturbances of these painted surfaces through building renovations,

demolitions, and weathering over time is therefore another likely contributor to soil Pb in the city (Rabinowitz et al., 1985). In Santa Ana an estimated 81% of housing units were constructed before 1980, whereas the U.S. federal government did not ban the sale of lead paint until just two years prior (1978) (U.S. Census Bureau, 2017). Lastly, given the city's history of agriculture, prior applications of lead arsenate pesticides represent another avenue through which lead may have entered the soil.

#### 2.2. Field sampling

Soil samples were collected in Summer-Fall 2018 across seven landuse types: arterial roads, schools, parks, gardens, industrial areas, business areas, and residential units. Because most schools, businesses, and industrial sites were not directly accessible for this study, samples were collected immediately adjacent to their boundaries (e.g. roadside near school). When feasible, at least six residential units across each Census tract in Santa Ana, CA, were sampled. Landuse type and the location of each sample point using global positioning system (GPS) coordinate was recorded by on-site field teams who were trained by the field coordinator.

Following methods by Wu et al. (2010), at each sampling location field teams selected an area that was unobstructed by physical barriers. When possible, a three-foot radius area was then marked, and soil samples from five points (central point and 4 separate points that were three feet from the center of the square) were obtained after removing 1 cm of soil (including vegetation cover). If it was not possible to achieve a three-foot radius, at residential units, samples were drawn from near the dripline of the home, and at least two locations in the yard (e.g., front, back, side). Four to five samples were drawn from each garden. Samples were then air dried and sieved with brass screen (#50 mesh, twice; #100 mesh once), yielding fine soil dust samples to characterize Pb exposures for which young children are most vulnerable (Stalcup, 2016). Soil samples were collected from 560 locations throughout Santa Ana, CA with 1528 soil samples to yield a high spatial resolution. Additionally, in order to establish a baseline soil Pb level, eight soil samples were collected outside of Santa Ana in nearby state and regional parks in Orange County that could be considered relatively pristine and unaffected by major local anthropogenic lead sources (i.e. traffic, industry, buildings).

#### 2.3. Soil analysis

Samples were analyzed via XRF instrumentation (SPECTRO XEPOS HE Benchtop XRF Spectrometer), a well-established and recognized method for identifying the total lead levels, as well as the levels of other commonly measured metals in soil samples (Maliki et al., 2017). The machine used in this study operates under optimal temperature conditions of 20–25 °C and undergoes routine multi-channel analysis calibration using standard reference materials at the start of each week, with global calibration taking place every six months. Each soil sample in this study was scanned five times by the XRF machine to ensure reproducibility and stability of measurements, showing a low average absolute measurement error of 1.0% across all Pb samples. To further confirm quality laboratory analysis, a subgroup of samples ( $n = 18$ ) was subjected to XRF analysis a second time (five more scans), yielding an excellent correlation ( $r = 1.0$ ).

#### 2.4. Landuse

For this analysis, park and garden samples were treated as a single landuse type called "park," while industrial area and business area samples were treated as a single landuse type called "industrial." This was done because these landuse types were considered similar enough in nature to consolidate, and because their consolidation resulted in more meaningful sample sizes. Thus, there were five landuse types in

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total used for this analysis including: arterial roadways, schools, parks, industrial areas, and residential units. In three cases, samples were described to be a mix of two landuse types. Categorizing these samples into a single landuse type therefore required further discretion. In only one of these cases would a different classification have meaningfully impacted the average lead concentration for a landuse type. This was the case for a mixed school-roadway sample, where a high lead concentration of 314.0 ppm would have resulted in a significant increase in the average lead concentration for school samples due to the small school sample size ( $n = 10$ ) and low concentration of school samples. Instead, the categorization of this sample within the roadway category ( $n = 76$ ) had a negligible impact ( $\pm 1\%$ ) on the average.

### 2.5. Demographics

We used 2010 Census data to obtain population counts for all Census tracts ( $n = 61$ ) in Santa Ana, CA. The American Community Survey (ACS), conducted every year, was also used to obtain information about household income, race/ethnicity, education, insurance coverage, spoken languages, nativity, and age at the Census tract level. For the ACS, five-year averaged data from 2012 to 2016 (henceforth, 2016) was used since averages provide a more stable representation of community-level factors, and because 2016 was the most recent year for which geo-coded shapefiles were available in ArcGIS.

### 2.6. Analysis

Summary statistics for soil Pb samples were calculated across all samples, by landuse type, and for one group of samples collected outside of Santa Ana that represent baseline soil Pb. In order to visualize soil Pb concentrations spatially and estimate concentrations between sampling sites, we conducted simple kriging in ArcGIS.

To assess differences in soil Pb concentrations and demographic factors within Census tracts, demographic factors were first converted to percentages of the population in each Census tract for each indicator before constructing the vulnerability index described below. These indicators included: percent of residents who identified as Latina/o/x or Hispanic, immigrant non-native residents (henceforth, *immigrants*), residents who reported speaking no or limited English, residents who did not have health insurance coverage, residents under five years of age, renter-occupied housing units, and residents with a college education or higher.

Once a percentage for a given demographic variable was calculated across each Census tract, that percentage could be assigned to all lead samples collected within that Census tract. Using these assigned percentages, we then determine the 33th and 66th percentiles for that specific demographic factor across all samples. This allowed us to separate soil Pb samples into tertiles depending on the demographic characteristic of the Census tracts within which each sample was collected. Using the prior example of percent Latina/o/x/Hispanic population, this would mean that we divided soil Pb samples into three approximately equal sized groups depending on whether those samples were collected in Census tracts with a percent Latina/o/x/Hispanic population that was relatively low (1st tertile), high (3th tertile), or in between (2nd tertile). Therefore, percentiles did not reflect citywide statistics, but rather sample-wide statistics. With a total soil sample size of  $n = 1528$ , sample sizes for each tertile were approximately  $n = 510 \pm 20$ . Statistical significance between sample means was assessed at the  $p = 0.05$  cutoff. In addition to tertile analyses, we also conducted quartile analyses, the results of which are presented in the supplementary materials section.

#### 2.6.1. Hazard Index

To characterize the potential for Pb exposure via the soil, each Census tract was assigned a score ranging from 1 (low) to 4 (high) based on the quartile distribution of soil Pb concentration (4 = high lead).

This score was then scaled to be equally weighted with the vulnerability index described below.

#### 2.6.2. Vulnerability Index

To characterize social and economic vulnerability of communities within each Census tract to Pb exposure and heightened or more adverse responses to these exposures, we developed a vulnerability index (Schulz et al., 2017). This index took into account six social and economic factors that could place a community at an increased health risk due to Pb exposure, including: median household income, percent of housing units occupied by renters, percent of population under age five, percent of residents reporting speaking limited or no English, percent of residents without health insurance coverage, and percent of residents with a college education or higher. Values for each factor were calculated based on quartile distribution rankings, ranging from 1 (low risk) to 4 (high risk). Due to our interest in assessing whether cumulative risk was disproportionately elevated among Census tracts with higher proportions of people of color, our vulnerability index did not include "percent Latina/o/x/Hispanic population" as a factor in our ranking system. Since each Census tract was assigned a vulnerability score ranging from 1 to 4 across six different factors, each Census tract had a potential cumulative vulnerability score (sum of individual scores) that ranged from 6 to 24. This methodology is similar to that developed elsewhere (Morello-Frosch et al., 2011; Sadd et al., 2011; Schulz et al., 2017).

#### 2.6.3. Cumulative Risk Index

To assess cumulative risk, a single aggregated index was derived as the sum of the equally-weighted Hazard Index and Vulnerability Index, and then scaled to range from 0 (low risk) to 1 (high risk). Risk scores were then projected onto a map at the Census tract level.

## 3. Results

### 3.1. Descriptive statistics

Fig. 1 presents boxplots, whiskers, and outliers for soil Pb samples categorized by landuse type. The lower and upper boundaries of each box indicate the interquartile range (IQR) of the sample, while the centerline and "X" symbol indicate the sample median and mean, respectively. The lower and upper whiskers indicate the minimum and maximum data points after excluding outliers as defined as  $Q_1$  or  $Q_3 \pm 1.5 \times \text{IQR}$ . Such outliers are depicted as individual points. As shown in the figure, the sample means for each landuse type were all higher than their medians, suggesting that the distribution of lead soil samples was consistently skewed in the positive direction. This is also made apparent by the abundance of outliers above the mean. Residential landuse had the most outliers and areas proximal to schools had the fewest outliers. Residential and school landuse types also had the largest ( $n = 1173$ ) and smallest ( $n = 10$ ) sample sizes, respectively.

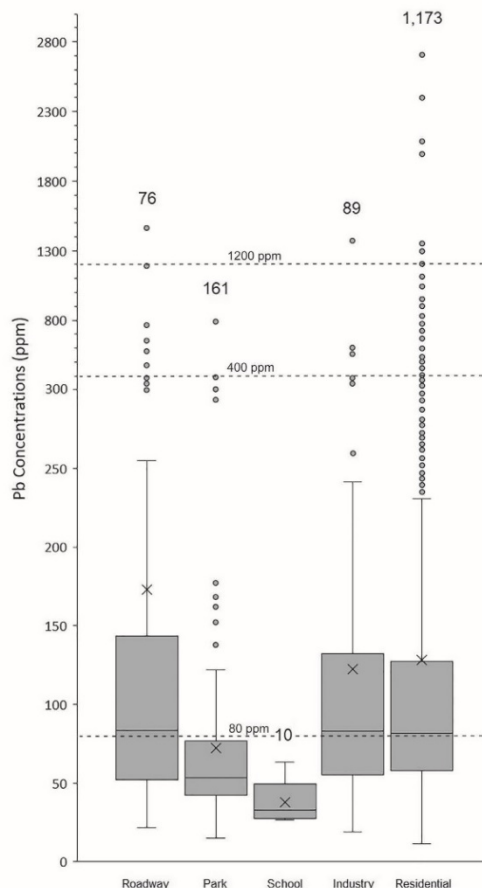
Table 1 presents summary statistics for all soil Pb samples and groups of samples categorized by landuse type, as well as the extent to which soil Pb standards were exceeded. The average Pb concentration (standard deviation) across all soil samples ( $n = 1528$ ) was 123.1 ppm (181.3 ppm), with a median concentration of 77.8 ppm and range from 11.4 to 2687.0 ppm. The high standard deviation suggests a wide amount of variability, which is also reflected by the boxplots in Fig. 1. By comparison, the average and standard deviation of Pb concentrations across our baseline soil samples ( $n = 8$ ) was 30.3 ppm and 7.9 ppm, respectively (min: 21.8 ppm; max 42.5 ppm). In terms of landuse type, roadway samples had the highest mean lead concentration (172.9 ppm), followed in order by residential (128.4 ppm), industrial (122.6 ppm), park (72.5 ppm), and school (37.9 ppm) samples. For the industrial landuse type, further distinguishing these samples into business ( $n = 4$ ) and industrial ( $n = 85$ ) landuse types did not have a meaningful impact on results (data not shown). The sum of samples



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**Fig. 1.** Boxplots describing lead soil concentrations across samples collected by landuse types. The symbols "X" denote sample means while the overlying values indicate sample sizes. The California recommendation for play areas with children (80 ppm), and U.S. EPA standards for areas where children play (400 ppm) and other uncovered areas (1200 ppm) for soil Pb are presented as dotted lines.

across all landuse types ( $n = 1509$ ) does not add up to our total sample size ( $n = 1528$ ) because there were 19 samples that were excluded from landuse analysis because their landuse information was not available.

Concentrations exceeding 80 ppm and 400 ppm, which represent the California EPA recommended safety level for soil Pb in areas where children play and the U.S. EPA standard for Pb in soil for play areas, respectively, were found across all landuse types except for samples collected near schools. The California recommendation was exceeded by 751 soil samples, and the EPA standard by 60 samples, accounting for approximately 48% and 4% of samples, respectively. The EPA standard for non-play area soil (1200 ppm) was exceeded by 10 soil samples, eight of which were found in residential areas that could serve as play areas for children. As a fraction of samples collected within a single landuse type, roadway and residential samples exceeded the 400 ppm EPA standard at the highest frequency (11.8% and 4% of samples, respectively), whereas the 1200 ppm standard was exceeded most frequently by samples collected in the roadway (1.3%) and industry (1.0%) landuse areas.

### 3.2. Social and spatial distribution of soil Pb

Fig. 1la–h presents average Pb concentrations across soil samples grouped into tertiles based on Census tract data for eight separate demographic characteristics. Fig. 1la presents average Pb concentrations (95% CI) of soil samples categorized according to the median household income of each sample's Census tract. Statistically significant differences ( $p < 0.05$ ) in average Pb concentrations were observable across each income category, with Pb concentrations tending to decrease with increasing income bracket. On average, soil samples collected in Census tracts with median household incomes below \$50,000 had 440% higher and 70% higher Pb concentrations compared to samples collected in Census tracts where the median household income was greater than \$100,000, and between \$50,000 and \$100,000, respectively.

As shown in Fig. 1lb, average Pb concentrations decreased as the proportion of college educated residents increased. In Fig. 1lc–g, there was a consistent pattern of increasing Pb concentrations within Census tracts that had a higher proportion of: children under five years of age, residents without health insurance coverage, renter occupied housing units, Latina/o/x/Hispanic residents, immigrant residents, and residents speaking limited or no English. In nearly all cases, each tertile exhibited statistically higher ( $p < 0.05$ ) average Pb concentrations than the previous. One exception was for Fig. 1le (percent renter-occupied), where differences were only statistically significant for the upper tertile ( $p < 0.05$ ) relative to the low and middle tertiles. Additionally, for Fig. 1lh (percent limited or non-English speaking), differences between the lowest two tertiles were not statistically significant. However, there was a statistically significant increase in average Pb concentrations for the upper tertile ( $p < 0.05$ ) compared to the low and middle tertiles.

**Table 1**

Summary statistics for soil Pb concentrations (ppb) in Santa Ana, CA, according landuse type and the extent of regulatory threshold exceedances.

Landuse	N	50th	Mean	S.D.	Min	Max	>80 ppm <sup>a</sup>		>400 ppm <sup>b</sup>		>1200 ppm <sup>c</sup>	
							N	%	N	%	N	%
Industry	89	82.8	122.6	164.8	19.2	1371.0	46	51.7	3	3.4	1	1.1
Park	161	53.4	72.5	75.3	15.1	790.2	37	23.0	1	0.6	0	0.0
Residential	1173	81.7	128.4	187.9	11.4	2687.0	608	51.8	47	4.0	8	0.7
Roadway	76	83.6	172.9	251.1	21.8	1461.0	40	52.6	9	11.8	1	1.3
School	10	32.8	37.9	12.9	26.4	63.1	0	0	0	0	0	0
Baseline	8	28.9	30.3	7.9	21.8	42.5	0	0	0	0	0	0
All <sup>d</sup>	1528	77.8	123.1	181.3	11.4	2687.0	737	48.2	60	3.9	10	0.7

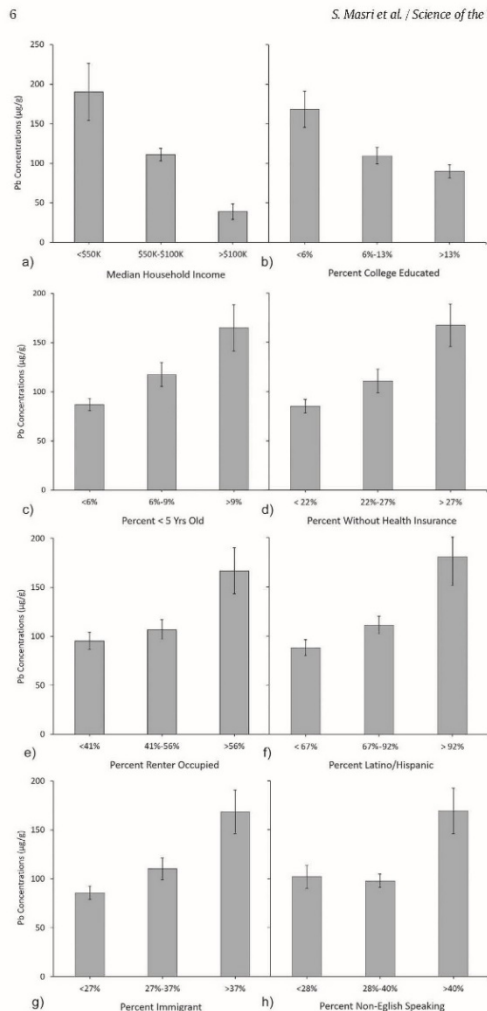
<sup>a</sup> California EPA safety recommendation for soil Pb in play areas.

<sup>b</sup> U.S. EPA standard for soil Pb in play areas.

<sup>c</sup> U.S. EPA standard for soil Pb in non-play areas.

<sup>d</sup> Does not include baseline samples.

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**Fig. II.** Average Pb concentrations (95% CI) of soil samples by social and economic characteristics of Census tracts.

More specifically, soil samples collected in tertiles with the highest percent children, highest percent of people without health insurance coverage, highest percent of renter occupied housing units, and lowest percent of college educated residents had 90.0%, 96.1%, 75.2%, and 87.0% higher Pb concentrations on average relative to those from the lowest tertile, respectively.

Soil samples collected in tertiles with the highest percent Latina/o/x/Hispanic residents, immigrant residents, and residents speaking limited or no English had 105.1%, 96.4%, and 66.1% higher Pb concentrations, on average relative to the lowest tertile, respectively. This latter pattern was not observed across all groups of residents speaking limited or no English. Census tracts with higher fractions of Asian limited or non-English speakers, for instance, had relatively lower

average Pb concentrations, as shown in Fig. SIV of the supplemental materials section.

Fig. III presents the number of Census tracts depicted according to their average Pb concentrations, as well as the total number of residents under five years of age who resided in those Census tracts. Of the 61 Census tracts in Santa Ana, the majority (78.7%) had average leads concentrations between 50 and 150 ppm, with 21 tracts (34.4%) between 150 and 400 ppm and three (4.9%) with concentrations less than 50 ppm. Importantly, there was one Census tract (18 samples) where average Pb concentrations were in excess of the 400 ppm EPA standard for play areas. Although this was only a single Census tract, there were over 650 children under five years of age who resided in that Census tract. What is more, an analysis of maximum Pb concentrations showed that 56 different Census tracts housing over 28,000 children had maximum Pb concentrations that exceeded the 80 ppm California safety recommendation, while 20 Census tracts housing over 12,000 children had maximum concentrations in excess the 400 ppm EPA standard.

Presented in Fig. IV is a map of interpolated soil Pb concentrations based on kriging. Results show the highest lead levels in the central region and northeast quadrant of Santa Ana, just southwest of the I-5 freeway. This area also corresponds with the downtown area of Santa Ana, and the 92,701, 92,706, and 92,703 zip codes. In contrast, the southwest quadrant and northeast corner of the map show the lowest estimated Pb concentrations. These areas correspond with zip codes 92,704 and 92,707.

Fig. V is a map depicting Santa Ana Census tracts according to their Cumulative Risk Index scores. As shown, the cluster of Census tracts in the central region of the city, just south of the I-5 freeway, had the highest cumulative risk scores. A map presenting the Vulnerability Index scores by Census tract is presented in Fig. SIII of the supplemental materials section. As shown in Fig. SV, we found a positive correlation ( $r = 0.41$ ) between the Cumulative Risk Score of each Census tract and its percent Latina/o/x/Hispanic population.

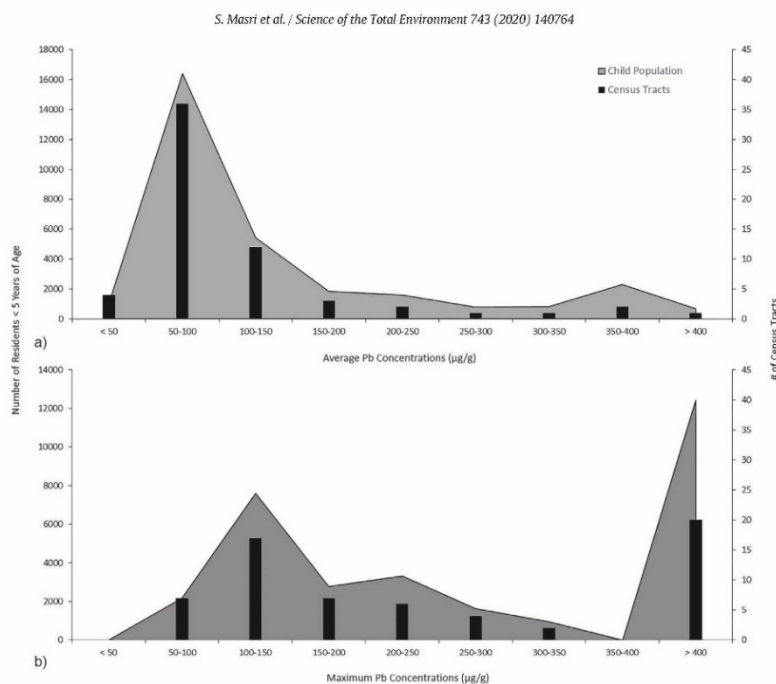
## 4. Discussion

This study sought to examine the spatial distribution of soil Pb in an urban area in the Southwest region of the U.S. and to identify social and economic vulnerabilities to soil Pb exposure. Pb concentrations were found to vary widely, with approximately 4% and <1% exceeding U.S. EPA standards for play and non-play areas, respectively. Moreover, nearly half of Pb concentrations exceeded the California safety recommendation of 80 ppm for soil Pb in play areas. Soil Pb concentrations varied by landuse type, with samples collected near major roadways and residential areas having the highest concentrations.

There are three key findings from this study. First, within residential areas, 51.8% of samples had soil Pb concentrations in excess of the California EPA safety guideline for soil Pb in play areas, and 4% had concentrations in excess of the 400 ppm U.S. EPA standard for play areas. This finding is of importance for early life exposure given that residential areas frequently serve as play areas for children. One Census tract that housed over 650 children under age five had average Pb concentrations in excess of the 400 ppm U.S. EPA standard. In general, Census tracts with a higher fraction of children had higher average Pb concentrations. These findings highlight an important public health issue since children are an especially vulnerable subpopulation to the adverse neurological and social impacts of Pb exposure (Canfield et al., 2003; Lanphear et al., 2005; Reuben et al., 2017). Additionally, soil Pb and the resuspension of soil Pb have been demonstrated to be significant contributors to the blood Pb burden in children (Maisonet et al., 1997; Mielke et al., 2007; Weitzman et al., 1993; Zahran et al., 2013).

The mean (median) soil Pb concentration of 123.1 ppm (77.8 ppm) from this analysis was similar to recent findings from another community-based participatory study by Johnston et al. (2019), which showed median soil Pb concentrations in nearby Los Angeles County, CA, to be 190 ppm, with nearly 14% of samples exceeding the 400 ppm U.S.

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**Fig. III.** The number of Census tracts where a) average and b) maximum Pb concentration fell within specified ranges, and the total number of residents under age five who resided in such Census tracts.

EPA standard. Higher concentrations in that study appear attributable in part to the proximity of measurement sites to a lead-acid battery smelter. An important finding from the Los Angeles study was an association between soil Pb levels with both in utero and early life exposure to Pb (based on teeth Pb levels) even where neighborhood-averaged soil Pb concentrations were below 400 ppm. In another soil sampling study of central Los Angeles County, results showed a mean (median) soil Pb concentration of 181 ppm (81 ppm), with a total of 8% of samples exceeding 400 ppm (Wu et al., 2010). As with the present study, higher concentrations were reported near freeways and arterial roads.

Second, results suggest a robust pattern of greater vulnerability to soil Pb exposure for residents of lower socioeconomic statuses. For example, Census tracts with a lower median household income had considerably higher average soil Pb concentrations compared to higher income Census tracts. Similarly, Census tracts with a lower fraction of college educated residents had much higher Pb concentrations on average. Lastly, we observed higher soil Pb concentrations within Census tracts that had higher fractions of renter-occupied housing units and residents without health insurance coverage. Across nearly all of the socioeconomic factors examined, soil Pb concentrations either increased or decreased in a stepwise fashion across all three tertiles, reinforcing the existence of a meaningful socioeconomic gradient in vulnerability to exposure to soil Pb. These results showcase environmental and socioeconomic inequities in the city of Santa Ana and underscore the need for increased public outreach, awareness, and intervention to protect children and families and minimize Pb exposure. These results may also serve to aid in the deployment of municipal resources towards areas and residents of lower socioeconomic status.

Third, when examining important social characteristics, Census tracts with a higher fraction of immigrant, limited or non-English speaking, and Latina/o/x/Hispanic residents exhibited considerably higher average Pb concentrations. However, this pattern was reversed for Census tracts with higher fractions of limited or non-English speaking Asian residents. This could reflect differences in the socioeconomic statuses of these two populations, as indicated in post-hoc analyses of Census estimates of median household income included as Fig. SIV of the supplemental materials section.

Collectively, these results are consistent with a body of geospatial literature that reveal the disproportionate impact of Pb contamination in low-income communities and communities of color (McClintock, 2015; Mielke et al., 2007; Zhuo et al., 2012) and that theorize race and class as social constructs that are fundamental causes of health inequities (Phelan et al., 2010). Importantly, the presence of multiple social and economic disadvantages can foreseeably be synergistic so as to render a particular subgroup or Census tract at considerably higher vulnerability to Pb exposure. For example, neighborhoods where residents may be concerned about immigrant policing and have limited English fluency may be less inclined to inquire with authorities about Pb exposures in their community or engage with public health officials or initiatives relevant to their individual, household, or neighborhood experiences (Nichols et al., 2018). Additionally, having lower income and lacking health insurance may limit a household's or neighborhood's ability to individually or collectively obtain either public health advice for exposure prevention or medical attention following exposures, which are over-concentrated in these areas. It is also common that families who rent their homes have less flexibility to manipulate the property or landscape compared to families who own their homes. This lack of flexibility may render a household less able to take precautionary



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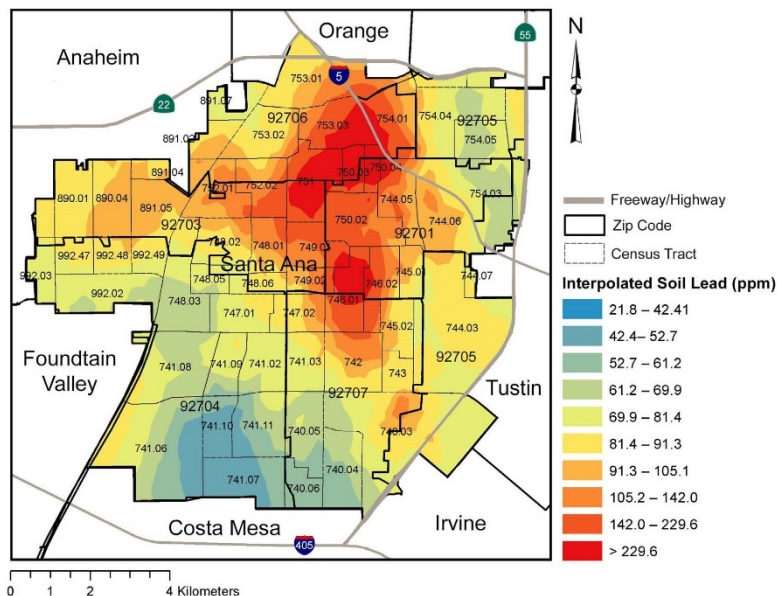


Fig. IV. Interpolated soil Pb concentrations based on 1528 samples collected in Santa Ana, CA.

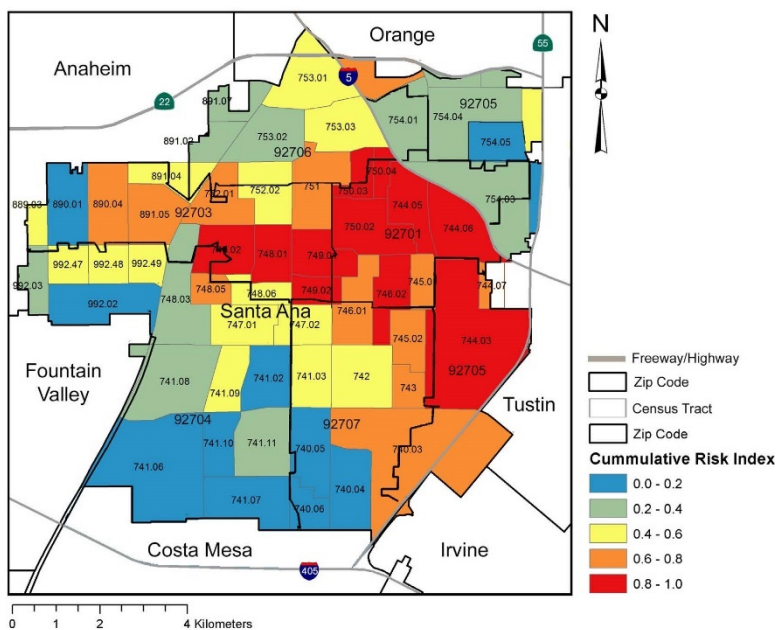


Fig. V. Map of Santa Ana and the Cumulative Risk Index scores for each Census tract, where 1 = greater and 0 = less risk related to Pb exposure.

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measures to minimize Pb exposure, such as lead paint remediation, replacing topsoil, or covering topsoil with grass or gravel. These findings suggest that neighborhoods with a greater proportion of renters are important spaces for governmental action to support lead remediation.

We considered six social and economic factors in conjunction with average soil Pb concentrations for each Census tract in order to calculate Cumulative Risk scores across Santa Ana. Approximately eleven Census tracts were considered high risk (CR 0.8–1.0) and were primarily located in the central region of the city. We found a positive correlation between the Cumulative Risk score of each Census tract and its percent Latina/o/x/Hispanic population, which highlights the interconnections of racial-, age-, and socioeconomic-related vulnerabilities to soil Pb exposure. Such results are not only important for members of affected neighborhoods, but also for public health officials, city managers, and elected representatives charged with protecting public health and allocating resources for disease prevention and health promotion across the life course.

Additionally, results showing increased Pb concentrations near roadways and residential areas were reasonable and were consistent with prior studies (Wu et al., 2010). Higher concentrations near roadways may be explained by historic use of leaded gasoline in vehicles, making traffic emissions an important historic source of lead in the atmosphere and surrounding environment. Similarly, increased Pb concentrations in residential areas may be explained by the historic use of lead-based paint. As painted surfaces erode over time, lead-containing paint particles deposit on nearby soils. Moreover, in community discussions residents highlighted concern about several metal processing plants located in Santa Ana. While the U.S. EPA Toxic Release Inventory identifies five industrial sources of atmospheric lead in Santa Ana, with total lead emissions of 19.1 kg (42.0 lbs) reported between 1987 and 2017, these reported emissions likely represent an underestimate of true emissions. For instance, auto-repair shops, body shops, and auto-battery recycling centers are usually small-scale businesses that do not report to EPA. Importantly, however, these sources are more dispersed and often closer to residents, rendering them of high importance to exposure. Future studies should disentangle contemporary sources of lead to soil and the contribution from historical lead in gasoline, paint, and industrial emissions.

### 4.1. Community-driven recommendations

Our partnership is developing several community-driven recommendations for policies and community-based initiatives to remediate soil Pb and prevent and mitigate exposures to lead. These recommendations are informed by our process of leveraging a community organizing strategy to discuss with residents who participated in the study: emerging findings, their interpretations of these findings, and recommendations for how our partnership moves forward to promote a healthier environment. Emerging recommendations fall into two interconnected multi-sectoral approaches: remediating soil with high Pb concentrations and addressing the effects of Pb exposures for affected community members. Recommendations that are currently still in development include eliciting support from governmental agencies with jurisdiction over soil Pb in Santa Ana to remediate soil, continuing to engage popular education strategies to enhance community consciousness of exposures to soil Pb, investing in early childhood education, making improving access to healthy and affordable foods, and ensuring that residents have regular access to quality health care. Additionally, our partnership is engaging in a visioning process to imagine new systems to promote community health, such as augmenting the vibrant local food sovereignty movement, developing a cooperative focused on soil remediation, and developing new channels of communication across generations and social identities in Santa Ana. As we continue to discuss these findings with affected community members, we will translate recommendations into a public health equity action plan.

### 4.2. Strengths and limitations

An important strength of this study is that it is grounded in community priorities and principles of community-driven community-academic partnerships (González, 2019; Israel et al., 1998; LeBrón et al., 2019a, 2019b; Wolff et al., 2016). The research questions, study design, study implementation, interpretation of findings, and ongoing development of a vision for a healthier community were each guided by our partnership process. Community-academic partnerships characterized by ownership of action research agendas by community and academic partners have greater potential for informing the translation of research into action to promote community health and health equity (González, 2019; Wolff et al., 2016). Another strength of this study is the random sampling of a large number of soil samples ( $n = 1528$ ), thus allowing for a more spatially resolved understanding of the distribution of lead in the soil. This helps to reduce exposure misclassification. High density spatial sampling also enabled an assessment of average Pb concentrations at each Census tract, which is an improvement from prior studies which only examined the zip code level. An additional strength is the characterization of soil Pb across landuse types, which is useful to allow for targeted interventions to minimize exposure and to enable a better understanding of potential contributing sources of Pb.

This study had several limitations. First, despite a high number of sampling sites, a limitation of this study nonetheless was the inherent uncertainty of Pb concentrations between sampling sites. Such uncertainty can potentially lead to exposure misclassification, particularly where samples are sparser. Second, examining correlations between lead and social and economic characteristics at the Census tract level, as opposed to individual level, comes with limitations in the ability to draw conclusions. For example, while low-income Census tracts had the highest Pb concentrations, we do not know how Pb concentrations varied according to income level within a given Census tract. Third, our Cumulative Risk index can only be used as a general guideline of risk since risk assessment inherently involves a number of assumptions. Fourth, the vulnerability index was informed by U.S. Census estimates, which may systematically underestimate the population in sub-regions (e.g., Census tracts, zip codes) of Santa Ana, potentially contributing to an underestimate of the cumulative burden of exposure to lead. For example, Santa Ana is characterized by high levels of engagement of youth and adults of color with the criminal justice system who may not be represented in Census estimates of the population (Avila et al., 2019; Lai and Ashar, 2013). Additionally, as with many urban areas, Santa Ana is undergoing gentrification processes that escalate housing instability, housing quality concerns, and homelessness in the community. Accordingly, recent Census estimates may offer a conservative assessment of place-based risk of soil Pb exposure. Future studies are warranted that examine the source(s) of soil Pb, associations of soil Pb levels with health outcomes, and that test the effectiveness of health equity interventions designed to mitigate soil Pb exposures and remediate the environment.

### 5. Conclusions

This spatial analysis of soil Pb concentrations across Census tracts found that Census tracts with a higher fraction of children, lower median household income, lower percent of college educated residents, higher proportion of renters, and higher fraction of residents lacking health insurance coverage had higher average Pb concentrations compared to other Census tracts. Similarly, Census tracts with a higher fraction of immigrant, limited English proficiency, and Latina/o/x/Hispanic residents exhibited much higher Pb concentrations than other Census tracts. These findings illuminate environmental inequities and areas of vulnerability as it relates to Pb exposure, and underscore the need for public outreach and intervention to reduce and eventually eliminate inequities in exposure to soil Pb.



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### CRediT authorship contribution statement

**Shahir Masri:** Conceptualization, Methodology, Software, Data curation, Formal analysis, Writing - original draft, Writing - review & editing, Visualization. **Alana LeBrón:** Conceptualization, Methodology, Writing - original draft, Writing - review & editing, Supervision, Project administration, Funding acquisition. **Michael Logue:** Data curation, Writing - review & editing. **Enrique Valencia:** Conceptualization, Investigation, Supervision, Project administration, Funding acquisition, Writing - review & editing. **Abel Ruiz:** Conceptualization, Supervision, Project administration, Funding acquisition, Writing - review & editing. **Abigail Reyes:** Conceptualization, Funding acquisition, Writing - review & editing. **Jean M. Lawrence:** Writing - review & editing, Funding acquisition. **Jun Wu:** Conceptualization, Methodology, Writing - review & editing, Supervision, Project administration, Funding acquisition.

### Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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### Appendix A. Supplementary data

Supplementary data to this article can be found online at <https://doi.org/10.1016/j.scitotenv.2020.140764>.

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## 2. Response to Comments



### O6 - Attachment 2



Orange County Environmental Justice  
PO Box 3584  
Tustin, CA 92781

July 13, 2020

Santa Ana City Officials  
20 Civic Center Plaza  
Santa Ana, CA 92701

RE: OCEJ's recommendations for the Santa Ana general plan environmental justice element.

Dear Santa Ana City Officials:

I am reaching out on behalf of Orange County Environmental Justice (OCEJ), an organization working to promote healthy shared environments that are home to thriving and resilient communities for all Orange County residents. This letter will discuss a list of recommendations—including soil lead (Pb) toxicity, water quality, renewable energy, and city planning—we would like to see reflected in the environmental justice element of the general plan. However, we would like to emphasize soil lead (Pb) toxicity due to our history of working deeply on this issue in Santa Ana. Since 2017, OCEJ along with *Jóvenes Cultivando Cambios* (JCC), UC Irvine public health faculty and students, and UC Irvine Community Resilience Projects (the collaborative henceforth referred to as ¡Plo-NO! Santa Ana) have been collaborating on bringing awareness to the toxic soil lead (Pb) levels impacting residents across Santa Ana, which was first brought to light by Yvette Cabrera's investigative reporting.<sup>i</sup> Our collaborative has built on the body of work generated by Cabrera and has collected 1,528 soil samples from across Santa Ana. Additionally, we have generated a policy landscape analysis pointing to the shortcomings of governments in addressing soil Pb exposures and the resulting implications of these deficits for community health.<sup>ii</sup> This is not a deficiency unique to Santa Ana, as it permeates federal, state, and local governments. It is my understanding that Cabrera reached out to both city and county officials to share her findings, but representatives from those agencies did not respond adequately. Additionally, ¡Plo-NO! Santa Ana representatives Alana LeBrón, PhD, and myself gave public testimony at the Santa Ana City Council meeting on Tuesday October 16, 2018 on our work and invited the City to partner with us in finding solutions. Initially, Judson Brown, Housing Division Manager for the City reached out to LeBrón via email on Wednesday, October 17, 2018 to request additional information about our work. LeBrón responded via email to Brown on Friday, October 19, 2018 to offer times to meet to discuss our work and explore partnership. Unfortunately, Brown ceased to respond and



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a meeting never materialized. I mention this previous engagement with the City to illustrate past attempts to work on environmental justice issues with the hope that collaboration can look differently with the general plan environmental justice update.

We believe the general plan environmental justice element can be an opportunity to ensure vulnerable community members are supported by their government in addressing pressing environmental justice issues. Regarding the call for public comments on the general plan environmental justice element, we would like to submit the following recommendations:

1. Ensuring that the development, implementation, and evaluation of the environmental justice update centers meaningful engagement of youth and residents impacted by pollution and other environmental hazards.
2. Free access to blood testing for communities exposed to hazardous lead (Pb) levels, defined as greater than 80 parts per million (ppm).
3. Free on-going health care access for communities poisoned by lead (Pb).
4. Remediation of homes with soil lead (Pb) levels above 80 ppm.
5. Remediation labor prioritizes local hire, worker co-op led efforts, youth, and LEED at union industry standards. Additionally, workers should be provided with adequate training and equipment given the hazardous nature of the material to be remediated.
6. Comprehensive lead (Pb) testing of, but not limited to, soil is made available to residents.
7. Free tap water testing that indicates lead, cadmium and arsenic levels.
8. Open the Santa Ana River for recreational use.
9. Prioritize water use for drinking.
10. Adopt 100% renewable energy—solar, wind—targets by 2030.
11. Adopt community choice energy by 2030.
12. Adopt a plan to implement dry and shade scapes by 2030.
13. Immediately adopt a Climate Action and Adaptation Plan with the input and meaningful engagement of residents. Additionally, fund community based organizations to lead this planning as they are best positioned to ensure meaningful input and engagement.
14. Ensuring neighborhoods with a high proportion of residents—including young and elderly—are not zoned for industry.



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15. Leverage cap-and-trade dollars to generate electric vehicle purchase vouchers aimed at supporting low-income residents.
16. Convert existing standard bike lanes to buffered bike lanes and add buffered bike lanes to the following street designations: streets with high traffic speeds, high volume, and/or high amounts of truck traffic; on streets with extra lanes or extra lane widths.
17. Streets, bridges, and transit stops within Orange County should be designed, constructed, operated and maintained so that pedestrians, bicyclists, transit riders, motorists, and people of all ages and abilities can travel safely and independently.
18. Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.
19. Increase access to electric vehicle charging in under served communities, particularly in multi-unit dwellings.
20. Make public transit free to use.
21. Ensure neighborhoods below the state median household income level are fully served by transit.

The above recommendations are vetted by community input, which includes the meaningful engagement of 52 OCEJ members. Additionally, the recommendations have stemmed from our multi-year engagement with 162 unique households participating in soil testing. I hope this letter can foster a spirit of collaboration between the City and our organizations and I am available to further discuss any of the content referenced in this letter.

Sincerely,

Enrique Valencia  
Project Director  
Orange County Environmental Justice



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i <https://archive.thinkprogress.org/urban-children-are-playing-in-toxic-dirt-41961957ff23/>

ii <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6466291/>

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## 2. Response to Comments

### O6. Response to Comments from Enrique Valencia, dated 9/4/2020.

O6-1 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.

O6-2 Since starting the General Plan Update process in late 2015, the City has sought to meaningfully engage all residents of the community, looking for best practices and community partnerships to reach all residents, especially those that have not traditionally engaged in the public decision-making process. The General Plan Outreach Program included a series of 40 community workshops starting in 2015; informational "pop-ups" at community events; presentations to focus groups; and the convening of a General Plan Advisory Group composed of 17 members of the community, including seniors, youth, community-serving organizations, Community Linkages Neighborhood Leaders, and City commissioners. Moreover, translation services were offered during the meetings, and videos of workshops were archived and made available for those unable to attend in person.

A variety of community issues and considerations, including environmental justice issues, were identified through these community outreach activities. With this community input, the Draft General Plan Policy Framework was created in December 2018, and community "Core Values" were created to reflect the voice of the collective Santa Ana community and to express its environmental justice principals. Because these core values touch all aspects and all elements of the General Plan Update, it was determined early in the process to incorporate environmental justice components as policies woven into the fabric of the various elements, elevating their importance and prominence in each element.

In an effort to continue a dialogue with the community on the topic of environmental justice, as well as obtaining community feedback on what the City heard, the City mailed over 32,000 environmental justice informational flyers in May 2020 to property owners, occupants, and residents in EJ communities (identified based on criteria pulled from the CalEnviroScreen tool). Subsequently, on July 31 and August 1, 2020, the City held two virtual meetings to obtain input on the general plan elements and environmental justice issues. Over 22,000 mailers were sent inviting residents, businesses, and property owners within EJ communities and within 500 feet of the five land use Focus Areas to participate in these community meetings.

Based on feedback from the July 31 and August 1 community meetings, on August 31, 2020, the City held a Community Outreach Roundtable with approximately 20 participants for improving outreach efforts for the GPU, including in EJ neighborhoods. The Roundtable convened again on October 14, 2020, to gather additional feedback on the City's draft General Plan EJ policies.

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City staff continued its community engagement program through its involvement with the CARES mobile resource center program, reaching out to neighborhoods in greatest need, providing information and continuing outreach on the General Plan Update. The CARES mobile resource center was operational August through October 2020.

On September 15, 2020, City staff held a meeting with the Madison Park Neighborhood Association and University of California, Irvine (UCI) to discuss EJ issues. City staff also held an Anti-displacement Roundtable with the THRIVE local organization on October 13, 2020. City staff held two additional meetings with Orange County Environmental Justice (OCEJ), UCI Public Health educators, and the Orange County Healthcare Agency regarding lead contamination studies and policies in September and October 2020. After the October 9th meeting, OCEJ submitted a list of demands to be addressed in the General Plan Update, including ongoing outreach and education, free access to blood testing, free ongoing health care access for affected communities, remediation of homes and neighborhoods with lead levels above 80 ppm in the soil, remediation labor and training for local residents, comprehensive and ongoing lead testing with results publicized and measured for accountability, and additional zoning regulations to prevent exposure to lead contamination.

On October 19, 2020, neighborhood leaders from the 21 neighborhoods in EJ disadvantaged communities were invited to learn more about environmental justice policies and programs being considered by the City. City staff provided an overview of SB 1000 legislation for including EJ in general plan updates to neighborhood leaders, followed by open question-and-answer discussions.

Finally, the City attended the Community Forum on October 23, 2020, that was convened by OCEJ, Santa Ana Active Streets, Madison Park Neighborhood Association, Rise Up Willowick, and the Kennedy Commission to address concerns including environmental justice. Recommendations (in addition to those already listed above) expressed at this meeting included the creation of a comprehensive public health action plan that addresses toxic lead exposures, tenant protections for residents who seek action on toxic lead exposures, a limit on the number of facilities and/or caps on air pollution for an overall area instead of by facility, the closure or relocation of polluting businesses, buffer zones between home and schools and industry, and the attraction of clean industries that will provide jobs without polluting.

City has augmented or added the following content in the General Plan Update to more directly respond to the public input received over the past four months since the release of the Draft PEIR:

- **Policy 3.2 Healthy Neighborhoods (Community Element).** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating



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incompatible uses, improving the built environment, and maintaining building code standards.

- **Implementation Action CM-3.3 Health metrics.** Engage with the Orange County Health Care Agency and other stakeholders to monitor key health indicators to measure the success of the outcome of General Plan policies and the implementation plan, including reduction in incidence in asthma.
- **Implementation Action CM-3.5 Environmental education.** Encourage all education institutions in Santa Ana to include curriculum regarding environmental justice and local efforts to promote clean business operations, environmental quality, and the health in our community.
- **Policy 1.5 Sensitive Receptor Decisions (Conservation Element).** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.
- **Implementation Action CN-1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city, with focus on areas with unique needs and pollution burden such the Delhi Neighborhood area. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.
- **Implementation Action CN-1.5 Agency permits.** Monitor the South Coast Air Quality Management District permitting and inspection process and the Orange County Health Care Agency to identify businesses in Santa Ana with potential hazardous materials or by-products, with a special focus on environmental justice communities. Serve as a liaison for residents to identify potential emission violations. Share information and data with the community on the City's Environmental Quality web page.
- **Implementation Action OS-1.14 Community input.** Identify and utilize multilingual and interactive community engagement tools, initiated through the Parks and Recreation Master Plan, for residents and facility users to provide ongoing input about open space needs, park design, facility improvements, and programming.
- **Policy 2.6 Existing Sensitive Uses (Safety Element).** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect

## 2. Response to Comments

and minimize risks from existing hazardous material sites to existing nearby sensitive uses, with priority given to discontinuing such uses within environmental justice area boundaries.

- **Implementation Action S-2.4 Lead contamination.** Work with local with community organizations and regional partners, such as Orange County Environmental Justice, Orange County Health Care Agency and University of California at Irvine Public Health, to understand the prevalence, sources, and implications of lead contamination of soil across Santa Ana. Collaborate with environmental justice stakeholders in proposing solutions to remove hazardous lead-contaminated soils in the city and with benchmarks to measure and track effectiveness of proposed programs.
- **Implementation Action LU-3.6 Lead paint abatement.** Coordinate with County of Orange Health Care Agency and community organizations to strengthen local programs to eliminate lead-based paint hazards, with priority given to residential buildings within environmental justice area boundaries.
- **Implementation Action LU-3.16 Health in corridors.** Require a Health Risk Assessment to identify best practices to minimize air quality and noise impacts when considering new residential uses within 500 feet of a freeway.
- **Implementation Action LU-3.17 Training for safe practice.** Pursue the EPA Renovate Right Program to train local residential contractors for certification as lead renovators to promote safe work practices and prevent lead contamination.
- **Implementation Action LU-3.18 Renovations and lead prevention.** Evaluate the feasibility of requiring contractor training and/or certification for safe work practices to conduct residential renovations for pre-1978 structures that may contain existing lead paint.
- **Implementation Action LU-3.19 Promote health.** Partner with local organizations (e.g., OC Health Care Agency, Latino Health Access, Santa Ana Unified School District, and the Coalition of Community Health Centers) to increase blood lead testing, outreach, education, and referral services through a “promotora” or community peer outreach model that addresses the root causes of elevated blood lead levels impacting Santa Ana residents, with special focus in environmental justice communities and for children living in pre-1978 housing.
- **Implementation Action LU-3.20 Safe housing.** Require all residential rehabilitation projects that use local, or HUD federal funds to comply with the Lead

## 2. Response to Comments

Safe Housing Rule, to remove lead paint hazards, depending on the nature of work and the dollar amount of federal investment in the property.

- **Implementation Action LU-3.21 Prevention education.** Collaborate with local organizations such as Orange County Health Care Agency and State Environmental Protection Agency and identify funds to create a Santa Ana Prevent Lead Poisoning Education Program, with special focus on disadvantaged communities and pre-1978 housing stock.
- **Implementation Action LU-3.22 Public health outcomes.** Support the Orange County Health Care Agency in their role in investigating public complaints regarding lead hazards, through enforcement of local housing standards to assure healthy outcomes.
- **Implementation Action LU-3.23 Agency permits.** Work with South Coast Air Quality Management District and Orange County Health Care Agency to evaluate existing special permit process and criteria for approval, and identify potential policy changes to minimize issuance of special permits with potential health impacts.
- **Implementation Action LU-3.24 Public health.** Partner with Orange County Health Care Agency and community serving organizations to evaluate best practices and benefits of preparing a Public Health Plan to address environmental hazards in Santa Ana, with special focus in environmental justice communities.
- **Implementation Action LU-3.25 Engage EJ communities.** Work with community serving organizations, neighborhood leaders, and residents to form an Ad Hoc Committee to develop ongoing EJ Community Engagement programs, including multilingual communication protocols.
- **Implementation Action LU-3.26 Health conditions.** Work with Orange County Health Care Agency and local stakeholders like Orange County Environmental Justice and UC Irvine Public Health to identify baseline conditions for lead contamination in Santa Ana, monitor indicators of lead contamination, and measure positive outcomes.
- **Implementation Action LU-3.27 Groundwater practice.** Coordinate with the State Department of Toxic Substances Control (DTSC) to monitor the Santa Ana Southeast Groundwater Clean Up Project and identify measurable progress to remediate groundwater contamination. Share information with the community on the City's Environmental Quality web page.
- **Implementation Action LU-3.28 Tenant protections.** Provide information to residential tenants regarding Landlord Tenant Laws in the State, such as AB 1481, that

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provide protections against evictions for those who seek action to improve substandard housing and hazardous conditions.

- **Implementation Action LU-3.29 Development site history.** Update the City's Development Review application process to require developers to provide information regarding prior use of the site and history of hazardous materials on the property, to identify potential for site contamination from hazardous materials or soil lead contamination to be remediated.

O6-3 Please refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.

Furthermore, as stated in the response to comment O6-2, the revisions were based primarily on coordination with members of the public, key stakeholders, and advocacy organizations on the topic of environmental justice. Projects such as a comprehensive update to a General Plan typically take three to five years to complete, which is consistent with the timeline for the Santa Ana update. The City feels the outreach conducted during the General Plan Update was substantial and provided multiple opportunities for the public to comment and materially affect the policies and implementation actions. The City views environmental justice as a topic that goes beyond the update process and requires ongoing dialogue with the community. The following policies and action in the revised draft General Plan Update are indicative of the City's commitment to collaborating and communicating with the community to address issues of environmental justice (all actions listed below are targeted for implementation in 2021, 2022, or on an annual or ongoing basis).

- **Implementation Action CM-1.1 Engage EJ communities.** Establish an ad hoc committee of community stakeholders to guide preparation of an ongoing EJ community engagement program.
- **Implementation Action CM-1.2 Community conversation.** Plan for and conduct a community survey every three years related to community health, air quality concerns, parks, and community service needs, with focused outreach to environmental justice priority areas.
- **Implementation Action CM-1.3 Collaboration.** Develop intentional, strategic partnerships with public, private, and nonprofit entities to improve health outcomes by leveraging capacity, resources, and programs around mutually beneficial initiatives that promote health, equity, and sustainability in neighborhoods within environmental justice area boundaries. Develop a comprehensive partnership policy providing guidelines that can be used throughout the City organization.

## 2. Response to Comments

- **Implementation Action CM-3.5 Environmental education.** Encourage all education institutions in Santa Ana to include curriculum regarding environmental justice and local efforts to promote clean business operations, environmental quality, and the health in our community.
- **Implementation Action CM-3.7 Public health and wellness collaboration summit.** Collaborate with health care providers, health and wellness advocates, and other public health stakeholders to identify ways to improve the provision of and access to health and wellness services throughout the city. Include a discussion on areas within environmental justice area boundaries underserved by affordable health and wellness services
- **Implementation Action CN-1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city, with focus on areas with unique needs and pollution burden such the Delhi Neighborhood area. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.
- **Implementation Action CN-1.3 Proactive engagement.** Collaborate with the South Coast Air Quality Management District and local stakeholders in environmental justice areas experiencing local air pollutions issues to outline objectives and strategies for monitoring air pollution in advance of the establishment of a community emissions reduction and/or air monitoring plan.
- **Implementation Action CN-1.5 Agency permits.** Monitor the South Coast Air Quality Management District permitting and inspection process and the Orange County Health Care Agency to identify businesses in Santa Ana with potential hazardous materials or by-products, with a special focus on environmental justice communities. Serve as a liaison for residents to identify potential emission violations. Share information and data with the community on the City's Environmental Quality web page.
- **Implementation Action CN-1.10 Interagency team.** Establish an environmental quality interagency team to evaluate, monitor, and make recommendations to address air quality and environmental hazard issues, with a special focus on environmental justice areas. Publish results and information on the City's website through a dedicated Santa Ana Environmental Quality web page.
- **Implementation Action CN-1.11 Public education.** Es Augment existing programs to improve public awareness of State, regional, and local agencies and resources to assist with air quality and other environmental quality concerns.

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- **Implementation Action CN-1.12 Data collection for emissions plans.** Coordinate with the South Coast Air Quality Management District to explore ways to initiate data collection efforts for a community emissions reduction and/or community air monitoring plan, including the identification of information needed (new or updated), potential data sources and needed resources, and strategies to engage residents and collect information.
- **Implementation Action CN-1.13 Community survey on healthy lifestyles.** Plan for and conduct a community survey of residents related to community health, air quality, parks, and community services; with focused outreach for environment justice concerns and priority areas (tie into other City efforts like Strategic Plan, park and recreation planning, community benefits, etc.).
- **Implementation Action CN-1.14 Expanded interactions.** Identify opportunities to expand regular attendance of City staff and decision-makers at meetings for neighborhoods within environmental justice area boundaries, so that residents and businesses can more easily communicate their unique issues and needs. Include a translator(s) at these meetings so that all residents can engage.
- **Implementation Action CN-1.15 Expanded representation.** Expand representation of residents from neighborhoods within environmental justice area boundaries by extending residents from such areas to become board, commission, and task force members as openings occur.
- **Implementation Action CN-1.16 City budget.** Evaluate the City's budget and financial policies to include direction for prioritizing public services and improvements within environmental justice area boundaries. Augment budget meeting presentations to include a section dedicated to the status of actions and improvements to address the needs of residents within environmental justice area boundaries.
- **Implementation Action S-2.4 Lead contamination.** Work with local with community organizations and regional partners, such as Orange County Environmental Justice, Orange County Health Care Agency and University of California at Irvine Public Health, to understand the prevalence, sources, and implications of lead contamination of soil across Santa Ana. Collaborate with environmental justice stakeholders in proposing solutions to remove hazardous lead-contaminated soils in the city and with benchmarks to measure and track effectiveness of proposed programs.
- **Policy 3.2 Empower Community (Land Use Element).** Facilitate community engagement and dialogue in policy decisions and outcomes affecting land use and

## 2. Response to Comments

development, with supplemental opportunities for proposed planning activities within environmental justice area boundaries.

- **Implementation Action LU-3.6 Lead paint abatement.** Coordinate with County of Orange Health Care Agency and community organizations to strengthen local programs to eliminate lead-based paint hazards, with priority given to residential buildings within environmental justice area boundaries.
- **Implementation Action LU-3.14 Sunshine ordinance.** Update City Sunshine Ordinance, incorporating best practices for outreach in environmental justice areas in Santa Ana.
- **Implementation Action LU-3.19 Promote health.** Partner with local organizations (e.g., OC Health Care Agency, Latino Health Access, Santa Ana Unified School District, and the Coalition of Community Health Centers) to increase blood lead testing, outreach, education, and referral services through a ‘promotora’ or community peer outreach model that addresses the root causes of elevated blood lead levels impacting Santa Ana residents, with special focus in environmental justice communities and for children living in pre-1978 housing.
- **Implementation Action LU-3.21 Prevention education.** Collaborate with local organizations such as Orange County Health Care Agency and State Environmental Protection Agency and identify funds to create a Santa Ana Prevent Lead Poisoning Education Program, with special focus on disadvantaged communities and pre-1978 housing stock.
- **Implementation Action LU-3.24 Public health.** Partner with Orange County Health Care Agency and community serving organizations to evaluate best practices and benefits of preparing a Public Health Plan to address environmental hazards in Santa Ana, with special focus in environmental justice communities.
- **Implementation Action LU-3.25 Engage EJ communities.** Work with community serving organizations, neighborhood leaders, and residents to form an Ad Hoc Committee to develop ongoing EJ Community Engagement programs, including multilingual communication protocols.
- **Implementation Action LU-3.26 Health conditions.** Work with Orange County Health Care Agency and local stakeholders like Orange County Environmental Justice and UC Irvine Public Health to identify baseline conditions for lead contamination in Santa Ana, monitor indicators of lead contamination, and measure positive outcomes.

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- **Implementation Action LU-3.27 Groundwater practice.** Coordinate with the State Department of Toxic Substances Control (DTSC) to monitor the Santa Ana Southeast Groundwater Clean Up Project and identify measurable progress to remediate groundwater contamination. Share information with the community on the City's Environmental Quality web page.
- **Implementation Action LU-3.28 Tenant protections.** Provide information to residential tenants regarding Landlord Tenant Laws in the State, such as AB 1481, that provide protections against evictions for those who seek action to improve substandard housing and hazardous conditions.

O6-4      Comment noted.



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LETTER O7 – Susan Greer, Church of the Foothills Peace, Benevolence and Justice Ministry (2 page[s])

07

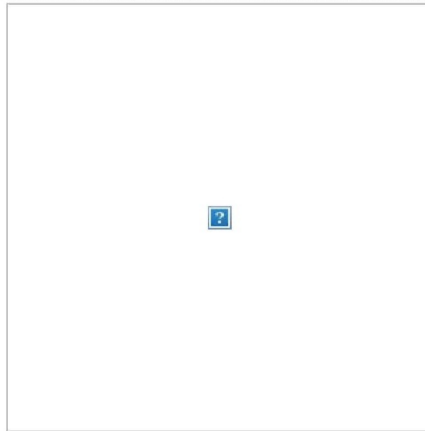
**From:** [Susan GREER](#)  
**To:** [New General Plan](#)  
**Subject:** Update Santa Ana's general plan  
**Date:** Monday, September 14, 2020 5:04:17 AM  
**Attachments:** [B1A8D5E97FA841DE907B9155E27A2024.ipq](#)  
[7A0722CF0F01468CBB833439210A19BF.png](#)  
[Masri 2020 SoT. Social and spatial distribution of soil lead concentrations in the City of Santa Ana, California.pdf](#)



September 14, 2020

Vince Fregoso  
Santa Ana City Planning Division  
20 Civic Center Plaza  
Santa Ana, CA 92701

I am writing on behalf of the Church of the Foothills Peace, Benevolence and Justice Ministry. We are responding to the Los Angeles Times report in Times OC (Sunday, September 13), reporting on the **extremely high levels of toxic lead in the soil of some** of the designated EJ Communities in our city. We note that this issue is not mentioned in the Environmental Justice part of Santa Ana's General Plan. Certainly, however at these high levels it should be as much, if not more a priority as the obviously related pollution caused by transportation and diesel emissions.



O7-1

A recent report by UCI's researchers in the ELSEVIER Science of the Total Environment Journal detail how the levels of lead contamination cited in the newspaper article are a major concern for health and wellness for all residents. But for those in the City's designated EJ areas the peril to children's health is dire. (See attached PDF).

We therefore request that the City's General Plan for EJ Communities receive a more active and immediate response for lead remediation from the Planning Division. This is a matter of social

O7-2

## 2. Response to Comments

justice reflecting the deepest moral values of our city.

07-2  
cont'd

Sincerely,



Suvan Geer, Co-chair PB&J Ministry

19211 Dodge Ave., Santa Ana, CA 92705

## 2. Response to Comments

### **O7 - Attachment 1**

Please refer to Letter O6 – Attachment 1.

## 2. Response to Comments

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## 2. Response to Comments

### O7. Response to Comments Susan Greer, Church of the Foothills Peace, Benevolence and Justice Ministry, dated 9/14/20.

O7-1 The topic of lead contamination is one of dozens of pollution factors the City considers in its development of General Plan policies and implementation actions. The City's presentation on environmental justice distributed in July 2020 (see link and info below) explicitly references the issue of lead contamination and the local testing being undertaken by local organizations and UC Irvine.

<https://www.santa-ana.org/general-plan/environmental-justice> (see YouTube at the 10:12 mark [English] or 11:17 mark [Spanish] and as a PDF file [slide 25 for both English and Spanish])

City staff held a meeting with the Madison Park Neighborhood Association and UCI to discuss environmental justice issues, including lead contamination, on September 15, 2020. City staff held two additional meetings with Orange County Environmental Justice, UCI Public Health educators, and the Orange County Healthcare Agency regarding lead contamination studies and policies in September and October 2020.

O7-2 The City has reinforced and expanded its focus on the topic of lead contamination through the following policies and implementation actions in the October draft of the General Plan Update.

- **Policy 3.2 Healthy Neighborhoods (Community Element).** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating incompatible uses, improving the built environment, and maintaining building code standards.
- **Implementation Action S-2.4 Lead contamination.** Work with local with community organizations and regional partners, such as Orange County Environmental Justice, Orange County Health Care Agency and University of California at Irvine Public Health, to understand the prevalence, sources, and implications of lead contamination of soil across Santa Ana. Collaborate with environmental justice stakeholders in proposing solutions to remove hazardous lead-contaminated soils in the city and with benchmarks to measure and track effectiveness of proposed programs.
- **Implementation Action LU-3.6 Lead paint abatement.** Coordinate with County of Orange Health Care Agency and community organizations to strengthen local programs to eliminate lead-based paint hazards, with priority given to residential buildings within environmental justice area boundaries.

## 2. Response to Comments

- **Implementation Action LU-3.17 Training for safe practice.** Pursue the EPA Renovate Right Program to train local residential contractors for certification as lead renovators to promote safe work practices and prevent lead contamination.
- **Implementation Action LU-3.18 Renovations and lead prevention.** Evaluate the feasibility of requiring contractor training and/or certification for safe work practices to conduct residential renovations for pre-1978 structures that may contain existing lead paint.
- **Implementation Action LU-3.19 Promote health.** Partner with local organizations (e.g., OC Health Care Agency, Latino Health Access, Santa Ana Unified School District, and the Coalition of Community Health Centers) to increase blood lead testing, outreach, education, and referral services through a ‘promotora’ or community peer outreach model that addresses the root causes of elevated blood lead levels impacting Santa Ana residents, with special focus in environmental justice communities and for children living in pre-1978 housing.
- **Implementation Action LU-3.20 Safe housing.** Require all residential rehabilitation projects that use local, or HUD federal funds to comply with the Lead Safe Housing Rule, to remove lead paint hazards, depending on the nature of work and the dollar amount of federal investment in the property.
- **Implementation Action LU-3.21 Prevention education.** Collaborate with local organizations such as Orange County Health Care Agency and State Environmental Protection Agency and identify funds to create a Santa Ana Prevent Lead Poisoning Education Program, with special focus on disadvantaged communities and pre-1978 housing stock.
- **Implementation Action LU-3.22 Public health outcomes.** Support the Orange County Health Care Agency in their role in investigating public complaints regarding lead hazards, through enforcement of local housing standards to assure healthy outcomes.
- **Implementation Action LU-3.26 Health conditions.** Work with Orange County Health Care Agency and local stakeholders like Orange County Environmental Justice and UC Irvine Public Health to identify baseline conditions for lead contamination in Santa Ana, monitor indicators of lead contamination, and measure positive outcomes.
- **Implementation Action LU-3.27 Groundwater practice.** Coordinate with the State Department of Toxic Substances Control (DTSC) to monitor the Santa Ana Southeast Groundwater Clean Up Project and identify measurable progress to

## 2. Response to Comments

remediate groundwater contamination. Share information with the community on the City's Environmental Quality web page.

- **Implementation Action LU-3.28 Tenant protections.** Provide information to residential tenants regarding Landlord Tenant Laws in the State, such as AB 1481, that provide protections against evictions for those who seek action to improve substandard housing and hazardous conditions.
- **Implementation Action LU-3.29 Development site history.** Update the City's Development Review application process to require developers to provide information regarding prior use of the site and history of hazardous materials on the property, to identify potential for site contamination from hazardous materials or soil lead contamination to be remediated.

## 2. Response to Comments

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## 2. Response to Comments

LETTER O8 – Jenny Pezda, MESM, Southern California Gas Company (4 page[s])



O8

RECEIVED  
SEP 16 2020  
City of Santa Ana

Jennifer Pezda, MESM  
Policy & Environmental Strategy  
555 W. Fifth Street, GCT 21C5  
Los Angeles, CA 90013  
Email: jpezda@socalgas.com

Verny Carvajal  
Principle Planner  
City of Santa Ana, Planning and Building Agency  
P.O. Box 1988 (M-20)  
Santa Ana, CA 92702

**RE: Santa Ana Draft General Plan Update**

Dear Mr. Carvajal,

SoCalGas appreciates the ability to submit comments for the City of Santa Ana's Draft General Plan Update (Draft Plan) and believe the document will provide valuable direction for the City to pursue effective, long-term sustainability goals that will positively contribute to furtherance of the State's environmental goals. We seek to be a valuable contributing partner to the City during this process and eagerly anticipate future collaboration with the City to help implement the draft policies and strategies of the Draft Plan. Particularly, we hope to help the City develop and promote policies that will help engender a region-wide transition to clean economy sectors while also contributing to regional and local resiliency.

We support many of the policies currently included in the Draft GPU, especially those that support development of local renewable energy generation, interagency coordination with utilities, and community emissions reductions. Additionally, below are several policy theme considerations we believe would help inform sustainable, reliable, and affordable renewable energy policies:

- The Draft GPU should identify and leverage synergies between City waste diversion goals and production and use of renewable natural gas
- The natural gas system is inherently resilient to climate change impacts and should be leveraged accordingly to increase local energy system resiliency and reliability.

**Leverage synergies between City waste diversion goals and renewable natural gas**

SoCalGas believes there are exciting opportunities to explore between development and use of renewable natural gas (RNG) and local waste reduction and diversion targets. RNG production and use has significant carbon emission reductions and can even be carbon negative in application, which would effectively and efficiently contribute to local efforts to reduce energy

O8-1

## 2. Response to Comments

emissions.<sup>1</sup> RNG, or biomethane, can be produced from existing waste sources including agricultural waste, wastewater, and landfills, and then upgraded to delivery quality in our pipelines. Because this energy is produced from existing methane sources that are otherwise being emitted into the air, unabated, capturing these emissions to produce biomethane helps reduce both regional and local methane and GHG emissions.

SoCalGas recently filed a request with the California Public Utilities Commission seeking to offer RNG to all customers, which would have significant potential to reduce both local and regional GHG emissions. In fact, replacing only 20% of existing natural gas supply with RNG achieves the same emissions reductions as electrifying the entire building sector by 2030, but at one-third of the cost.<sup>2</sup>

In addition to GHG reduction benefits, production and use of RNG has inherent synergies with solid waste diversion, particularly organic waste. AB 1383 requires a statewide increase in organics waste diversion of 50% by 2020, and 75% by 2025. Because biomethane can be produced from existing waste streams, its use as a resource can contribute to city waste diversion and reduction goals in addition to emission reduction goals. Several cities have already incorporated such efforts as part of their waste management strategy. For example, waste collector CR&R recently built a waste processing facility in Perris, CA that uses an anaerobic digester to collect methane emissions from waste and uses it as renewable natural gas to fuel their truck fleet. In addition, the Point Loma Wastewater Treatment Plant in San Diego collects methane gas from its wastewater digester and feeds it into the natural gas pipeline system. UC San Diego uses this biomethane to power their campus fuel cell and uses byproduct heat from the fuel cell as a continuous power source for chilling capacity to cool campus buildings. Both examples demonstrate how supporting use of biomethane as a renewable energy resource would help support the City's Draft Plan policy priorities promoting waste reduction and diversion as well as emission reductions. Therefore, SoCalGas recommends that the City include organic waste reduction policies that leverage use of diverted waste for local energy production.

For example, the County of Los Angeles's Climate Action Plan states, "Anaerobic digestion facilities can process food waste, yard waste, and wastewater sludge to produce biogas, which is also comprised of methane, and digestate solids, which can be used as a fertilizer. Biogas produced at these facilities can be captured much more efficiently than landfill gas for electricity production." Further, the CAP includes the following waste reduction policies:

- W9: Maximize organics diversion through neighborhood and regional composting, anaerobic digestion, chipping/grinding operations, and biomass conversion facilities

### **Using the natural gas system to enhance local energy resiliency and reliability**

<sup>1</sup> California Air Resources Board. *LCFS Pathway Certified Carbon Intensities*. Available at: <https://ww2.arb.ca.gov/resources/documents/lcfs-pathway-certified-carbon-intensities>

<sup>2</sup> Navigant. *Analysis of the Role of Gas for a Low-Carbon California Future*. July 2018. Available at: [https://www.socalgas.com/1443741887279/SoCalGas\\_Renewable\\_Gas\\_Final-Report.pdf](https://www.socalgas.com/1443741887279/SoCalGas_Renewable_Gas_Final-Report.pdf)

O8-1  
cont'd

## 2. Response to Comments

RNG production also has inherent synergies with City resiliency goals and targets. It has been recognized nationwide that there is a dual importance of decarbonizing energy supplies while also keeping in mind the critical importance of energy reliability. As we know, the impacts of global climate change are set to continually increase in severity, which will result in more severe wildfires, storms, and floods. As seen in the recent wildfires, regional heatwaves and rolling blackouts, energy system vulnerability significantly impacts local resilience—overreliance on only one energy system magnifies these impacts and can not only leave hundreds to thousands of residents without power at their homes, but also impact operations of critical facilities. For example, in 2017 the Thomas Fire damaged electric power lines throughout the City of Ventura. Because the City's water pumps to supply water to firefighters ran on electricity without any other form of backup power, firefighters were unable to get water from the pumps to put out burning residences<sup>3</sup>. If the water pumps had been connected to a backup power system, such as a natural gas generator, firefighters would have been able to access the water.

The inherent resilience of the gas system to climate impacts can significantly benefit local and regional energy reliability. This is highlighted in the Governor's Office of Emergency Services recently released Adaptation Planning Guide, which includes a strategy to "expand redundancy in the energy network" and highlights, "in the future, emerging power-to-gas technologies and local sources of renewable natural gas may also enhance local energy resilience."<sup>4</sup> This has been observed nationwide during a multitude of climate events, where redundant energy systems enabled critical municipal services and facilities, such as buses, hospitals, and grocery stores, to operate and save lives during climate events.

For these reasons, SoCalGas recommends that the Draft Plan include policies and strategies that acknowledge the role of the natural resiliency of the gas system as it relates to energy system reliability and to local community climate adaptation efforts. Maintaining diverse energy sources across the economy is a prudent measure to ensure resiliency. For example, the California Office of Planning and Research's Adaptation Planning Guide contains the following policies for energy resilience:

- Strategy EN-1: Harden energy infrastructure systems against damage from climate-related effects and expand redundancy in the energy network
  - "communities and other organizations can ensure that there are redundant energy systems (e.g., backup generators, multiple transmission lines feeding a given area), which can help prevent a complete loss of service."

### Conclusion

Looking forward, natural gas and renewable natural gas will continue to play an important role in electric generation, not just for baseload central power plants, but also for flexible and appropriately scaled natural gas peaking technologies that balance the intermittency of

O8-1  
cont'd

<sup>3</sup> ICF. Case Studies of Natural Gas Sector Resilience. Available at: <https://www.socalgas.com/1443742022576/SoCalGas-Case-Studies.pdf>

<sup>4</sup> Governor's Office of Emergency Services. Adaptation Planning Guide. <https://www.caloes.ca.gov/cal-oes-divisions/hazard-mitigation/hazard-mitigation-planning/california-climate-adaptation>

## 2. Response to Comments

renewables, help integrate them into the grid, grow the state's renewable generation portfolio over the long term, and help achieve State GHG emission and methane reduction goals as well as climate resiliency goals. Decarbonizing our natural gas delivery systems keeps intact the inherent energy efficiencies of direct uses of natural gas, at lower carbon-content, without creating the dramatic increase in electric demand and cost which makes decarbonizing electric generation a challenge. Further, it capitalizes on the inherent resiliency benefits of a grounded energy supply and avoids the increased risk from having an aboveground, vulnerable all-electric energy supply.

O8-1  
cont'd

SoCalGas appreciates your consideration of these comments and welcomes the opportunity to provide collaborative input on the policy priorities addressed in this letter. If you have any questions, please do not hesitate to contact me by telephone or email. Thank you!

Sincerely,



Jenny Pezda, MESM  
Environmental Policy Advisor  
Southern California Gas Company

## 2. Response to Comments

**O8. Response to Comments from Jenny Pezda, MESM, Southern California Gas Company, dated 9/16/20.**

O8-1 This comment is regarding the proposed GPU and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.

## 2. Response to Comments

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## 2. Response to Comments

LETTER O9 – Cynthia Guerra, The Kennedy Commission (3 page[s])

September 16, 2020

Mayor Pulido, City Council Members, and Planning Department  
City of Santa Ana  
20 Civic Center Plaza  
Santa Ana, CA 92701

**RE: The General Plan Update Timeline**

Dear Mayor Pulido and City Council Members, and Planning Department,

The following community groups and organizations, on behalf of Santa Ana residents, parents, and youth, would like to ask the City of Santa Ana to extend to January 2021 the General Plan development process and draft EIR comment period to address significant omissions in these documents and to accommodate the necessary resident input around neighborhood and environmental impacts.

O9-1

### Need For More Effective Community Outreach

In the midst of a global pandemic, the City proposes to move forward with Public Hearings and Council approval of the General Plan update in October and November. The drafts of the General Plan Update and its respective Environmental Impact Report (EIR) were released on August 3, 2020. That gives a little over two months for residents and key stakeholders to learn of these documents, review them, assess environmental impacts, and consider how these vital planning documents will address their neighborhood's concerns around long term growth. The General Plan and its EIR are lengthy documents that are not easily understood by residents, particularly those that face language barriers. It is, thus, unrealistic to expect that community members and stakeholders will be able to make meaningful recommendations on the City's proposals in such a short period of time. Extending the draft EIR public comment period to October 6th, announced by the City on September 15th, 2020, still does not give residents enough time to conduct this analysis. By any measure, the two months proposed is too short a period, but it is even more inadequate given the fact that Santa Ana residents are currently in the grips of the COVID-19 global pandemic. Santa Ana continues to be the city with the highest number of cases in all of Orange County. To attempt to approve the General Plan as residents contend with the health issues, job-loss, and overall economic crisis is irresponsible.

O9-2

Residents have consistently pushed back on the City's rushed timeline. On July 31st, the City held one of two EJ Workshops virtually to understand the City's perspective on the City's plans. All residents who provided comments demanded the City to push back its timeline until further and deeper community outreach was done. The meeting was supposed to end at 8pm, but ended past 9pm due to the high volume of residents asking for an extension. If this was provided during a single meeting, one has to ask what type of input could be provided by residents if the timeline was extended to accommodate more community outreach. While there was a large quantity of residents providing comments, these numbers would have likely increased had we not been in the midst of a global pandemic that would have allowed more

O9-3



## 2. Response to Comments

diverse methods of outreach like in-person meetings which have been canceled by the City. Virtual meetings are often inaccessible due to technical and language barriers, especially for our low-income residents who do not speak English. The example mentioned above underscores the need to extend the General Plan adoption timeline given that not enough and adequate community outreach has been conducted. The General Plan has not been updated in 38 years. Extending the timeline by a few months to ensure that the proper community outreach and involvement occurs will not have a significant impact and can only improve the General Plan.

O9-3  
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### **Environmental Justice ("EJ")**

Moreover, the City is mandated to incorporate EJ principles into their General Plan update as required by SB 1000, a legislation intended to rectify the compounding effects of environmental injustice in communities disproportionately affected by this issue. This is a new and critical component, and the City must give itself the proper time to adequately develop and implement it with deep community involvement. Environmental injustice is a long overdue problem afflicting Santa Ana residents as is evident in the disproportionate prevalence in the City of disadvantaged communities ("DAC"), defined by SB 1000 as "a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation."<sup>1</sup> The CalEnviroScreen 3.0 mapping tool, provided by SB 1000 helps identify DACs and it indicates that nearly half of Santa Ana is classified as a DAC.<sup>2</sup>

O9-4

O9-5

In assessing the environmental impact in a given community, SB1000 takes into consideration the amount of harmful pollutants and the associated health risks, and the accessibility to healthy food options, safe and sanitary housing, public facilities, and recreation. Given the many areas environmental justice considers, much time and effort needs to be provided to assess this issue. More importantly, the Lead Free Santa Ana! collaborative has released findings of toxic soil lead exposures across the city. Given SB1000's mandate, the General Plan process must slow down to include adequate input by impacted community members to ensure their voices are reflected in the General Plan's strategies to mitigate and remediate soil lead.<sup>3</sup> To attempt to rush a process of identifying EJ issues and developing strategies that address these issues is irresponsible given how impacted Santa Ana is by environmental injustice as is apparent in the large number of DACs in the City and soil lead contamination.

O9-6

### **Unaddressed Community Concerns**

In addition to our concerns over the quality and quantity of community outreach conducted, and the adequacy of the EJ principles proposed in the General Plan, we also have concerns over issues not properly or at all addressed in the proposed draft General Plan. Residents and community groups have continuously raised the issues of the potential displacement that land use policies proposed in the General Plan can cause. Yet, there are no policies and programs

O9-7

<sup>1</sup> Government Code Section 65302. [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB1000](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1000)

<sup>2</sup> CalEnviroScreen 3.0. California Office of Environmental Health and Hazard Assessment. June 2018.

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

<sup>3</sup> "Low-income and predominantly Latino neighborhoods in Santa Ana affected by toxic lead, report says," Los Angeles Times, September 10, 2020. <https://www.latimes.com/socal/daily-pilot/entertainment/story/2020-09-10/low-income-and-predominately-latino-neighborhoods-in-santa-ana-affected-by-toxic-lead-report-says>



## 2. Response to Comments

protecting current residents from displacement in the proposed Plan. The Plan incentivizes development in the five proposed Focus Areas by increasing the allowable density of projects built in these areas, but there is no requirement that the development has to be affordable to current residents or policies that will protect residents against displacement caused by an increase in rents in these areas. Given the City Council's recent adoption of amendments that weaken the Housing Opportunity Ordinance, there is less protection for current residents and a high probability they will not be able to afford these projects. This is only one example. Some organizations who signed on to this letter also provided separate comment letters that specify in greater detail policies and programs that should be included and/or improved in the draft General Plan. The City must consider these as well.

09-7  
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09-8

The Covid-19 global pandemic has highlighted and exacerbated the inequities experienced by residents in DACs in Santa Ana. It is not an exaggeration to state that the existing inequities increase the risk of contagion and severity of Covid-19 once contracted for residents in these communities. The City has an obligation to act quickly and thoroughly to address these conditions. **At minimum, it must extend the timeline for the General Plan DEIR and the adoption of the General Plan until January 2021 in order to provide for more thorough analysis based on better community engagement and so that EJ recommendations provided by the community can be identified and implemented. As community based organizations, we request that in addition to delaying the General Plan development process, that the City work with us to develop strategies for meaningful community engagement and input into the Plan.** We have trusted relationships with the most impacted community members in Santa Ana and we leverage our expertise in making sure the General Plan truly reflects the needs of our most vulnerable communities.

09-9

09-10

The impact that the General Plan will have on future generations for the next 25 years needs to address current struggles and needs residents are facing through a preventative manner in order to create a stronger and more promising city for our community. Extend the timeline for the approval process to January 2021 to ensure that the General Plan achieves this mission.

09-11

Sincerely,



## 2. Response to Comments

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## 2. Response to Comments

### O9. Response to Comments from Cynthia Guerra, The Kennedy Commission, dated 9/16/20.

- O9-1 Comment noted.
- O9-2 Please refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O9-3 Comment noted. Please refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- O9-4 Environmental Justice under SB 1000 details requirements for general plans. It is not a CEQA requirement, and the Draft PEIR is not required to address specific impacts to disadvantaged communities. The Draft PEIR does address environmental justice–related impacts, including air quality/pollution, noise, water quality, and public services, and utilities, but not specifically for disadvantaged communities. Pursuant to CEQA, these impacts are addressed in comparison to existing conditions and in a citywide, resource-based, or service-provider-boundary context. Please see general response, 2.1.2, *Environmental Justice*, for an expanded discussion of how EJ is addressed in the GPU.
- O9-5 Please refer to general response 2.1.2, *Environmental Justice*. This section describes the compilation of EJ policies throughout the various General Plan elements, and also describes how these policies and their implementation actions address disadvantaged communities. Please also refer to general response 2.1.4, *Health Risk/Pollution Assessment*.
- O9-6 Please see Responses O9-2 through O9-5.
- O9-7 This comment focuses on the provision of affordable housing in the City of Santa Ana and asserts that the higher density allowed within focus areas and also within new land use designations could have an adverse effect on the effectiveness of the Housing Opportunity Ordinance (HOO) and its ability to facilitate affordable housing. Housing affordability is not an environmental issue under CEQA, and therefore, no response to this assertion is required. The comment, however, will be forwarded to decision-makers for their consideration.

The Draft PEIR concludes that the proposed GPU would provide more housing opportunities than currently exist and that implementation of the GPU would not displace people and/or housing. The GPU would change 581 acres of existing nonresidential land use to residential uses, and furthermore, would not change any land use designations outside the five focus areas. The commenter's contention that implementation of the proposed GPU would affect market rates and ultimately increase housing prices and displace existing residents is speculative. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).) When no accepted methodology exists to assess an environmental impact,

## 2. Response to Comments

the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown.

- O9-8        This comment notes that there are additional issues that need to be addressed in the GPU. This is not a comment on the Draft PEIR and there is no requirement to address it.
- O9-9        The City recognizes the challenges associated with the pandemic. As detailed in general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, the GPU update process started in late 2015 and has conducted comprehensive community outreach. GPU policies, including supplemental/refined environmental justice policies and implementation actions, will facilitate ongoing coordination with residents and community-based organizations. The GPU includes the framework to develop the long-range solutions to inequities experienced within the city.
- O9-10       See Response O9-9.
- O9-11       Comment noted. Please see previous responses to this comment letter.

## 2. Response to Comments

LETTER O9A – Cesar Covarrubias, The Kennedy Commission (7 page[s]).

O9A



October 6, 2020

www.kennedycommission.org  
17701 Cowan Ave., Suite 200  
Irvine, CA 92614  
949 250 0909

Mr. Verny Carvajal, Principal Planner  
City of Santa Ana, Planning and Building Agency  
20 Civic Center Plaza, M-20  
Santa Ana, CA 92701  
vcarvajal@santa-ana.org

**RE: Comments on Santa Ana General Plan Update DPEIR, Clearinghouse No. 2020020987**

Dear Mr. Carvajal,

The Kennedy Commission (the Commission), a broad-based coalition of residents and community organizations, advocates for the production of homes affordable for families earning less than \$27,000 annually in Orange County. Formed in 2001, the Commission has successfully partnered and worked with Orange County jurisdictions to create effective housing and land-use policies that have led to the new construction of homes affordable to lower-income working families.

On behalf of The Kennedy Commission, I write to provide comments on the proposed Santa Ana General Plan Update ("the Update") and its accompanying Draft Program Environmental Impact Report ("the DPEIR"). The Update will guide development of Santa Ana, for many years, and the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., requires that the DPEIR thoroughly assess the Update and its environmental impacts. As set forth in the following comments, we urge the City to (1) Provide an extension in time to allow for appropriate outreach and opportunities for community residents to engage in understanding and providing recommendations on the proposed General Plan Update, (2) provide for more affordable housing under the Update and avoid undermining the Housing Element and the City's Housing Opportunity Ordinance ("HOO"), (2) continue to designate the Willowick site as open space, and (3) revise the DPEIR to fully analyze the Update's environmental impacts, especially those related to displacement and environmental justice.

O9A-1

### **I. Need For Effective Community Outreach**

We urge the City to pause the General Plan process to provide an extension in time till the end of December 2020 to allow for appropriate outreach and opportunities for community residents to engage in understanding and providing recommendations on the proposed General Plan Update. In the midst of a global pandemic, the City proposes to move forward with the Draft General Plan and EIR and is proposing public hearings and City Council approval of the General Plan update in October and November. The draft of the General Plan Update and its respective Environmental Impact Report (EIR) were released on August 3, 2020. Under the current pandemic, that has given residents and key stakeholders enough time to review hundreds of pages of technical documents. The assessment of environmental impacts and proposed land use changes that increase development and changes the city have not been presented to the City residents in a manner that can be understood for the monumental changes proposed. The City needs to provide intentional education and outreach, so residents understand and can evaluate

O9A-2

## 2. Response to Comments

how these proposed changes will address needs or impact their neighborhoods in the short term and long term. The General Plan and its EIR are lengthy documents that are not easily understood by residents, particularly those that face language barriers. It is, thus, unrealistic to expect that community members and stakeholders will be able to make meaningful recommendations on the City's proposals in such a short period of time. **Extending the draft EIR public comment period to October 6th, announced by the City on September 15th, 2020, still does not give residents enough time to conduct this analysis.** By any measure, the two months proposed is too short a period, but it is even more inadequate given the fact that Santa Ana residents are currently in the grips of the COVID-19 global pandemic. Santa Ana continues to be the city with the highest number of cases in all of Orange County. To attempt to approve the General Plan as residents contend with the health issues, job-loss, and overall economic crisis is irresponsible. The City needs to postpone this process until Santa Ana gets control of and stabilizes COVID-19 impacts in the City. At a minimum the process should be postponed until the end of December 2020

O9A-2  
cont.

### II. The Update does not provide for sufficient affordable housing and would undermine the City's Housing Opportunity Ordinance.

Santa Ana faces an acute and a growing shortage of affordable housing. The need is especially dire for deeply affordable units. While the city has seen increased production of affordable housing it has not been enough to address the past deficits and growing needs for affordable housing based on the population, housing needs and incomes of residents in Santa Ana. As an example, according to the City's local data, 80 percent of Santa Ana renters are moderate, low and very low-income renters.<sup>1</sup> In addition, 84% of residents hold occupations that pay less than \$53,500 per year.<sup>2</sup> Since 2014, the City's housing construction has been heavily skewed towards above-moderate income units, which have far outnumbered production of lower income units.<sup>3</sup> With above moderate average rents of \$2000 - \$4000 in these developments, none of these above market rent units are affordable to most of Santa Ana's working families<sup>4</sup>. The City's estimated Regional Housing Needs Assessment ("RHNA") allocation for the 2021-2029 planning period is 3,086 housing units, including 360 low-income and 583 very-low-income units.<sup>5</sup>

O9A-3

The Update fails to provide for sufficient housing at the affordability levels the City needs, and it's up zonings would instead undermine the effectiveness of the city's Housing Opportunity Ordinance. The Update would increase residential density limits in many areas of Santa Ana. It would modify land use designations in five Focus Areas (South Main Street Focus Area, Grand Avenue & 17th Street, West Santa Ana Boulevard, 55 Freeway & Dyer Road, and South Bristol Street), re-designating portions of those areas for more intensive development and increasing the allowable dwellings per acre and floor-area ratio for residential construction in those areas. DPEIR at 1-6, 1-7, H-a-7. The Update would also add a "Corridor Residential" land use designation, which would allow higher density residential development in additional areas. DPEIR at 3-52.

<sup>1</sup> City of Santa Ana General Plan Housing Element 2014-2021, p. 14, January 2014.

<sup>2</sup> City of Santa Ana General Plan Housing Element 2014-2021, p.12- 14, January 2014.

<sup>3</sup> City of Santa Ana 2019 Annual Housing Element Progress Report, p. 3, March 2020

<sup>4</sup> Rent survey of recent market rate developments - The Marke, Essex Skyline and Broadstone Arden

<sup>5</sup> Southern California Association of Governments, Pre-certified Local Housing Data for the City of Santa Ana (August 2020)

## 2. Response to Comments

These upzonings will facilitate increased housing construction, but would also undermine the HOO's inclusionary housing requirements. The HOO requires developers to construct affordable units or pay a fee when the number of residential units in a new development exceeds the density permitted by applicable zoning. Santa Ana Muni. Code § 41-1902. Development projects are not subject to the HOO's inclusionary requirements if they do not exceed established density limits under the zoning for the site. Id.

Because the Update would increase density limits in many areas of the City and allow more by-right development, fewer developments will need to seek City approval for additional density. In many, if not most, cases the HOO's inclusionary requirements will be triggered less often. As a result, the HOO will apply to fewer projects. Developers will build fewer affordable units and pay less into the City's inclusionary housing fund. By reducing the effectiveness of the HOO, the Update would also undermine General Plan Housing Element Policy 2.6, which provides that "pursuant to the Housing Opportunity Ordinance," the City must "require eligible rental and ownership housing projects to include at least 15 percent of the housing units as affordable for lower and moderate-income households." DPEIR at 5.10-17.

O9A-3  
cont.

The Update will thus create an internal inconsistency within the General Plan, as the increased by-right densities will impede achievement of the Housing Element's goal. To avoid this illegal inconsistency, the City must, within or simultaneous with the Update, revise the HOO to ensure sufficient affordable housing production. Gov. Code §65300.5 (requiring "internally consistent" General Plan). Such revisions could provide that the HOO continues to apply to projects above the pre-Update density, even if that density is allowed by right under the Update. Alternatively, the City could increase the ordinance's inclusionary requirements, so that sufficient affordable housing is built even if the HOO applies to fewer projects.

The Update's upzoning and its obstruction of the HOO will combine to displace present community members. Much of the housing development in the upzoned areas is likely to consist of market-rate housing unaffordable to lower-income residents. This is likely to increase prices of existing lower-cost housing in the surrounding neighborhoods. Rising rents and costs of living will displace people, potentially necessitating housing construction elsewhere. As the DPEIR acknowledges, such construction is potentially a significant environmental impact under CEQA. DPEIR at 5.13-10.

The DPEIR, however, reasons that the proposed Update "would provide more housing opportunities than currently exist" and concludes that "implementation of the [Update] would not displace people and/or housing," leading to "no impact." DPEIR at 5.13-14 (Impact 5.13-2). This analysis fails to take any account of the mismatch between the affordability of housing under the Update and the means of the City's present residents. The DPEIR must reconsider its analysis of these impacts in light of the Update's failure to provide sufficient affordable housing.

### III. Impact on Open Space

The DPEIR fails to assess the impact the Update on open space or to consider the City's current deficiency in open space. We unequivocally believe that the vast majority of Willowick golf Course should be preserved as Open Space and that its open space zoning designation should not be changed through the adoption of the Update. This is especially necessary if the City intends to

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pursue the General Plan's Open Space Element goals and policies of preserving existing open space areas and the creation of new public parks.

Currently, the City does not have enough open space for Santa Ana residents. According to Trust for Public Land, out of the 100 most populous cities in the United States, Santa Ana ranks 85th due to its lack of open space. Only 4% of City land, or 1.5 acres for every 1,000 residents, is dedicated to open space, this is including the Willowick property. Specifically, in the Willowick area, approximately 8,500 people living within a 10-minute walk of the property do not live close to a public park.

While the City existing open space is not enough to meet resident's needs, it will be even more deficient if the proposed GP Update is adopted. The Update's proposed policy to increase the amount of open space in the City to its goal of 2 acres per 1000 residents. However, this increase in open space will not be sufficient to keep pace with the anticipated increases in residential density and population that will result from the development the Update incentivizes. The DPEIR anticipates an additional 36,261 residential units and (DPEIR at H-b-5), and a population increase of 96,855 people (DEIR at 5.15-16). However, the GP Update anticipates that the amount of Open Space will only increase to 1.84 acres per 1000 residents. Under the proposed Update, after the anticipated development and population increases are reached, the City would still have an open space need of 299.48 acres, increasing from a current need of 107.56 acres (DPEIR at 5.15-16).

Given that park deficiencies will be exacerbated by the proposed land use policies in the Update, the DPEIR's claims that the GP Update will not have a significant impact on park demand are incorrect. (DPEIR at 5.15-15 to 5.15-17) (Impact 5.15-1). Unlike what is stated in the DPEIR, park demand and population growth under GPU will *not* keep pace with each other and, thus, *will* have a negative impact on things such as air quality and greenhouse gas emissions. (DPEIR at 1-13, 1-25 (Table 1-4)).

The benefits of Open Space for Santa Ana residents are invaluable and the negative impacts of having too little of this resource are dire. The following are a few examples of the effects open space availability has on residents:

- *Physical Health:* Proximity to parks has been shown to increase physical activity of residents especially in low income areas where residents cannot afford to pay for recreational activities, such as gym memberships. Exercise, in turn, has positive effects on residents' health, including lowering rates of obesity. Community gardens increase access to affordable fresh produce for low-income residents, stress-relieving, activities, and exercise, all which also contribute to stronger health among residents.
- *Mental Health:* Parks also have a positive effect on the mental health of residents, providing them a space to distress and reducing "mental fatigue" caused by the social and economic problems frequently faced by low income communities.
- *Education:* Access to green space improves children's attention in school. The lack of this resource can lead to long-term negative impacts.

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cont'd



## 2. Response to Comments

- *Air Quality:* Lack of open space leads to poor air quality which increases the risk of health problems. For example, the CalEnviroScreen 3.0 mapping tool scores a census tract adjacent to the Willowick property (zip code 92703) as high in its pollution levels such as high concentrations of PM 2.5, a pollutant that poses the greatest health risk to residents, and high occurrences of asthma and cardiovascular diseases. This is one of multiple census tracts in Santa Ana experiencing high levels of air pollution. Increasing and preserving existing green space is one important way to help reduce PM 2.5 levels and other types of pollutants that hurt the health of residents.
- *Heat Island Effect:* Tree canopies help address the excessive heat felt in highly dense urban settings, like Santa Ana and specifically the neighborhood around Willowick, reducing “air temperature five to ten degrees.”

O9A-4  
cont'd

Given the urgent need of open space in the City, currently and in the future due to population growth projections, and the benefits it provides to residents, we urge the City to pursue policies that will better preserve and increase existing open space in the City. The City can make great strides in obtaining the necessary amount of open space needed through the Trust for Public Land et al Community Park Proposal submitted as part of the Surplus Land Act process for the Willowick Golf Course. The proposal dedicates 90 acres of land to open space, the most proposed by any project proposal and proposed affordable housing. The 12 acres set aside for affordable housing in the Willowick Community Park Proposal, a total of approximately 270 lower income units, will go a long way in helping the City meet its future RHNA goals, and it does so in a way that still prioritizes the preservation of urgently needed open space.

### **IV. SB1000 and Environmental Injustice**

The DPEIR does not sufficiently analyze the Update’s environmental justice impacts. The DPEIR also fails to adequately consider the Update’s environmental justice impacts. S.B. 1000 requires local governments to include an environmental justice element in their general and incorporate Environment Justice (“EJ”) principles into their GP Update due to the existence of disadvantaged communities (“DAC”) in Santa Ana. DACs are defined as a “low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.” The CalEnviroScreen 3.0 mapping tool indicates that nearly half of Santa Ana is classified as a DAC. The amount of DACs is not surprising given that we have already identified EJ areas that urgently need improvement, the insufficient amount of open space and lack of accessibility to low affordable and sanitary housing. Despite this new mandate and the clear need for policies that redress the disproportionate impact environmental degradation has had in Santa Ana, the DPEIR does not. The DPEIR does not sufficiently analyze the Update’s environmental justice impacts. The DPEIR also fails to adequately consider the Update’s environmental justice impacts. S.B. 1000 requires local governments to include an environmental justice element in their general plan (or integrate environmental justice goals and policies into other elements). Gov. Code § 65302(h).

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This analysis must identify “disadvantaged communities” in the jurisdiction and identify ways to reduce health risks and other impacts on those communities, as well as improvements and programs that address their needs. Id. Government Code section 65302(h)(1)(A) requires general plans to “identify objectives and policies to reduce the unique or compounded health risks in

## 2. Response to Comments

disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity.”

The Update does not include a stand-alone environmental justice element, instead asserting that environmental justice issues will be incorporated throughout the Update. DPEIR at 3-17. The Update includes several draft goals and policies which refer to equity and environmental justice (See DPEIR at B-a-2, B-a-5, B-a-19, B-a-20, B-a-25, B-a-39, B-a-41, B-a-43, B-a-44). Despite the Update’s inclusion of these policies, the DPEIR makes no attempt to analyze the Update’s environmental justice impacts on disadvantaged communities. CEQA requires an evaluation of the Update’s significant environmental effects and consistency with applicable General Plan policies.

The Update includes goals and policies that seek to promote environmental justice by addressing air pollution, hazardous waste exposure, and other impacts on disadvantaged communities. See, e.g., DPEIR at B-a-25 (Policy CN-1.5; air pollution and environmental justice), B-a-39 (Policy S-2.6; hazardous materials and environmental justice), B-a-43 (Policy LU-3.9; polluting land uses and environmental justice). The DPEIR should consider whether other aspects of the Update would have significant environmental impacts on disadvantaged communities, 2 and whether those elements would impede the Update’s environmental justice goals and policies, creating an internal inconsistency within the General Plan. See Gov. Code § 65300.5 (requiring “internally consistent” General Plan).

O9-5  
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The DPEIR should comprehensively analyze environmental justice impacts, including air quality and pollution exposure in disadvantaged communities as well as access to public facilities such as parks and access to healthy food. As part of its environmental justice analysis, the DPEIR should consider whether the Update may result in conflicts between industrial or commercial uses and proposed housing in corridors that the Update has designated for upzoning. It should particularly analyze any resulting impacts on disadvantaged communities. For example, air pollutant emissions from light industrial uses may affect air quality in the areas designated for increased residential density, potentially increasing residents’ exposure to air pollution. Notably, four of the five “focus areas” designated for residential upzoning under the Update also include land designated for industrial uses. DPEIR at 1-6. This would potentially cause a disproportionate adverse impact on disadvantaged communities. Moreover, the effect of the Update policies promoting such development would cause harms contrary to Update policies on environmental justice- an internal inconsistency.

### **Conclusion**

As currently proposed, the Update does not provide for sufficient open space or affordable housing, and would undermine the City’s Housing Opportunity Ordinance. We urge the City to (1) provide for more affordable housing in order to avoid undermining the HOO and causing an internal inconsistency within the General Plan, (2) consider the need for open space in Santa Ana continue to designate the Willowick site as open space until and unless there is a proposal for developing part of it with affordable housing, and (3) revise the DPEIR to fully analyze the Update’s impacts on displacement and environmental justice. We respectfully request that the

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City revise the Update to address these issues, revise the DPEIR, and recirculate both for public comment.

We request that the General Plan process be postponed till the end of December 2020 to allow public input and comments in light of the current outreach constraints due to the pandemic and the toll it is taking on Santa Ana residents.

O9-6  
cont'd

*Cesar Covarrubias*

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Executive Director

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## 2. Response to Comments

### O9A Responses to comments from Cesar Covarrubias, The Kennedy Commission, dated 10/6/2020

O9A-1 This comment provides a description of The Kennedy Commission and the goals of this broad-based coalition. It is an introduction to the forthcoming comments in the letter. No response needed.

O9A-2 Please refer to Responses O9-1 and O9-2 and to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.

O9A-3 This comment asserts that the GPU fails to provide for sufficient affordable housing to meet City needs and states that new up-zoning would undermine the effectiveness of the Housing Opportunity Ordinance. The comment also opines that the GPU will create an internal inconsistency within the General Plan as the increased by-right densities will impede achievement of the Housing Element's goal. Housing affordability is not an environmental issue under CEQA, and therefore, no response to this portion of the comment is required. The comment, however, will be forwarded to decision-makers for their consideration.

The commenter also disagrees with the Draft PEIR conclusion that the GPU would not displace people and/or housing. The Draft PEIR concludes that the proposed GPU would provide more housing opportunities than currently exist and that implementation of the GPU would not displace people and/or housing. The GPU would change 581 acres of existing nonresidential land use to residential uses, and furthermore, would not change any land use designations outside the five focus areas. Other commenters on the Draft PEIR contend that implementation of the proposed GPU would affect market rates and ultimately increase housing prices and displace existing residents. This is speculative. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).) When no accepted methodology exists to assess an environmental impact, the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown.

O9A-4 The commenter states that the Draft PEIR fails to assess the impact of the GPU on open space or consider the City's current open space deficiency. The City disagrees. Draft PEIR Section 5.5, *Recreation*, clearly describes existing open space and recreation facilities, and quantifies and discloses existing open space deficiencies. This section of the Draft PEIR also details the potential impacts and related park/open space needs that would be generated by GPU implementation.

The City also disagrees that implementation of the GPU will exacerbate existing deficiencies. Please refer to the General Response included in Section 2.1.3, *Parks and Open Space*. As described in this expanded response, the City has refined/supplemented park and open space GPU policies to assure that plan implementation will improve the provision of these amenities in the city.

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The City acknowledges the beneficial impacts of open space as summarized in this comment. The General Plan Update identifies the Willowick Golf Course as it is under existing conditions—a golf course owned and operated by the City of Garden Grove. With respect to greenhouse gases, there are nominally the same carbon stock and sequestration benefits associated with a golf course as a park. The invaluable benefit of open space to residents' physical and mental health is also recognized.

O9A-5      Please refer to Response O9-4 and to Section 2.1.2, *Environmental Justice*, and Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR.

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LETTER O10 – Shute, Mahaly, and Weinberger, Gabriel Ross – Rise Up Willowick, (2 page[s]).

O10

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August 27, 2020

**Via E-Mail**

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City of Santa Ana Planning and Building  
Agency  
PO Box 1988 (M-20)  
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Re: Comment Period for General Plan Update DEIR, Clearinghouse No. 2020020987

Dear Mr. Carjaval:

On behalf of Rise Up Willowick, I am writing to request that you extend the deadline for comments on the proposed General Plan Update (“the Update”) and its accompanying Draft Environmental Impact Report (“the DEIR”).

The California Environmental Quality Act requires a thorough assessment of the Update and its environmental impacts. The Update will guide the development of Santa Ana, including the Willowick Golf Course site, for many years. In light of the Update’s potentially profound impacts on people’s lives and the environment, Rise Up Willowick is reviewing it and the DEIR carefully. The complexity of the Update and its importance to Santa Ana and the region mean that additional time is required to enable adequate public comment.

Moreover, the COVID-19 pandemic has made it more difficult for Rise Up Willowick to complete its review of the Update and the DEIR within the allotted public comment period. State mandates restrict gatherings for face-to-face discussions with Santa Ana residents, and the ongoing public health emergency complicates efforts to carefully review these important documents.

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In addition, it is our understanding the City intends to begin the approval process for the Update soon after the September 16 close of the comment period. Like the short comment period, this accelerated schedule will inappropriately limit public consideration and participation of the Update and EIR.

“The EIR is . . . intended ‘to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.’” *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392. The City’s approval process should serve the same goal.

O10-1  
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Every day, the people of Santa Ana encounter more events and conditions to make them apprehensive about their leaders and decisionmakers. These concerns grow every day. The Update is a major event in the development of Santa Ana and the lives of its people, but current events, outside the city and in, are making it impossible to give key General Plan policies the attention they deserve. We urge you to do your part to counteract the difficulties of the present moment: give the public the time they need to fully evaluate the changes the Update would bring to their City.

Please do not make this essential decision under the current extraordinary tensions. January 2021 is more reasonable time for considering the Update; we urge you to extend the deadline for comments on the Update and the DEIR accordingly.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Gabriel M.B. Ross

Cc: Mayor and City Council

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## 2. Response to Comments

**O10. Response to comments from Shute, Mahali, and Weinberger, Gabriel Ross – Rise Up Willowick, 8/27/2020.**

- O10-1 This comment requests the City of Santa Ana delay the process for approval of the General Plan Update and the Draft PEIR to allow more time for community input. Subsequent to the receipt of this letter, the City extended the public review period by 20 days (extending the deadline for comments from September 16, 2020, to October 6, 2020). The City recognizes the broad scope of the General Plan Update and its accompanying Draft PEIR. Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.

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## 2. Response to Comments

LETTER O10A – Shute, Mahaly, and Weinberger, Gabriel Ross – Rise Up Willowick, (9 page[s]).

Please note, due to the large number of pages, only the pages with comments are below. The comment letter in total is provided as Appendix C of this Final Environmental Impact Report.

**O10A**



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October 6, 2020

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Re: Comments on Santa Ana General Plan Update DPEIR,  
Clearinghouse No. 2020020987

Dear Mr. Carvajal:

On behalf of Rise Up Willowick, I write to provide comments on the proposed Santa Ana General Plan Update (“the Update”) and its accompanying Draft Program Environmental Impact Report (“the DPEIR”). The Update will guide the development of Santa Ana, including the Willowick Golf Course site, for many years, and the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 et seq., requires that the DPEIR thoroughly assess the Update and its environmental impacts. As set forth in the following comments, we urge the City to (1) continue to designate the Willowick site as open space, (2) provide for more affordable housing under the Update and avoid undermining the Housing Element and the City’s Housing Opportunity Ordinance (the “HOO”), and (3) revise the DPEIR to fully analyze the Update’s environmental impacts, especially those related to displacement and environmental justice.

Intro

**I. The bulk of the Willowick site should continue to be designated as open space.**

The Willowick Golf Course site lies within the West Santa Ana Boulevard Focus Area, one of the focus areas slated for new development under the Update. DPEIR at 4-6. The Willowick site is currently designated as open space, and the Update proposes to maintain that designation. DPEIR at D-6 to D-8. Rise Up Willowick supports this designation until and unless there is a proposal for developing part of the site with affordable housing. The Trust for Public Land, the California Coastal Conservancy, and

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Clifford Beers Housing have submitted a proposal to the City of Garden Grove pursuant to the Surplus Land Act, Government Code sections 54220 et seq., to develop the majority of the site into a community park, with affordable housing on the remainder. *See* Willowick Community Park Proposal, attached as Exhibit A. This public green space will further the goals and policies of the General Plan's Open Space Element, which call for the preservation of existing open space areas and the creation of new public parks. DPEIR at 5.15-13, 5.15-14 (Open Space Element, Goals 1-3).

Designation of the majority of the Willowick site as public open space will help meet the growing demand for parks in the City. The Update's proposed increase in residential density in many areas of the City would lead to increased demand for parks and open space. DPEIR at 5.15-15, 5.15-17. The DPEIR projects that the proposed land use changes would result in construction of an estimated 36,261 dwelling units across the City (DPEIR at H-b-5), and a population increase of 96,855 people (DPEIR at 5.15-16). However, park acreage under the Update would increase by only 1.84 acres. *Id.*

Open Space Element Policy 1.3 calls for the City to achieve a minimum park standard of two acres of parkland per 1,000 residents. The City currently does not meet this per-resident standard, and under the Update the shortfall is projected to increase further: the total "parkland deficiency" would increase from 107.56 acres to 299.48 acres at build-out unless additional parks are provided. DPEIR at 5.15-16. The DPEIR calculates that the City currently has 561.94 acres of parkland, but it includes other kinds of open space in this total, such as sports facilities and school recreational facilities. DPEIR at 5.15-10. Although the DPEIR does not fully explain the basis for this parkland calculation, it appears that it may inappropriately count golf courses and cemeteries towards the parkland total. Golf courses, including the Willowick golf course, are classified as "open space." DPEIR at 5.15-10. A golf course, only usable by a small segment of the population and even then for a fee, is not the kind of public space that meets the community's needs. Cemeteries are also classified as "open space," although they are not available for recreational uses. DPEIR at 3-15. Thus, if the DPEIR counts these areas as parkland, the current park deficit is actually greater than the City claims.

Despite the admitted deficit, the DPEIR concludes that the Update will have less than significant impacts related to park demand. DPEIR at 5.15-15 to 5.15-17 (Impact 5.15-1). It reasons that "[p]rovision of parks under implementation of the GPU, which will occur over time, is expected to keep pace with the increase in population growth related to the plan and would not result in a significant impact." *Id.* at 5.15-16. The DPEIR assumes that the City will develop significantly more open space than the 1.84 acres of future parks designated in the Update, funded via in-lieu impact fees collected

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from private developers, among other sources. *Id.* However, the DPEIR fails to provide any evidence that funding will be sufficient to reduce the City's parkland deficiency such that impacts would be less than significant. The DPEIR also asserts that the City's park shortage would be reduced by "private parks and recreational facilities owned and maintained by homeowner associations." *Id.* The DPEIR fails to note that many private recreational facilities, like rooftop parks, are not open to the public and will do nothing to improve park access for most of the City, especially lower-income residents. The DPEIR's unsupported conclusions and its failure to identify mitigation measures are invalid under CEQA.

O10A-1  
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In order to achieve the City's park standard and accommodate the needs of tens of thousands of new City residents, additional park space is urgently needed, and the 102-acre Willowick site can help meet this need. The Willowick Community Park proposal calls for 90 acres to be set aside for public parkland, with the remaining 12 acres to be developed as affordable housing. *See Willowick Community Park Proposal at 17, 30.* In addition to serving growing citywide demand for parks, real recreational open space at the Willowick site will also help meet the existing needs of nearby residents who currently lack adequate access to green spaces in their neighborhoods. There are an estimated 8,500 people living within a 10-minute walk of the Willowick site who currently lack access to a nearby public park. *See Willowick Community Park Proposal at 26.*

Preserving most of the Willowick site as open space will also help to mitigate environmental impacts associated with other aspects of the Update. The DPEIR indicates that the proposed increases in intensity of development and population growth under the Update are projected to generate significant impacts on air quality and greenhouse gas emissions. DPEIR at 1-13, 1-25 (Table 1-4). Urban green spaces improve air quality and mitigate climate change, as trees remove air pollutants and greenhouse gases from the air. *See David J. Nowak and Gordon M. Heisler, National Recreation and Parks Association, Air Quality Effects of Urban Trees and Parks (2010), attached as Exhibit B; Erica Gies, The Trust for Public Land, The Health Benefits of Parks (2006), attached as Exhibit C, at 13.* Thus, maintaining Willowick as green space can mitigate air quality and climate impacts.

Willowick's role in air quality mitigation is especially important because neighborhoods adjacent to the site have high levels of certain air pollutants, including PM

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2.5.<sup>1</sup> Urban green spaces like Willowick also help mitigate the urban heat island effect, significantly reducing temperatures in surrounding neighborhoods. *See* The Trust for Public Land, *The Heat Is On* (2020), attached as Exhibit D.

O10A-1  
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Open space at the Willowick site may also help mitigate impacts on water quality and hydrology resulting from the Update, such as stormwater runoff impacts associated with new development. The DPEIR concludes that the Update's water quality and hydrology impacts would be less than significant and that no mitigation is needed. DPEIR at 5.9-29, 5.9-32. However, this conclusion improperly relies on asserted compliance with applicable state, regional, and local regulatory requirements. DPEIR at 5.9-30 to 5.9-32. Regulatory compliance does not determine the significance of impacts and cannot be used to bypass the City's obligation to analyze and mitigate those impacts. *See Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, 15-17; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1108-09.

### **II. The Update does not provide for sufficient affordable housing and would undermine the City's Housing Opportunity Ordinance.**

Santa Ana faces a growing shortage of affordable housing, especially of deeply affordable units. Since 2014, the City's below market rate housing construction has been heavily skewed towards above-moderate income units, which have far outnumbered production of low and very-low income units. City of Santa Ana, Request for Council Action: General Plan Housing Element Annual Progress Report (March 17, 2020), attached as Exhibit E, at 3. The City's estimated Regional Housing Needs Assessment allocation for the 2021-2029 planning period is 3,086 housing units, including 360 low-income and 583 very-low-income units. DPEIR at 5-13-13; Southern California Association of Governments, Precertified Local Housing Data for the City of Santa Ana (August 2020), attached as Exhibit F, at 18. The DPEIR acknowledges that the Update "would directly induce substantial unplanned population growth" as well as employment growth, a significant impact which would further increase housing demand. DPEIR at 5.13-12 to 5.13-14 (Impact 5.13-1). The Willowick Community Park Proposal would help to address the City's affordable housing shortage, as it calls for 12 acres of the

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<sup>1</sup> Several census tracts adjacent to or near the Willowick site are designated as disadvantaged communities that experience a high pollution burden, including high concentrations of PM 2.5 and high occurrences of asthma and cardiovascular diseases. *See* CalEnviroScreen 3.0, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>.

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Willowick site to be developed into approximately 270 affordable housing units. *See* Willowick Community Park Proposal at 30.

The Willowick development by itself would not be sufficient to meet the City's affordable housing needs—the Update must provide for increased affordable housing development citywide. However, the Update fails to provide for sufficient housing at the affordability levels the City needs, and its upzonings would instead undermine the effectiveness of the city's Housing Opportunity Ordinance. The Update would increase residential density limits in many areas of Santa Ana. It would modify land use designations in five Focus Areas (South Main Street Focus Area, Grand Avenue & 17th Street, West Santa Ana Boulevard, 55 Freeway & Dyer Road, and South Bristol Street), re-designating portions of those areas for more intensive development and increasing the allowable dwellings per acre and floor-area ratio for residential construction in those areas. DPEIR at 1-6, 1-7, H-a-7. The Update would also add a "Corridor Residential" land use designation, which would allow higher density residential development in additional areas. DPEIR at 3-52. These upzonings will facilitate increased housing construction, but would also undermine the HOO's inclusionary housing requirements.

The HOO requires developers to construct affordable units or pay a fee when the number of residential units in a new development exceeds the density permitted by applicable zoning. Santa Ana Muni. Code § 41-1902. Development projects are not subject to the HOO's inclusionary requirements if they do not exceed established density limits under the zoning for the site. *Id.*

Because the Update would increase density limits in many areas of the City and allow more by-right development, fewer developments will need to seek City approval for additional density. In many, if not most, cases the HOO's inclusionary requirements will be triggered less often. As a result, the HOO will apply to fewer projects. Developers will build fewer affordable units and pay less into the City's inclusionary housing fund. By reducing the effectiveness of the HOO, the Update would also undermine General Plan Housing Element Policy 2.6, which provides that "pursuant to the Housing Opportunity Ordinance," the City must "require eligible rental and ownership housing projects to include at least 15 percent of the housing units as affordable for lower and moderate-income households." DPEIR at 5.10-17.

The Update will thus create an internal inconsistency within the General Plan, as the increased by-right densities will impede achievement of the Housing Element's goal. To avoid this illegal inconsistency, the City must, within or simultaneous with the Update, revise the HOO to ensure sufficient affordable housing production. Gov. Code §

O10A-2  
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65300.5 (requiring “internally consistent” General Plan); *Sierra Club v. Kern County Board of Supervisors* (1981) 126 Cal.App.3d 698, 704. Such revisions could provide that the HOO continues to apply to projects above the pre-Update density, even if that density is allowed by right under the Update. Alternatively, the City could increase the ordinance’s inclusionary requirements, so that sufficient affordable housing is built even if the HOO applies to fewer projects.

The Update’s upzoning and its obstruction of the HOO will combine to displace present community members. Much of the housing development in the upzoned areas is likely to consist of market-rate housing unaffordable to lower-income residents. This is likely to increase prices of existing lower-cost housing in the surrounding neighborhoods. Rising rents and costs of living will displace people, potentially necessitating housing construction elsewhere. As the DPEIR acknowledges, such construction is potentially a significant environmental impact under CEQA. DPEIR at 5.13-10; 14 Cal. Code Regs. Appendix G, § XIV(b).

O10A-2  
cont’d

The DPEIR, however, reasons that the proposed Update “would provide more housing opportunities than currently exist” and concludes that “implementation of the [Update] would not displace people and/or housing,” leading to “no impact.” DPEIR at 5.13-14 (Impact 5.13-2). This analysis fails to take any account of the mismatch between the affordability of housing under the Update and the means of the City’s present residents. The DPEIR must reconsider its analysis of these impacts in light of the Update’s failure to provide sufficient affordable housing.

### **III. The DPEIR does not sufficiently analyze the Update’s environmental justice impacts.**

The DPEIR also fails to adequately consider the Update’s environmental justice impacts. S.B. 1000 requires local governments to include an environmental justice element in their general plan (or integrate environmental justice goals and policies into other elements). Gov. Code § 65302(h). This discussion must identify “disadvantaged communities” in the jurisdiction and identify ways to reduce health risks and other impacts on those communities, as well as improvements and programs that address their needs. *Id.* Government Code section 65302(h)(1)(A) requires general plans to “[i]dentify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity.” The Update does not include a stand-alone environmental justice element, instead asserting that environmental justice

O10A-3

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issues will be incorporated throughout the Update. DPEIR at 3-17. The Update includes several draft goals and policies which refer to equity and environmental justice (*See* DPEIR at B-a-2, B-a-5, B-a-19, B-a-20, B-a-25, B-a-39, B-a-41, B-a-43, B-a-44).

Despite the Update's inclusion of these policies, the DPEIR makes no attempt to analyze the Update's environmental justice impacts on disadvantaged communities. CEQA requires an evaluation of the Update's significant environmental effects and consistency with applicable General Plan policies. 14 Cal. Code Regs §§15126.2(a), 15125(d). The Update includes goals and policies that seek to promote environmental justice by addressing air pollution, hazardous waste exposure, and other impacts on disadvantaged communities. *See, e.g.*, DPEIR at B-a-25 (Policy CN-1.5; air pollution and environmental justice), B-a-39 (Policy S-2.6; hazardous materials and environmental justice), B-a-43 (Policy LU-3.9; polluting land uses and environmental justice). The DPEIR should consider whether other aspects of the Update would have significant environmental impacts on disadvantaged communities,<sup>2</sup> and whether those elements would impede the Update's environmental justice goals and policies, creating an internal inconsistency within the General Plan. *See* Gov. Code § 65300.5 (requiring "internally consistent" General Plan); *Sierra Club v. Kern County Board of Supervisors* (1981) 126 Cal.App.3d 698, 704. The DPEIR should comprehensively analyze environmental justice impacts, including air quality and pollution exposure in disadvantaged communities as well as access to public facilities such as parks and access to healthy food.

O10A-3  
cont'd

As part of its environmental justice analysis, the DPEIR should consider whether the Update may result in conflicts between industrial or commercial uses and proposed housing in corridors that the Update has designated for upzoning. It should particularly analyze any resulting impacts on disadvantaged communities. For example, air pollutant emissions from light industrial uses may affect air quality in the areas designated for increased residential density, potentially increasing residents' exposure to air pollution. Notably, four of the five "focus areas" designated for residential upzoning under the Update also include land designated for industrial uses. DPEIR at 1-6. This would potentially cause an disproportionate adverse impact on disadvantaged communities. Moreover, the effect of the Update policies promoting such development would cause harms contrary to Update policies on environmental justice- an internal inconsistency.

<sup>2</sup> The CEQA guidelines make clear that "economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment" and that "[i]f the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant." 14 Cal. Code Regs. § 15064(e); *see also id.* §15382.

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& WEINBERGER LLP

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Similarly, the Update proposes a new “Industrial/Flex” land use designation in these areas, which will promote “large-scale office industrial flex spaces, multi-level corporate offices, and research and development uses.” DPEIR at 3-18. The DPEIR must consider the potential impacts of these newly-designated industrial areas on existing residents in nearby housing.

O10A-3  
cont'd

### IV. Conclusion

As currently proposed, the Update does not provide for sufficient open space or affordable housing, and would undermine the City’s Housing Opportunity Ordinance. As set forth above, Rise Up Willowick urges the City to (1) continue to designate the Willowick site as open space until and unless there is a proposal for developing part of it with affordable housing, (2) provide for more affordable housing in order to avoid undermining the HOO and causing an internal inconsistency within the General Plan, and (3) revise the DPEIR to fully analyze the Update’s impacts on displacement and environmental justice. Rise Up Willowick respectfully requests that the City revise the Update to address these issues, revise the DPEIR, and recirculate both for public comment.

O10A-4

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Gabriel M.B. Ross

### List of Exhibits:

Exhibit A: Trust for Public Land, Coastal Conservancy, and Clifford Beers Housing, Willowick Community Park Proposal (August 2020)

Exhibit B: David J. Nowak and Gordon M. Heisler, National Recreation and Parks Association, Air Quality Effects of Urban Trees and Parks (2010)

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& WEINBERGER LLP

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Exhibit C: Erica Gies, The Trust for Public Land, The Health Benefits of Parks (2006)

Exhibit D: The Trust for Public Land, The Heat Is On (2020)

Exhibit E: City of Santa Ana, Request for Council Action: General Plan Housing Element  
Annual Progress Report (March 17, 2020)

Exhibit F: Southern California Association of Governments, Precertified Local Housing  
Data for the City of Santa Ana (August 2020)

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& WEINBERGER LLP

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## 2. Response to Comments

### O10A Response to comments from Shute, Mahali, and Weinberger, Gabriel Ross – Rise Up Willowick, dated 10/6/2020

O10A-1 As noted by the commenter, the GPU would not change the land use designation of the Willowick site and thus this open space use is included in the recreational/open space analysis in the Draft PEIR. The City acknowledges this commenter's support of the open space designation and also recognizes Rise Up Willowick's support of a joint proposal submitted to the City of Garden Grove (the property owner) to develop the majority of the site into a community park, with affordable housing on the remainder. Future use of the Willowick property is not part of the project considered for the Draft PEIR, and it would be speculative to comment on a specific proposal for the site in this FEIR. Future development would be a discretionary project for the City and subject to environmental review under CEQA.

As noted by this commenter, new development in accordance with the GPU would generate additional residents and increase the demand for park and recreational facilities; without requirements, new facilities would exacerbate an existing shortage of recreation facilities in the city. New development, however, would be required to meet the City's standard; therefore, over time the ratio of parkland per city resident would improve. Nevertheless, in response to this concern, the City has refined and supplemented GPU policies to ensure that parks/recreational facilities are not only provided, but they are provided within a reasonable time period from housing development and also provided close enough to new housing development to meet the demand generated. Please refer to general response 2.1.3, *Parks and Open Space*, for additional detail.

The City acknowledges the beneficial impacts of open space as summarized in this comment. The General Plan Update identifies the Willowick Golf Course as it is under existing conditions—a golf course owned and operated by the City of Garden Grove. With respect to greenhouse gases, there are nominally the same carbon stock and sequestration benefits associated with a golf course as a park.

The City disagrees with the assertion that the Draft PEIR conclusion regarding water quality and hydrology impacts improperly relies on regulatory requirements to mitigate impacts. The Draft PEIR is supported by a detailed technical report by Fuscoe Engineering, Appendix H-a, *Infrastructure Technical Report for Hydrology, Sewer, Water and Water Quality*. This report details existing conditions and proposed impacts of GPU implementation for hydrology and water quality. It evaluates existing storm drainage capacities, inadequacies, and improvement plans and quantifies the impact of development under the GPU. Similarly, it details water quality and outlines applicable plans and best management practices (BMPs) for water quality.

New development and redevelopment that meet certain thresholds would need to implement the requirements of the Construction General Permit and the MS4 permit as

## 2. Response to Comments

a condition of project approval. Additionally, all development and redevelopment shall comply with the requirements of the Santa Ana Municipal Code, which prohibits illicit connections to the storm drainage system and forbids prohibited discharges. All development that discharges stormwater associated with industrial activity shall also comply with the requirements of the General Industrial Permit and the installation or decommissioning of water wells shall do so in accordance with Section 13751 of the Water Code. The State Water Resource Control Board, the Santa Ana Regional Water Quality Control Board, and the City of Santa Ana mandate stormwater management practices that are deemed sufficient to protect water bodies from pollutants in stormwater and sidestep hydrology impacts from the development of new impervious areas. These State and local requirements are sufficient in managing the impacts to water quality and hydrology.

The mitigating effect of applicable regulatory requirements, therefore, has been analyzed and substantiated to support the conclusion that hydrology and water quality impacts for the proposed GPU would be less than significant.

- O10A-2 This comment focuses on the provision of affordable housing in the City of Santa Ana and asserts that the higher density allowed within focus areas and also within new land use designations could have an adverse effect on the effectiveness of the Housing Opportunity Ordinance (HOO) and its ability to facilitate affordable housing. Housing affordability is not an environmental issue under CEQA, and therefore, no response to this assertion is required. The comment, however, will be forwarded to decision-makers for their consideration.

The Draft PEIR concludes that the proposed GPU would provide more housing opportunities than currently exist and that implementation of the GPU would not displace people and/or housing. The GPU would change 581 acres of existing nonresidential land use to residential uses, and furthermore, would not change any land use designations outside the five focus areas. The commenter's contention that implementation of the proposed GPU would affect market rates and ultimately increase housing prices and displace existing residents is speculative. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).) When no accepted methodology exists to assess an environmental impact, the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown.

Furthermore, the comment is regarding the City's capability to meet housing requirements under RHNA and its relationship to the City's HOO. These topics are not CEQA issues and not within the realm of the Draft PEIR. This comment will be forwarded to decision-makers for their consideration with respect to the GPU.

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- O10A-3      Environmental justice under SB 1000 details requirements for general plans. It is not a CEQA requirement, and the Draft PEIR is not required to address specific impacts to disadvantaged communities. The Draft PEIR does address environmental justice–related impacts, including air quality/pollution, noise, water quality, and public services and utilities, but not specifically for disadvantaged communities. Pursuant to CEQA, these impacts are addressed in comparison to existing conditions and in a citywide, resource-based, or service-provider-boundary context. Please see general response 2.1.2, *Environmental Justice*, for an expanded discussion of how EJ is addressed in the GPU.
- O10A-4      Please refer to responses to O10A-1 through O10A-3.

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## 2. Response to Comments

LETTER O11 – Robin Mark, L.A. Program Director, Trust for Public Land, (5 page[s]).



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011

October 2, 2020

Verny Carvajal  
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City of Santa Ana Planning and Building Agency  
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OCT 02 2020

City of Santa Ana

RE: City of Santa Ana General Plan Update DPEIR, Clearinghouse No. 2020020987

Dear Mr. Carvajal,

On behalf of The Trust for Public Land, I respectfully submit this letter in support of the City of Santa Ana's continued designation of the Willowick Golf Course site, located at 3017 W. 5th Street, Santa Ana, CA 92703, as open space in the City's General Plan Update and provide comments on the Draft Program Environmental Impact Report for the Update.

O11-1

The Trust for Public Land was established in 1972 with a mission to create parks and protect land for people. To date, we have protected more than 3.7 million acres, created and/or transformed nearly 2,000 parks, playgrounds, and gardens, and developed more than 2,000 miles of trails across the United States, all together putting a park within a 10-minute walk of more than nine million people. The Trust for Public Land has helped states and local governments generate \$75 billion in new public funds for parks and open space. We are also adept at community-led projects that strengthen marginalized neighborhoods and communities to address the urgent need for equity, access, and resilience.

O11-2

Our proudest mission-delivery accomplishments include the largest expansion of Yosemite National Park with the addition of Ackerson Meadow, the protection of Dr. Martin Luther King's childhood home in Atlanta and the historic Stonewall Inn, and the creation of over 250 green schoolyards in New York City. Additionally, we maintain one of the largest and most comprehensive parks databases in the country that we use annually to rank public park systems in the 100 largest cities in the United States, including the City of Santa Ana.

Guided by our mission, Land for People, The Trust for Public Land views the continuation of the Willowick Golf Course site's existing Open Space designation (DPEIR at D-6 to D-8) as critical to ensure Public Health Benefits, Climate Mitigation and Adaptation potential, and Park Equity & Access for all Santa Ana residents.

**The Public Health Benefits of Parks**

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According to the Centers for Disease Control and Prevention (CDC), only 25 percent of American adults engage in recommended levels of physical activity, and 29 percent engage in no leisure-time physical activity at all. This sedentary lifestyle is contributing to an increased incidence of obesity along with obesity-related diseases, such as high blood pressure, diabetes, congestive heart failure, and stroke. As one solution to the increased incidence of obesity, the CDC has called for more parks and playgrounds. Studies have shown that when people have access to parks, they exercise more.<sup>1</sup>

Additionally, as we all have experienced in the last week, the summer of 2020 has been the hottest ever recorded. Meanwhile, as the number of COVID-19 cases continues to surge nationwide, public beaches and pools are closing and the capacity of cooling centers has been limited. This is putting even more pressure on public parks, which were already in high demand as one of the few places where Americans can exercise and escape the confines of home.

### Climate Mitigation and Adaptation of Parks and Open Space

Parks—especially those that are densely wooded and deep green—can counter urban temperatures exacerbated by heat-trapping buildings, pavement, and concrete. In August 2020, The Trust for Public Land published *The Heat is On* report, which found that communities with nearby parks can be dramatically cooler than those in so-called “park deserts.”<sup>2</sup> Our analysis of 14,000 cities and towns shows that nationwide, areas within a 10-minute walk of a park are as much as 6 degrees cooler than areas beyond that range. As temperatures in Santa Ana increase due to climate change, the need for parks and open space to mitigate against the heat islands is critical for public health.

A recent study by researchers at Portland State University and the Science Museum of Virginia found a strong correlation<sup>3</sup> between exposure to deadly heat and the historically racist housing policies known as “red-lining,” in which banks withheld home mortgages from Black families. The researchers examined 108 cities in the United States and found that red-lined communities were the hottest neighborhoods in 94 percent of the cities. The study cited a lack of greenspace and tree canopy as the chief reasons for the disproportionate heat exposure.

Over the last 30 years, extreme heat, on average, has been the deadliest form of weather—including floods, extreme cold, tornadoes, hurricanes, and other events—according to the National Weather Service. Climate change is making the problem increasingly more severe,

O11-2  
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<sup>1</sup> Erica Gies, The Trust for Public Land, *The Health Benefits of Parks* (2006),

[https://www.tpl.org/sites/default/files/cloud.tpl.org/pubs/benefits\\_HealthBenefitsReport.pdf](https://www.tpl.org/sites/default/files/cloud.tpl.org/pubs/benefits_HealthBenefitsReport.pdf)

<sup>2</sup> The Trust for Public Land, *The Heat is On* (2020), <https://www.tpl.org/sites/default/files/The-Heat-is-on-A-Trust-for-Public-Land-special-report.pdf>

<sup>3</sup> Jeremy S. Hoffman et al., “The Effects of Historical Housing Policies on Resident Exposures to Intra-Urban Heat: A Study of 108 U.S. Urban Areas,” *Climate* 8, no. 1 (January 2020), <https://www.mdpi.com/2225-1154/8/1/12>

## 2. Response to Comments

with 19 of the hottest 20 years on record<sup>4</sup> occurring in the past two decades. The Union of Concerned Scientists predicts that, absent efforts to cut the greenhouse gas emissions responsible for climate change, the number of Americans<sup>5</sup> experiencing 30 or more days with a heat index above 105 degrees in an average year will balloon from 900,000 people today to more than 90 million by mid-century.

Parks and Open Space also serve as important green infrastructure to manage stormwater. To comply with the federal Clean Water Act and reduce urban flooding, America's cities, including Santa Ana, are poised to spend billions of dollars to build green infrastructure projects to manage stormwater and comply with the MS4 Permit. With planning, forethought, and neighborhood engagement, these investments can be leveraged to maximize community benefits by creating and revitalizing existing designated open spaces. While the primary purpose of green infrastructure is to manage stormwater naturally, its strategic deployment can create significant economic, environmental, and social benefits beyond stormwater management making neighborhoods more livable, beautiful, and climate-resilient.

O11-2  
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### Park Equity and Access

And yet, not everyone has equal access to the kinds of parks that lower temperatures and allow for safe social distancing. Our data reveals that across the United States, parks serving primarily nonwhite populations are half the size of parks that serve majority white populations and nearly five times more crowded. In addition parks serving majority low-income households are, on average, four times smaller and nearly four times more crowded than parks that serve majority high-income households. In Santa Ana, we see this reality play out as only 4 percent of city land is dedicated to parks and recreation while the national average is 15%.<sup>6</sup>

Additionally, per The Trust for Public Land's [Park Score](#), the City of Santa Ana ranks 85<sup>th</sup> out of the 100 largest cities in the United States and last among the ranked cities in Southern California in providing accessible open space for its residents. The City's ranking on investment, or park spending per resident, is only 24 out of 100. While this analysis clearly demonstrates a lack of open space within the City, it already includes the Willowick site. Therefore, rezoning of the site as anything other than open space will increase the disparities we already know exist in the Santa Anita neighborhood of Santa Ana.

<sup>4</sup> Brady Dennis, Andrew Freedman, and John Muyskens, "2019 Capped World's Hottest Decade in Recorded History," Washington Post (January 15, 2020), <https://www.washingtonpost.com/climate-environment/2020/01/15/2010s-hottest-decade-world/?arc404=true>

<sup>5</sup> Kristina Dahl et al., "Killer Heat in the United States: Climate Choices and the Future of Dangerously Hot Days," Union of Concerned Scientists report (July 2, 2019), <https://www.ucsusa.org/resources/killer-heat-united-states-0>

<sup>6</sup> <https://www.tpl.org/city/santa-ana-california>

## 2. Response to Comments

In addition, the DPEIR projects that the Update's proposed land use changes would result in a population increase of 96,855 people at full build-out. DPEIR at 5.15-16. However, park acreage under the Update would increase by only 1.84 acres. *Id.* Open Space Element Policy 1.3 calls for the City to achieve a minimum park standard of two acres of parkland per 1,000 residents. The City currently does not meet this per-resident standard, and under the Update the shortfall is projected to increase further: the total "parkland deficiency" would increase from 107.56 acres to 299.48 acres at build-out unless additional parks are provided. DPEIR at 5.15-16. The City of Santa Ana will fall further behind in comparison to other major cities in park access and equity. The City of Santa Ana should include significant park expansion in its General Plan review for public health, economic development, climate adaptation and mitigation while advancing park equity in the City.

### LA ROSAH

The Trust for Public Land is a founding member of LA ROSAH (Los Angeles Regional Open Space and Affordable Housing) Collaborative. We helped form this coalition based on the important intersection and need for both green space and low-income affordable housing. We recommend the City of Santa Ana adopt and enact the two primary principals of the Collaborative:

**Equitable investment without displacement.** We believe that low-income communities of color deserve access to parks, open space, and affordable housing in economically thriving, safe, and healthy neighborhoods. Such investments should meaningfully involve communities of color from design to stewardship/ownership; and improve the well-being of communities and should not displace existing community members.

**Social justice and racial equity.** We recognize that low-income communities, communities of color, and other marginalized communities disproportionately experienced negative impacts from a history of public disinvestment, lack of private development, and racist/classist land use decisions and policies that have resulted in underserved, economically-depressed neighborhoods. We believe that advancing equitable investment without displacement must include reallocating and prioritizing new resources for these communities and ensuring investments support the needs of our marginalized communities.

At 102 acres, a property the size of the Willowick Golf Course, that sits in the middle of a diverse community, is adjacent to the Santa Ana River, and is located in an area that can greatly benefit from the public health and economic benefits that a restored, and enhanced natural recreational area provides, is an opportunity that defines a region and destination. Preserving the designation of this site as open space will allow for a community-led vision for a multi-benefit park that will have a lasting legacy in Santa Ana for generations to come.

The Trust for Public Land is committed to ensuring accessible access to open space for all people. The health and overall wellness of our communities requires that we invest in and prioritize parks and recreational opportunities. With the General Plan Update, the City of Santa Ana is in the position to preserve a unique and invaluable open space resource. If you

O11-2  
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## 2. Response to Comments

have any questions or would like to speak further about this letter, please contact me at,  
[robin.mark@tpl.org](mailto:robin.mark@tpl.org) or 323.333.6310.

O11-2  
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Respectfully,



Robin Mark  
Los Angeles Program Director  
The Trust for Public Land

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## 2. Response to Comments

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## 2. Response to Comments

**O11. Response to comments from Robin Mark, L.A. Program Director, Trust for Public Land, dated 10/2/2020.**

- O11-1 The City appreciates the Trust for Public Land's support for the continued designation of the Willowick Golf Course site as open space in the City's General Plan Update.
- O11-2 This comment includes the Trust of Public Land's achievements, benefits of parks and open space areas, and a description of park equity issues in the city. Please refer to Section 2.1.3, *Parks and Open Space*, for the General Response regarding the provision of recreational facilities.

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## 2. Response to Comments

LETTER O12 – Cynthia Guerra, Rise Up Willowick, (6 page[s]).

012



October 5, 2020

Verny Carvajal and City Planning Department  
City of Santa Ana, Planning Division City  
20 Civic Center Plaza, M-20  
Santa Ana, CA 92701

### RE: Comment on draft Environmental Impact Report for Santa Ana General Plan Update

Dear Verny Carvajal and City Planning Staff,

The Rise Up Willowick Coalition (“the Coalition”) is comprised of residents from the City of Santa Ana (“the City”), the City of Garden Grove, and neighboring Orange County cities as well as local organizations whose goal is to ensure that the Willowick Golf Course site (“Willowick”) is developed to meet the needs of current local residents and their vision-- especially the most vulnerable such as, but not limited to, low income individuals, youth, and immigrant residents -- which includes deep affordable housing, parkland for active recreational use, and open green space.

Intro

We have reviewed the Draft Program Environmental Impact Report (“DPEIR”) for the Santa Ana General Plan Update (“GP Update”) and are presenting you the concerns we have over its content. We would also like to state our explicit support for the project that the Trust for Public Land, Clifford Beer Housing, and the California State Coastal Conservancy have proposed to the City of Garden Grove for Willowick (“Willowick Community Park Proposal”). As we will highlight in the rest of this letter, we believe the City is in dire need of open space and deeply affordable housing, not market-rate and retail development. The Trust for Public Land, CA State Coastal Conservancy and Clifford Beers Housing is the only project proposal that would best help meet those needs and comply with the CA Surplus Land Act.

### Impact on Open Space

Our first concern over the DPEIR is the inaccurate assessment of the impact the GP Update will have on the amount of open space in the City which is already deficient. The Coalition unequivocally believes that the vast majority of Willowick should be preserved as Open Space and that its open space zoning designation should not be changed through the adoption of the GP Update. This is especially necessary if the City intends to pursue the General Plan’s Open Space Element goals and policies of preserving existing open space areas and the creation of new public parks.<sup>1</sup>

O12-1

Currently, the City does not have enough open space for Santa Ana residents. According to

O12-2

<sup>1</sup> Santa Ana Open Space Element, Goals 1-3, p. 5-17, August 2020.

## 2. Response to Comments



Trust for Public Land, out of the 100 most populous cities in the United States, Santa Ana ranks 85th due to its lack of open space. Only 4% of City land, or 1.5 acres for every 1,000 residents, is dedicated to open space, this is including the Willowick property.<sup>2</sup> Specifically in the Willowick area, approximately 8,500 people living within a 10-minute walk of the property do not live close to a public park.<sup>3</sup>

While the City existing open space is not enough to meet residents needs, it will be even more insufficient if the proposed GP Update is adopted. The GP Update's proposed policy to increase the amount of open space in the City to its goal of 2 acres per 1000 residents.<sup>4</sup> However, this increase in open space will not be sufficient to keep pace with the anticipated increases in residential density and population that will result from the development the GP Update incentivizes. The DPEIR anticipates an additional 36,261 residential units and (DPEIR at H-b-5), and a population increase of 96,855 people (DEIR at 5.15-16). However, the GP Update anticipates that the amount of Open Space will only increase to 1.84 acres per 1000 residents. Under the proposed GP Update, after the anticipated development and population increases are reached, the City would still have an open space need of 299.48 acres, increasing from a current need of 107.56 acres (DPEIR at 5.15-16).

O12-2  
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Given that park deficiencies will be exacerbated by the proposed land use policies in the GP Update, the DPEIR's claims that the GP Update will not have a significant impact on park demand are incorrect. (DPEIR at 5.15-15 to 5.15-17) (Impact 5.15-1). Unlike what is stated in the DPEIR, park demand and population growth under GPU will *not* keep pace with each other and, thus, *will* have a negative impact on things such as air quality and greenhouse gas emissions. (DPEIR at 1-13, 1-25 (Table 1-4)).

The benefits of Open Space for Santa Ana residents are invaluable and the negative impacts of having too little of this resource are dire. The following are a few examples of the effects open space availability has on residents:

- **Physical Health:** Proximity to parks has been shown to increase physical activity of residents especially in low income areas where residents cannot afford to pay for recreational activities, such as gym memberships.<sup>5</sup> Exercise, in turn, has positive effects on residents' health, including lowering rates of obesity.<sup>6</sup> Community gardens increase access to affordable fresh produce for low-income residents, stress-relieving, activities, and exercise, all which also contribute to stronger health among residents.<sup>7</sup>
- **Mental Health:** Parks also have a positive effect on the mental health of residents, providing them a space to destress and reducing "mental fatigue" caused by the social and economic problems frequently faced by low income communities.<sup>8</sup>

O12-3

<sup>2</sup> Trust for Public Land Park Score. 2020. <https://www.tpl.org/city/santa-ana-california>

<sup>3</sup> Willowick Community Park Proposal, Trust For Public Land, p. 26.

<sup>4</sup> Santa Ana Open Space Element, Policy 1.3, p. 5, August, 2020.

<sup>5</sup> "The Health Benefits of Parks," Trust for Public Land, p. 8. 2006.

<sup>6</sup> "The Health Benefits of Parks," Trust for Public Land, p. 9. 2006.

<sup>7</sup> "The Health Benefits of Parks," Trust for Public Land, p. 10. 2006.

<sup>8</sup> "The Health Benefits of Parks," Trust for Public Land, p. 15-16. 2006.

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- *Education:* Access to green space improves children's attention in school.<sup>9</sup> The lack of this resource can lead to long-term negative impacts.
- *Air Quality:* Lack of open space leads to poor air quality which increases the risk of health problems. For example, the CalEnviroScreen 3.0 mapping tool scores a census tract adjacent to the Willowick property (zip code 92703) as high in its pollution levels such as high concentrations of PM 2.5, a pollutant that poses the greatest health risk to residents, and high occurrences of asthma and cardiovascular diseases.<sup>10</sup> This is one of multiple census tracts in Santa Ana experiencing high levels of air pollution. Increasing and preserving existing green space is one important way to help reduce PM 2.5 levels and other types of pollutants<sup>11</sup> that hurt the health of residents.
- *Heat Island Effect:* Tree canopies help address the excessive heat felt in highly dense urban settings, like Santa Ana and specifically the neighborhood around Willowick, reducing "air temperature five to ten degrees."<sup>12</sup>

Given the urgent need of open space in the City, currently and in the future due to population growth projections, and the benefits it provides to residents, we urge the City to pursue policies that will better preserve and increase existing open space in the City. The City can make great strides in obtaining the necessary amount of open space needed through the Trust for Public Land et al Community Park Proposal which dedicates 90 acres of land to open space, the most proposed by any project proposal.<sup>13</sup> Willowick is the last remaining large-scale piece of public land in the City and should be prioritized for open space.

O12-3  
cont'd

### **Impact on Affordability of Proposed Development**

In addition to concerns over the insufficient amount of open space proposed in the GP Update, we also have concerns that the type of development being facilitated by the GP Update land use policies will not be affordable to existing residents and, instead, increase housing costs. The City's GP Update must prioritize that current residents have access to affordable housing before it facilitates development that will result in population growth that will displace current residents. This is especially true given that the City Council recently approved amendments to the Housing Opportunity Ordinance ("HOO") that weaken its ability to produce affordable housing.

O12-4

The GP Update would increase the allowable density of residential development in the five identified *focus areas* in the GP Update (DPEIR at 1-6, 1-7, H-a-7.). This will lead to increased development by allowing projects to increase their density automatically without needing to request approval from the City. The Update would also add a "Corridor Residential" land use

<sup>9</sup> Ibid.

<sup>10</sup> CalEnviroScreen 3.0. California Office of Environmental Health and Hazard Assessment. June 2018. <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

<sup>11</sup> "The Health Benefits of Parks," Trust for Public Land, p. 13. 2006.

<sup>12</sup> Ibid.

<sup>13</sup> Willowick Community Park Proposal, Trust For Public Land, p. 17.



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designation, which would allow higher density residential development in additional areas, not just the focus areas (DPEIR at 3-52).

The changes in the density requirements and land use designations mentioned above facilitate development by eliminating approvals developers had to request in the past. For example, development projects no longer have to request density allowances since they will be allowed those densities by-right through the proposed GP Update land use policies. This has an adverse effect on the Housing Opportunity Ordinance's (HOO) ability to require developers to either include affordable units or pay an in-lieu fee when requesting a density allowance. If higher densities are allowed, developers will not request higher density permits, and thus, not trigger the HOO's requirements resulting in more market-rate development and less affordable housing.

O12-4  
cont'd

While the GP Update would increase housing production, as the DPEIR states, it *will* have the effect of displacing current residents, which the DPEIR states it will not. DPEIR at 5.13-14 (Impact 5.13-2). As stated, if there is no explicit requirement of affordability accompanying the land use policies proposed in the GP Update, and the HOO has been amended in a way that reduces its effectiveness to produce affordable housing, then there is a high probability that residential unit increases the DPEIR anticipates, will be at the market-rate level and not affordable. Given that 84% of residents are in occupations that pay less than \$53,500 per year, and the annual median income in Orange County starts at \$103,000,<sup>14</sup> it is safe to say the majority of the new market-rate housing units will not be accessible to the majority of residents in Santa Ana. Not only will these units be unavailable to residents, the increase of market-rate housing in the area will probably increase current rent prices in the neighborhoods where these developments are constructed. The lack of affordable housing coupled with increase in rents will lead to the displacement of current residents.

O12-5

Based on the City's Regional Housing Needs Assessment ("RHNA") allocation for the 5th cycle (2014-2021), it would seem that the City has produced a sufficient amount of affordable housing since they have met and exceeded their RHNA allocation for very low (393 of 156 units) and low (564 of 122 units) income levels,<sup>15</sup> including the RHNA carryover at the very low and low income level from the previous cycle (2006-2014).<sup>16</sup> However,

O12-6

- The RHNA allocation should be taken as the minimum requirement the City should be meeting for affordable housing, not the maximum.
- With 80% of Santa Ana renters at the moderate, low and very low-income levels,<sup>17</sup> the priority should be housing at the lower income levels. However, the majority of housing

<sup>14</sup>CA HCD State Income Limits for 2020, April, 2020.

<https://hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income-limits-2020.pdf>

<sup>15</sup> City of Santa Ana's 2019 Annual Housing Element Progress Report, Table B, March, 2020.

<sup>16</sup> City of Santa Ana General Plan Housing Element 2014-2021, p. 25, February 2014.

<sup>17</sup> City of Santa Ana General Plan Housing Element 2014-2021, p. 12 -14, January, 2014

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was produced at the above moderate income level. Where the City only had a 90 units RHNA allocation at the above moderate income level, it produced 2,409 units at this level or 2,677% of its requirement.<sup>18</sup> Despite having higher RHNA allocations for low and very low, the City only produced 252% and 462%,<sup>19</sup> respectively, of the allocations at these income levels.

- If the City claims that no more housing is needed at the very low and low income level because they have met their RHNA allocation, then that is also true for above moderate housing since the City also met their RHNA allocation at this income level. Yet, the City continues to prioritize market-rate housing in its GP Update.
- The fact the City met and exceeded its RHNA allocations at the very low and low income level for the current planning period is due in large part to the strength of the previous HOO. With the recent HOO amendments and proposed land use policies in the GP Update that favor market-rate development, the City will have a much harder time meeting its RHNA allocation at the very low and low income level for the next planning cycle (2021-2029). SCAG has estimated this will be a total of 3,087 housing units, including 361 low-income and 584 very-low-income units.<sup>20</sup> The City does not propose policies in the GP Update that will help achieve those numbers.

O12-6  
cont'd

The 12 acres set aside for affordable housing in the Willowick Community Park Proposal, a total of approximately 270 lower income units, will go a long way in helping the City meet its future RHNA goals, and it does so in a way that still prioritizes the preservation of urgently needed open space. In addition to this project, the GP Update should include policies that give first priority to new developments to existing residents, increasing the affordability through policies such as inclusionary zoning, but most importantly engage in meaningful dialogue with residents to develop strategies that prevent displacement.

O12-7

### **SB1000 and Environmental Injustice**

As we talk about the environmental impact the GP Update will produce, presented in the DPEIR, it is important to highlight that the City is mandated by SB1000 to incorporate Environment Justice ("EJ") principles into their GP Update due to the existence of of disadvantaged communities ("DAC") in Santa Ana. DACs are defined as a "low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation."<sup>21</sup> The CalEnviroScreen 3.0 mapping tool indicates that nearly half of Santa Ana is classified as a DAC.<sup>22</sup> The amount of DACs is not surprising given that we have already identified EJ areas that urgently need

O12-8

<sup>18</sup> City of Santa Ana's 2019 Annual Housing Element Progress Report, Table B, March, 2020.

<sup>19</sup> Ibid.

<sup>20</sup> "SCAG 6<sup>th</sup> Cycle Draft RHNA Allocation Based on Final RHNA Methodology & Final Connect SOCAL," September 3, 2020. <http://www.scag.ca.gov/programs/Documents/RHNA/RHNA-Draft-Allocations-090320-Updated.pdf>

<sup>21</sup> Government Code Section 65302. [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB1000](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1000)

<sup>22</sup> CalEnviroScreen 3.0. California Office of Environmental Health and Hazard Assessment. June 2018.

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

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improvement, the insufficient amount of open space and lack of accessibility to low affordable and sanitary housing. Despite this new mandate and the clear need for policies that redress the disproportionate impact environmental degradation has had in Santa Ana, the DPEIR does not analyze the GP Update's impacts on disadvantaged communities.

O12-8  
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### Conclusion

The DPEIR does not accurately assess the impact increased development will have on open space, it does not take into account affordability of the development incentivized by the GP Update, and does not accurately assess any impact on environmental injustice in the City's DACs. The City should revise its draft GP Update to ensure these concerns are properly addressed and accurately assessed in the DPEIR. Furthermore, in light of the highlighted inconsistencies in the DPEIR, the City should postpone the GP Update adoption process until these issues can be resolved. The revisions necessary and the community outreach that should accompany the revision of the GP Update cannot be conducted before the end of this year. The community was only given two months to review the DPEIR, a highly technical document that is a couple hundred pages long, and is only in English. This would not be enough time on any regular day, but it is especially so as residents are besieged by the Covid-19 global pandemic, particularly residents in DACs whose vulnerability makes the impacts of Covid that much harsher and harder to overcome.

O12-9

**We ask the City to address the concerns we have raised regarding the DPEIR, revise the GP Update to incorporate policies that truly meet residents' needs, and prioritize projects like the TPL et al. Willowick Community Park Proposal that will actually meet residents needs. We also ask the City to postpone the GP Update adoption process until true community outreach and revisions of the GP Update can be conducted. That is not possible before the end of this year.**

The Coalition looks forward to seeing how the City implements these community-informed recommendations and improves its community to engagement efforts. For any questions please contact Cynthia Guerra at [cguerra@riseupwillowick.org](mailto:cguerra@riseupwillowick.org).

Thank you,

The Rise Up Willowick Coalition

## 2. Response to Comments

### O12. Response to comments from Cynthia Guerra, Rise Up Willowick, dated 10/5/2020.

Intro The commenter describes the members of the Rise Up Willowick Coalition (“the Coalition”) and the organization’s goal regarding development of the Willowick Golf Course site. As a group, the letter states their support for the project proposed by the Trust for Public Land, Clifford Beer Housing, and the California State Coastal Conservancy as proposed to the City of Garden Grove.

O12-1 The commenter expresses a concern that the Draft PEIR inaccurately assesses the impact of the GPU on the amount of open space. The comment, however, does not provide any specific information to support that the Draft PEIR assessment is inaccurate. It is, therefore, not possible to respond to this assertion.

This comment also recommends that the vast majority of Willowick should be preserved as Open Space and that the open space zoning designation should not be changed through the adoption of the GPU. The GPU does not propose any change to the current Open Space designation for the Willowick property (please refer to Draft PEIR Figure 3-6, *Current General Plan Land Use Plan*, and Figure 3-7, *Proposed General Plan Land Use Plan*). This site is located within the West Santa Ana Boulevard Focus Area. Also refer to Draft PEIR Figure 3-14, *West Santa Ana Boulevard Focus Area Existing v. Proposed Land Use*.

O12-2 As noted in Response O12-1, the GPU would not change the land use designation of Willowick, and thus this open space use is included in the recreational/open space analysis in the Draft PEIR. As noted by this commenter, new development in accordance with the GPU would generate additional residents and increase the demand for park and recreational facilities. Without requirements to provide new facilities, this would exacerbate an existing shortage of recreation facilities in the city. New development, however, would be required to meet the City’s standard, and therefore, over time the ratio of parkland per City resident would improve. Nevertheless, in response to this concern, the City has refined and supplemented GPU policies to ensure that parks/recreational facilities are not only provided, but they are provided within a reasonable time period from housing development and also provided close enough to new housing development to meet the demand generated. Please refer to general response 2.1.3, *Parks and Open Space*, for additional detail.

O12-3 The City acknowledges the beneficial impacts of open space as summarized in this comment. In response to this comment and similar Draft PEIR comments, the City has refined and supplemented the GPU policies related to park/open space (please refer to general response 2.13, *Parks and Open Space*). Future use of the Willowick property is not part of the project considered for the Draft PEIR, and it would be speculative to comment on a specific proposal for the site in this FEIR. Future development would be a discretionary project for the City and subject to environmental review under CEQA.

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- O12-4      This comment focuses on the provision of affordable housing in the City of Santa Ana and asserts that the higher density allowed within focus areas and also within new land use designations could have an adverse effect on the effectiveness of the Housing Opportunity Ordinance (HOO) and its ability to facilitate affordable housing. Housing affordability is not an environmental issue under CEQA, and therefore no response to this assertion is required. The comment, however, will be forwarded to decision-makers for their consideration.
- O12-5      The Draft PEIR concludes that the proposed GPU would provide more housing opportunities than currently exist and that implementation of the GPU would not displace people and/or housing. The GPU would change 581 acres of existing nonresidential land use to residential uses, and furthermore, would not change any land use designations outside the five focus areas. The commenter's contention that implementation of the proposed GPU would affect market rates and ultimately increase housing prices and displace existing residents is speculative. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).) When no accepted methodology exists to assess an environmental impact, the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown.
- O12-6      This comment is regarding the City's capability to meet housing requirements under RHNA and its relationship to the City's HOO. These topics are not CEQA issues and not within the realm of the Draft PEIR. This comment will be forwarded to decision-makers for their consideration with respect to the GPU.
- O12-7      Please see Response O12-6.
- O12-8      Environmental justice under SB 1000 details requirements for general plans. It is not a CEQA requirement, and the Draft PEIR is not required to address specific impacts to disadvantaged communities. The Draft PEIR does address environmental justice–related impacts, including air quality/pollution, noise, water quality, and public services and utilities, but not specifically for disadvantaged communities. Pursuant to CEQA, these impacts are addressed in comparison to existing conditions and in a citywide, resource-based, or service-provider-boundary context. Please see general response 2.1.2, *Environmental Justice*, for an expanded discussion of how EJ is addressed in the GPU.
- O12-9      Please see previous responses to this letter and the general responses as referenced in Section 2.1. The commenter has not substantiated any inconsistencies in the Draft PEIR or provided any requirement to postpone the GPU adoption process. Please also refer to general response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.



## 2. Response to Comments

LETTER O13 – Adolfo Sierra, Interim President, Madison Park Neighborhood Association (16 page[s]).

013



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October 6, 2020

**Sent Via Electronic Mail:** [newgeneralplan@santa-ana.org](mailto:newgeneralplan@santa-ana.org)

City of Santa Ana Planning and Building Agency  
20 Civic Center Plaza,  
Santa Ana, CA 92701

**Re: Comments on the Draft Program Environmental Impact Report for the City of Santa Ana's General Plan Update**

To Whom It May Concern:

Thank you for the opportunity to comment on the City of Santa Ana's ("the City's") Draft Program Environmental Impact Report ("DPEIR") for the proposed General Plan Update ("GPU") on behalf of the Madison Park Neighborhood Association ("MPNA"). MPNA is a grassroots, resident-driven, non-profit organization that works to promote health, education, and quality of life among the approximately 10,000 residents of the Madison Park neighborhood in southeast Santa Ana, and in Santa Ana at large.<sup>1</sup>

Intro

The residents that MPNA represents bear a disproportionate share of environmental burdens, including pollution from hazardous wastes, air emissions, and other contaminant sources.<sup>2</sup> As such, Madison Park is defined as a "disadvantaged community" under California environmental justice ("EJ") law.<sup>3</sup> MPNA welcomes the City's GPU as an opportunity for the City to address EJ concerns of its residents, and to reduce the impact of health risks caused by environmental pollution in Santa Ana's EJ communities.<sup>4</sup> The General Plan ("GP") is like a

<sup>1</sup> MADISON PARK NEIGHBORHOOD ASS'N, *Our Mission*, <https://madisonparkna.webs.com/mission> (last visited Oct. 3, 2020).

<sup>2</sup> *Environmental Justice*, CITY OF SANTA ANA, <https://www.santa-ana.org/general-plan/environmental-justice> (last visited Oct. 3, 2020); see *Environmental Justice Communities in Santa Ana*, CITY OF SANTA ANA, [https://www.santa-ana.org/sites/default/files/pb/general-plan/documents/EJ%20Communities%20Map\\_20200519\\_pubdist.pdf](https://www.santa-ana.org/sites/default/files/pb/general-plan/documents/EJ%20Communities%20Map_20200519_pubdist.pdf) (last visited on Oct. 3, 2020).

<sup>3</sup> See Cal. Health & Safety Code § 39711; Cal. Gov't Code § 65040.12(e). The term "EJ community" is used interchangeably with "disadvantaged communities" for purposes of this letter.

<sup>4</sup> See Cal. GOV'T CODE § 65302(h).

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Constitution for the City.<sup>5</sup> It influences, among other things, the City's physical development,<sup>6</sup> and serves as an opportunity for the City to engage with the public to guide that development over the long-term.<sup>7</sup> MPNA offers the following comments, and urges the City to revise the PEIR accordingly to incorporate EJ more robustly into the GPU.

Intro  
cont'd

### I. SB 1000 REQUIRES THE CITY TO INCORPORATE ENVIRONMENTAL JUSTICE IN THE GENERAL PLAN UPDATE

California law defines "environmental justice" as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies," including the "meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions."<sup>8</sup> According to the California Environmental Protection Agency ("CalEPA"), "the aim [of environmental justice] is to lift the unfair burden of pollution from those most vulnerable to its effects."<sup>9</sup>

O13-1

In 2016 California enacted SB 1000, which requires local governments to incorporate EJ considerations into GPs updated after the beginning of 2018.<sup>10</sup> To satisfy this requirement, a GP must "identify objectives and policies," such as reducing pollution exposure, improving air quality, and promoting physical activity, "to reduce the unique or compounded health risks in disadvantaged communities," and to adopt, or at least review, these objectives and policies.<sup>11</sup> SB 1000 also requires the identification of policies that "promote civil engagement in the public decision-making process."<sup>12</sup> Recently, the statutory definition of EJ was expanded to include "meaningful participation" of the communities most impacted by pollution in government decision-making.<sup>13</sup>

<sup>5</sup> For a discussion by City Planning Manager, Vince Fregoso, on how the GP is the City's constitution and is critical to the development of the City, see City of Santa Ana, *City of Santa Ana Council Meeting Aug 18, 2020*, YouTube (Aug. 19, 2020), [43:50 – 44:30], [https://www.youtube.com/watch?v=F7TLqfeWnws&ab\\_channel=CityofSantaAna](https://www.youtube.com/watch?v=F7TLqfeWnws&ab_channel=CityofSantaAna).

<sup>6</sup> *Current Santa Ana General Plan*, CITY OF SANTA ANA, <https://www.santa-ana.org/general-plan/current-general-plan> (last visited Oct. 3, 2020).

<sup>7</sup> CAL. GOV'T CODE § 65351 (2020); *Current Santa Ana General Plan*, *supra* note 6.

<sup>8</sup> CAL. GOV. CODE, § 65040.12(c) (2020).

<sup>9</sup> *Environmental Justice Program*, CALEPA, <https://calepa.ca.gov/cmwjustice/> (last visited Oct. 3, 2020).

<sup>10</sup> GOV'T § 65302(h).

<sup>11</sup> GOV'T § 65302(h)(1)(A).

<sup>12</sup> GOV'T § 65302(h)(1)(B)-(C).

<sup>13</sup> In 2019, the California legislature passed AB 1628 which modified the state's definition of "environmental justice." CAL. GOV'T CODE § 65040.12(e) (2019) (modifying the definition to include: (1) the availability of a healthy environment for all people; (2) the deterrence, reduction, and elimination of pollution burdens for communities disproportionately experiencing the adverse effects of that pollution; (3) governmental entities engaging and providing technical assistance to communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision-making process; and (4) at a minimum, the meaningful consideration of recommendations from communities most impacted by pollution into environmental and land use decisions).

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### II. THE CITY HAS NOT MEANINGFULLY ENGAGED WITH EJ COMMUNITIES

Despite efforts by MPNA and other advocates to raise concerns about inadequate engagement throughout the GPU process, the City continues to proceed with the GPU without meaningfully engaging EJ communities. California law requires that local governments promote engagement with EJ communities during a GPU process.<sup>14</sup> Over the last seven months, MPNA has repeatedly raised concerns with the City about the length of the public comment period, and has asked the City to increase outreach efforts to include more EJ community members, and improve accessibility, particularly regarding language barriers, at community meetings. MPNA communicated its concerns to the City on multiple occasions, and offered suggestions to resolve these issues to improve outreach efforts.<sup>15</sup> While the City has acknowledged these concerns, it has not implemented most of the recommendations offered by MPNA to address them.

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While the City granted a 20-day extension for comment on the DPEIR, that alone falls far short of addressing all of MPNA's concerns regarding community engagement. During the City Council meeting on August 18, 2020, Councilmembers and members of the public raised a number of concerns about the timeline of adoption for the GPU.<sup>16</sup> For example, officials and residents noted that only about 70 people participated in the Virtual Community Workshops on July 31, 2020 and August 1, 2020, the only EJ focused community meetings where all members of the community were invited to participate,<sup>17</sup> and the City had only received six comments on its Facebook post about the GPU, despite the City's profile reaching over 16,000 people.<sup>18</sup> At that same City Council meeting, speakers also noted that a lack of organization and clarity on the City's GP webpages obstructed public involvement.<sup>19</sup> Multiple members of the public did not know whom to contact with concerns regarding the GPU.<sup>20</sup> City Councilmembers recommended that, to produce a GPU that is "lasting and valuable," the City should slow down and reconsider its existing approach.<sup>21</sup>

While meaningful engagement with EJ communities is always critical, the ongoing SARS-CoV-2 ("COVID-19") pandemic compounds its importance. The pandemic is hitting low-income communities and communities of color (i.e. EJ communities) the hardest, both medically

<sup>14</sup> Gov't § 65302(h).

<sup>15</sup> Kathryn Cox, Language and Technology Access Problems in Community Meetings on General Plan (Aug. 1, 2020) (listing multiple issues and solutions related to public interaction performed by the City).

<sup>16</sup> City of Santa Ana, *supra* note 5.

<sup>17</sup> Councilmember Penaloza criticized the City's approach in the existing situation and how it was difficult for people to effectively engage. *Id.*

<sup>18</sup> *Id.* (Technological barriers include difficulties in using Zoom over the telephone, installing unnecessary drivers for software, and complicated registration process. Multilingual options are hard to access, affecting remote meetings and resources available on the City website.).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.* (Councilmember Sarmiento noted the following after councilmember Penaloza expressed similar concerns, "I think this is going way, way too fast under conditions that are just extremely challenging for us to have our public comment. And for us to produce a document that's going to be long lasting and valuable, and going to be able to guide us into the next 2030 years. So look, I would just say let's consider taking a step back. Let's consider slowing this down. We're going to be we're going to be under these conditions for a while. Let's rethink some of these really challenging questions and see what we can do to make the to allow for better engagement.").

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and economically, and the City has the highest rate of infection in Orange County.<sup>22</sup> Members of EJ communities are most likely to be essential workers and have increased demands on their time due to child care and familial responsibilities, limiting their ability to participate in the GPU process.<sup>23</sup> Additionally, members of EJ communities are less likely to have access to high-speed internet, computers, and the software necessary to participate in remote public meetings.<sup>24</sup> If the City wishes to pursue its GPU during this crisis, it should ensure that members of EJ communities, who are most impacted, have the time and resources they need to meaningfully participate in the process.

The City's efforts in recent months to meet with EJ communities, while encouraging, are not sufficient.<sup>25</sup> PlaceWorks, the City's environmental consultant that drafted the DPEIR,<sup>26</sup> developed a toolkit ("the Toolkit") with the California Environmental Justice Alliance to help local governments implement SB 1000 in GPUs.<sup>27</sup> The Toolkit contains recommendations on outreach, ranging from broad planning sessions to smaller focus groups.<sup>28</sup> PlaceWorks suggests that outreach meetings should have minimal barriers to participation, including taking place at convenient times and locations, and account for resources available to communities, language barriers, historic exclusion in decision-making processes, and local politics.<sup>29</sup> The City's public outreach efforts to date have not adequately incorporated methods recommended in the Toolkit.<sup>30</sup> The City undertook some efforts, such as the workshops on July 31, 2020 and August 1, 2020, without sufficient notice, while language barriers continue to hinder the ability of many residents to participate.

The City's outreach efforts to date have been inadequate, lacked sufficient notice, failed to implement suggestions from MPNA and others to increase accessibility, and failed to heed the recommendations in PlaceWorks' own Toolkit. In light of these shortcomings, the City should reconsider its adoption timeline for the PEIR and GPU, and expand the process to accommodate robust community engagement.

013-2  
cont'd

<sup>22</sup> As of October 1, 2020 Santa Ana has the highest number of COVID-19 cases in Orange County totaling at 10,392 and is followed by Anaheim which has 9228 cases. *COVID-19 Case Count*, ORANGE COUNTY HEALTH CARE AGENCY, <https://occcovid19.ocalthinfo.com/coronavirus-in-oc> (last visited Oct. 1, 2020).

<sup>23</sup> See Health Equity Considerations and Racial and Ethnic Minority Groups, CTR. FOR DISEASE CONTROL, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/racial-ethnic-minorities.html> (last visited Oct. 6, 2020); FRANCINE D. BLAU, ET AL., *Essential and Frontline Workers in the COVID-19 Crisis*, ECONOFACT (Oct. 6, 2020), <https://econofact.org/essential-and-frontline-workers-in-the-covid-19-crisis>.

<sup>24</sup> See *QuickFacts: Orange County, California*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/orangecountycalifornia> (last visited Oct. 6, 2020);

<sup>25</sup> See Email from Brett Korte, Esq., Fellow, Univ. Cal. Irvine, Envtl. Law Clinic, to Minh Thai, Executive Director, Planning and Bldg. Agency, Cal. (Aug. 24, 2020).

<sup>26</sup> *SB 1000 Toolkit: Planning for Healthy Communities*, CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE & PLACEWORKS, <https://caleja.org/2017/09/sb-1000-toolkit-release/>.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.* at 36–48.

<sup>29</sup> *Id.* at 36–48.

<sup>30</sup> CITY OF SANTA ANA, *Santa Ana General Plan Community Outreach Roundtable*, <https://www.santa-ana.org/sites/default/files/pb/general-plan/powerpoints/8.31.20%20Final%20PPT.pdf> (last seen Oct. 3, 2020)



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### III. THE CITY HAS NOT ADEQUATELY INCORPORATED ENVIRONMENTAL JUSTICE INTO THE DPEIR

#### a. The DPEIR Fails to Consider Impacts on All Affected Environmental Justice Communities

The City has confined the geographic areas of analysis in the DPEIR too narrowly, failing to analyze impacts on all affected EJ communities. In particular, MPNA is concerned that the DPEIR insufficiently analyzes impacts on EJ communities located near, but not within, the five “Focus Areas” of the plan.<sup>31</sup> Because the GPU “addresses the entire territory within the [City’s limits] and the full spectrum of issues associated with management of the [City],”<sup>32</sup> and not just the Focus Areas, the City should not limit its impact analyses to those Focus Areas, but should also analyze impacts to the adjacent areas. For example, the DPEIR considers environmental impacts to the air quality from a local and regional context and describes the health-related issues linked to poor air quality, however, it does not consider what impacts nearby EJ communities can expect from the development and growth in the Focus Areas.<sup>33</sup> The burdens of pollution do not stop where industrial development ends, and neither should the City’s impacts analysis.

O13-3

#### b. The City Should Include its Draft Environmental Justice Policy Framework in the PEIR

The City should incorporate its Draft Environmental Justice Policy Framework (“Draft EJ Framework”) into the PEIR because it includes mitigation measures not included in the DPEIR.<sup>34</sup> The City drafted its own environmental justice principles with the goal of “improve[ing] existing and future conditions for all of Santa Ana, with a focus on those in greatest need of help and protection.”<sup>35</sup> However, these principles have not been integrated into the DPEIR. For example, in addressing mitigation for air quality impacts of the proposed GPU, the City does not include “Policy LU-3.11 Air Pollution Buffers” and “Policy LU-3.12 Indoor Air Quality” from the Draft EJ Framework as methods to reduce exposure to pollution.<sup>36</sup> The City should update the PEIR to include these and other policies from the Draft EJ Framework in the corresponding sections of the PEIR. For instance, “Policy LU-3.11 Air Pollution Buffers” and “Policy LU-3.12 Indoor Air Quality” should be included in section 5.2.3.2, General Plan Update Policies, in the “Land Use Element” to help reduce air quality impacts of the GPU.<sup>37</sup> Alternatively, the City can simply incorporate the Draft EJ Framework by reference, making it part of the PEIR without needing to include it explicitly.<sup>38</sup> Incorporating these EJ principles in

O13-4

<sup>31</sup> The DPEIR analyzes impacts to five “Focus Areas” targeted for new growth and development. See Figure 3-11 of the DPEIR for a map depicting the Focus Areas. PLACEWORKS PREPARED FOR CITY OF SANTA ANA, SANTA ANA GENERAL PLAN UPDATE: DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT, 3-39 (2020), <https://www.santa-ana.org/sites/default/files/pb/general-plan/documents/Draft%20EIR/Complete%20Draft%20PEIR.pdf>.

<sup>32</sup> *Id.* at 3-27, 3-18.

<sup>33</sup> *Id.* at 5.2-28–38.

<sup>34</sup> *Environmental Justice*, *supra* note 2.

<sup>35</sup> *Id.*

<sup>36</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.2-24–25.

<sup>37</sup> *Id.*

<sup>38</sup> CAL. CODE REGS. tit. 14, § 15150 (2020).

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the PEIR would align with the City's adoption of EJ principles among its "Core Values,"<sup>39</sup> and provide actionable guidance for future decision-making by the City.

O13-4  
cont'd

c. The DPEIR's Hazards and Hazardous Materials Analysis Does Not Adequately Account for Impacts on EJ Communities

The DPEIR insufficiently analyzes the expected rise in number of hazardous waste generators due to the increase of acreage for industrial purposes in the GPU. Pursuant to the California Environmental Quality Act Guidelines ("CEQA Guidelines"),<sup>40</sup> a discussion of cumulative impacts must occur when "the project has possible environmental effects that are individually limited but cumulatively considerable."<sup>41</sup> A discussion of cumulative impacts must include either: (1) "[a] list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency;" or (2) "a summary of projections contained in an adopted local . . . plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect."<sup>42</sup> However, the DPEIR is silent on the cumulative impacts that EJ communities will face from the potential increase in hazards and hazardous materials exposure related to the GPU.

The expansion of industrial land use necessitates a discussion of the cumulative impacts of that expansion. The DPEIR states that there are currently 73 open leaking underground storage tanks or cleanup sites, 110 small quantity hazardous waste generators, and 18 large quantity hazardous waste generators in Santa Ana or its sphere of influence.<sup>43</sup> In addition, the City determined that the GPU will lead to a net increase of 683.1 acres for industrial purposes which would "result in some increase in the number of hazardous waste generators."<sup>44</sup> Moreover, the construction and operation of industrial facilities is expected to "involve some risk of accidental release of hazardous materials used by the projects, as well as accidental disturbance of existing hazardous materials in the environment."<sup>45</sup> The risk of releasing or disturbing hazardous materials may be relatively small for new projects involving hazardous waste considered in isolation, but each new project will create more sources of potential release and disturbance. However, the City fails to consider this cumulative risk. Accordingly, the PEIR must include a discussion of the cumulative impacts of developing 683.1 additional acres for industrial purposes in compliance with CEQA Guidelines.<sup>46</sup>

O13-5

While the DPEIR asserts that the risk of accidental release for each individual project may be mitigated by following the regulatory framework on a case-by-case basis,<sup>47</sup> neither the City nor EJ communities can assess how the risks of hazards and hazardous materials exposure will increase as a whole. Over the next 25 years, individual project EIRs will almost certainly underestimate the cumulative risk to EJ communities who are "disproportionately affected by . . .

<sup>39</sup> *Environmental Justice*, *supra* note 2.

<sup>40</sup> CAL. CODE REGS. tit. 14, §§ 15000–15387.

<sup>41</sup> CAL. CODE REGS. tit. 14, § 15065(a)(3); "Cumulatively considerable" means "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." CAL. CODE REGS. tit. 14, § 15065(a)(3) (2020).

<sup>42</sup> CAL. CODE REGS. tit. 14, § 15130(b) (2020).

<sup>43</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.8-26–27.

<sup>44</sup> *Id.* at 5.8-27.

<sup>45</sup> *Id.*

<sup>46</sup> See CAL. CODE REGS. tit. 14, § 15130(b) (2020).

<sup>47</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.8-27.

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hazards that can lead to negative health effects, exposure, or environmental degradation.”<sup>48</sup> Therefore, MPNA urges the City to analyze how cumulative risks from hazardous materials exposure will change due to the GPU’s addition of 683.1 acres dedicated to industrial purposes, in a city that is already home to a large number of hazardous sites and waste generators located near EJ communities.

O13-5  
cont’d

d. The DPEIR Does Not Consider a Meaningful Range of Alternatives to the GPU

The incomplete alternatives analysis in the DPEIR does not allow the City, or its residents to meaningfully weigh alternatives to the GPU. According to the CEQA Guidelines, the alternatives analysis is required to “evaluate the comparative merits of the alternatives” and “include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.”<sup>49</sup> Because “the core of an EIR is the mitigation and alternatives sections,” incorporating EJ goals, policies, and objectives is crucial.<sup>50</sup>

O13-6

In its evaluation of possible alternatives in Chapter 7, the DPEIR compares the proposed GPU to alternative plans including: (1) No Project/Current General Plan, (2) Reduced Intensity Alternative, and (3) 2020 RTP Consistency Alternative. The DPEIR then identifies the RTP/SCS Consistency Alternative as the “environmentally superior alternative” compared to the GPU.<sup>51</sup> Section 7.1 of the DPEIR cites CEQA Guidelines § 15126.6(a) which requires an EIR to “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.’”<sup>52</sup> Although an alternative is not required to meet all of the project objectives, it must still meet the majority of them because the basic premise of discussing project alternatives is to identify ways the project objectives could be achieved at a lower environmental cost.<sup>53</sup> Where the environmentally superior alternative is the no-project alternative, an EIR is required to identify the environmentally superior alternative from among the others.<sup>54</sup>

While adopting the 2020 RTP/SCS Consistency Alternative would lessen significant effects of the project, Table 7-9 of the DPEIR explicitly states that this alternative cannot meet five of the seven project objectives and could only “maybe” meet the other two.<sup>55</sup> Therefore, the 2020 RTP/SCS Consistency Alternative plan should not be considered as a valid alternative to the GPU. As a result, the “environmentally superior alternative” was identified and rejected prematurely.<sup>56</sup> Because the 2020 RTP/SCS Consistency Alternative was the least environmentally harmful plan, MPNA urges the City to discuss other environmentally superior plans into the GPU that meet most of the project objectives and will allow the City to make a

<sup>48</sup> CAL. GOV’T. CODE § 65302(h)(4) (2020).

<sup>49</sup> CAL. GOV’T. CODE §§ 15126.6(a), (d) (2020).

<sup>50</sup> *Cleveland Nat’l Forest Found.*, 17 Cal. App. 5th at 432 (quoting *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal. 3d 553, 564).

<sup>51</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 7-10.

<sup>52</sup> CAL. CODE REGS. tit. 14, § 15126.6 (2020); PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 7-1.

<sup>53</sup> *Mira Mar Mobile Cmty. v. City of Occanside*, 119 Cal. App. 4th 477, 489 (2004); *see also* STEPHEN L. KOSTKA ET. AL., PRACTICE UNDER THE ENVIRONMENTAL QUALITY ACT § 15.8.2 (Ann H. Davis, 2d ed. 2008).

<sup>54</sup> CAL. CODE REGS. tit. 14, § 15126.6(e)(2) (2020).

<sup>55</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 7-27.

<sup>56</sup> *Id.* at 7-28.

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reasoned choice on a plan that will affect its residents, and EJ communities in particular, until 2045.

O13-6  
Cont.

e. The DPEIR fails to accord appropriate weight to categories which leads to wrongly determining the GPU's superiority over other alternatives

While the City assessed the alternatives selected for further analysis in a manner that satisfies CEQA Guidelines,<sup>58</sup> the result of this assessment may not accurately indicate which alternative is most beneficial to the city. Table 7-8 of the DPEIR ranks alternatives by how many categories each possible plan outperforms the current GP.<sup>59</sup> While the City should seek to choose the plan which will provide the most net benefit to the City, the alternatives should be evaluated by a method that is more detailed than simply analyzing whether it succeeds in the most categories, without considering whether meeting one category is more important than meeting another. Furthermore, the current analysis method does not take into consideration *how much* the alternative achieves the goal better than the proposed GPU. For example, if Alternative A were to entirely solve issues present in only nine of the categories chosen for analysis, but perform slightly worse than the alternative chosen for the GPU in the other 11 categories, Alternative A would be deemed inferior to the GPU. Assigning a weighting system to the categories in the alternatives analysis would help remediate this problem. To source data for this weighting system, the City could solicit a input via a questionnaire sent to Santa Ana residents, which would aid in contributing to meaningful public engagement with EJ communities, and the end result of the alternatives analysis would more accurately reflect which alternative meets the needs of the community most successfully.<sup>60</sup>

O13-7

f. The City Fails to Include EJ Policies in the analysis of Air Quality within the DPEIR

The City failed to incorporate EJ within its impacts analysis for air quality in Chapter 5.2 of the DPEIR.<sup>61</sup> A discussion of air quality impacts is adequate when it includes sufficient detail to enable those who did not participate in its preparation to understand and consider meaningfully the issues the proposed project raises.<sup>62</sup> The City lists sensitive receptors including population groups such as children, the elderly, and the acutely ill, but fails to mention EJ communities at all in its discussion of sensitive receptors to emissions.<sup>63</sup>

O13-8

**IV. THE DPEIR FAILS TO ADEQUATELY CONSIDER MITIGATION MEASURES FOR THE ENVIRONMENTAL IMPACTS ON AIR QUALITY AND GREENHOUSE GASES IN THE GPU**

CEQA places an expansive obligation on the City to evaluate the environmental impact of the GPU, and when determining appropriate mitigation measures, the DPEIR must specify in detail how the mitigation measures would lead to a reduction of the impacts on the

O13-9

<sup>58</sup> CAL. CODE REGS. tit. 14, § 15126.6(f) (2020).

<sup>59</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 7-25

<sup>60</sup> GOV'T § 65302(h); GOV'T § 65040.12(e).

<sup>61</sup> GOV'T § 65302(h)(1).

<sup>62</sup> Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal., 47 Cal. 3d 289, 291 (1988).

<sup>63</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.2-16.



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environment.<sup>64</sup> Additionally, the City must analyze all proposed suggestions for mitigating significant environmental impacts identified in the PEIR unless they are facially infeasible.<sup>65</sup>

O13-9  
Cont'd

a. The DPEIR Fails to Adequately Analyze and Provide Mitigation Strategies for the Adverse Effects of the GPU on Air Quality in the South Coast Air Basin ("SoCAB")

The City acknowledges that air quality impacts of the GPU will be potentially significant.<sup>66</sup> However, the City does not meaningfully assess the health effects of these emissions, and fails to acknowledge the unique and compounded health risks that EJ communities face.<sup>67</sup> Without proper analysis of the adverse health effects that could result from the GPU, the City cannot create sufficient mitigation measures, nor can it decide whether the mitigation measures included are adequate to minimize the GPU's negative health impacts on EJ communities.<sup>68</sup>

O13-10

EIRs must not only identify the impacts to human health, but also must 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 cannot conduct such an analysis.<sup>69</sup> Accordingly, the PEIR must link the actual projected emissions from the City's GPU with actual projected health effects from those levels of predicted emissions.<sup>70</sup> The City's DPEIR provides a general description of health conditions that can occur from exposure to criteria air pollutants, but does not adequately analyze potential adverse health effects<sup>71</sup> from the potential air quality impacts of the proposed GPU.<sup>72</sup> For example, Table 5.2-1 lists 11 criteria air pollutants and the federal and state thresholds below which negative health impacts are minimal, and common sources of those pollutants.<sup>73</sup> Although the City concedes that the GPU will likely lead to exceedance of those thresholds, thereby causing negative health

<sup>64</sup> 14 CAL. CODE REGS. § 15064(b)(1); *No Oil, Inc. v. City of L.A.*, 13 Cal. 3d 68, 83–84 (1974) ("[A]n agency should prepare an EIR whenever it perceives 'some substantial evidence that a project 'may have a significant effect environmentally.'"); *see* *Cty. of Inyo v. Yorty, Supt.*, 32 Cal. App. 3d 795, 814 (1973); *Cal. Bldg. Indus. Assn. v. Bay Area Air Quality Mgmt. Dist.*, 62 Cal. 4th 369, 377 (2015) ("[W]hen a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users."); *Cleveland Nat'l Forest Found. v. San Diego Ass'n. of Gov'ts*, 3 Cal. 5th 497, 517–18, 63 L.A. Unified Sch. Dist. v. City of L.A., 58 Cal. App. 4th 1019, 1028–1031 (1997) ("An adequate EIR must respond to specific suggestions for mitigating a significant environmental impact unless the suggested mitigation is facially infeasible.").

<sup>65</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.2-43.

<sup>66</sup> Gov't § 65302(h) (requiring that an environmental justice element in a general plan identifies objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity.).

<sup>67</sup> *Sierra Club v. Cty. of Fresno*, 6 Cal. 5th 502, 507.

<sup>68</sup> *Sierra Club*, 6 Cal. 5th at 507; *see generally* *Cleveland Nat'l Forest Found.*, 3 Cal. 5th at 514 (stating an EIR must analyze the nature and magnitude of possible negative health impacts on the local community).

<sup>69</sup> *Sierra Club*, 6 Cal. 5th at 508 (holding that Fresno County violated CEQA due to its lack of analysis on air quality and human health impacts and concluding that "although [Fresno County's] DPEIR generally outlines some of the unhealthy symptoms associated with exposure to various pollutants, it does not give any sense of the nature and magnitude of the 'health and safety problems caused by the physical changes' resulting from the Project as required by CEQA guidelines.").

<sup>70</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.2-18.

<sup>71</sup> *Id.* at 5.2-28.

<sup>72</sup> *Id.* at 5.2-5.

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impacts, the DPEIR does not attempt to analyze or quantify the specific health effects that could occur from potential emissions.<sup>74</sup>

The City attempts to excuse this shortcoming by noting that South Coast Air Quality Management District (“SCAQMD”) has not provided methodology to assess the specific correlation between emissions generated and the effect on health. However, the City makes no mention of the current publicly available assessment models that link emissions with health outcomes,<sup>75</sup> such as methods provided by the federal Environmental Protection Agency (“EPA”).<sup>76</sup> The Community Multiscale Air Quality (“CMAQ”) model is the EPA’s forecasting tool for assisting public policy development regarding air quality.<sup>77</sup> The EPA uses a computer program<sup>78</sup> based on this model to estimate health and economic impacts of different emission control strategies in the SoCAB.<sup>80</sup> The City’s failure to examine possible links between increased emissions and health impacts, despite readily available methodology, shows that it has not made the “reasonable effort to discuss relevant specifics regarding the connection between the estimated amount of a given pollutant the project will produce and the health impacts of that pollutant” required by California law.<sup>81</sup>

O13-10  
cont’d

Similarly to its analysis of criteria pollutants, the DPEIR’s ozone analysis fails to sufficiently consider the link between projected emissions and health impacts.<sup>82</sup> An EIR’s discussion of air quality impacts is required to provide analysis for the potential health effects from a GPU’s projected ozone emissions.<sup>83</sup> California courts have found that an EIR’s discussion of air quality impacts is insufficient if it fails to adequately quantify projected ozone levels and their specific health impacts.<sup>84</sup> The DPEIR disregards CEQA’s mandate that specific projections of health and safety problems caused by physical changes to the environment be analyzed.<sup>85</sup> The DPEIR states that ozone concentrations are “dependent upon a variety of complex factors” and that “[b]ecause of the complexities of predicting ground-level ozone concentrations in relation to the National [Ambient Air Quality Standards (“AAQS”)] and California AAQS, it is not possible to link health risks to the magnitude of emissions exceeding the significance thresholds.”<sup>86</sup> The DPEIR does not provide further analysis or attempt to quantify projected ozone levels, but rather wholly disregards the ability to quantify the significant health impacts that may occur up until

<sup>74</sup> Sierra Club, 6 Cal. 5th at 507 (requiring that an EIR 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.).

<sup>75</sup> Stewart et. al., 11 ENVIRONMENTAL HEALTH INSIGHTS, *Linking Air Quality and Human Health Effects Models: An Application to the Los Angeles Air Basin*, (Nov. 13, 2017), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5692127/>.

<sup>76</sup> *Id.*

<sup>77</sup> *Id.*

<sup>78</sup> The program is named the Environmental Benefits Mapping and Analysis Program—Community Edition (“BenMAP-CE”).

<sup>80</sup> Stewart et. al., *supra* note 74.

<sup>81</sup> Sierra Club, 6 Cal. 5th at 519.

<sup>82</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-19.

<sup>83</sup> Sierra Club, 6 Cal. 5th at 507.

<sup>84</sup> Sierra Club, 6 Cal. 5th at 520 (holding that Fresno County’s EIR did not include sufficient analysis of health risks from ground level ozone because it claimed that “it is impossible to conduct a human health risk assessment based on specific proposed uses at specific locations within the boundaries of the Project Area because such specific information has not been determined.”).

<sup>85</sup> See CAL. CODE REGS. tit. 14, § 15126.2(a) (2020).

<sup>86</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.2-19.

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2045 from ozone emissions.<sup>87</sup> The DPEIR's failure to address health outcomes caused by projected emissions of ozone deprives the public from adequately understanding the potential adverse health effects from the increase in emissions due to the GPU.<sup>88</sup> Without knowing the effects of the GPU on ozone emissions, the City cannot devise adequate strategies to mitigate their negative effects.<sup>89</sup> The DPEIR fails to provide decision-makers or the public with transparent projections of the effects of ozone emissions,<sup>90</sup> and should be revised to include a thorough analysis of potential ozone impacts to the health of Santa Ana communities.

O13-10  
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b. Mitigation Measures AQ-2 and AQ-3 are not Based on SCAQMD's Methodology of Air Quality Impacts

The City's suggested mitigation measures to reduce air emissions in Mitigation Measure AQ-2 and AQ-3 primarily address mobile sources of air emissions, mostly ignoring stationary sources.<sup>91</sup> SCAQMD released a report discussing various sources of greenhouse gas ("GHG") emitters in the greater Southern California region, as well as a five-tier approach to evaluate GHG impacts of proposed projects.<sup>92</sup> Because most GHG emissions from industrial facilities are from stationary sources, with a smaller percentage coming from mobile sources,<sup>93</sup> it is important to address those stationary sources specifically when considering mitigation measures. Within the DPEIR's Mitigation Measure AQ-2, the only suggested mitigation measure regarding stationary sources is that renewable energy generation systems should be used to avoid peak energy use loads.<sup>94</sup> Similarly, Mitigation Measure AQ-3 only address industrial sources that would generate 100 or more truck trips a day, again ignoring emissions from stationary sources related to industrial facilities.<sup>95</sup> Applying Mitigation Measure AQ-2 to Impact 5.2-3 or Mitigation Measure AQ-3 to Impact 5.2-4 doesn't accurately represent how SCAQMD recommends approaching these issues, as the largest source of GHGs from industrial facilities

O13-11

<sup>87</sup> *Id.*

<sup>88</sup> Sierra Club, 6 Cal. 5th at 507.

<sup>89</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-20.

<sup>90</sup> CAL. CODE REGS. tit. 14, § 15126.2(a) (2020).

<sup>91</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 1-14-17.

<sup>92</sup> SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, *Interim CEQA Significance Threshold for Stationary Sources, Rules and Plans*, (Dec. 5, 2008), [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2).

<sup>93</sup> SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, *Interim CEQA Significance Threshold for Stationary Sources, Rules and Plans, Attachment D*, 3, (Dec. 5, 2008), [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmentsa\\_d.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmentsa_d.pdf?sfvrsn=2).

<sup>94</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 1-14-16 (stating that prior to approval for development projects, projects should be evaluated using South Coast Air Quality Management District methodology regarding their thresholds of significance, and projects which require them shall incorporate mitigation measures such as providing changing/shower locations, providing bicycle parking facilities near residential areas, and provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles).

<sup>95</sup> *Id.* at 1-16-17 (requiring that prior to approval by the City, project applicants for new industrial development projects which can generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and are within 1,000 feet of a sensitive land use must seek approval under South Coast Air Quality Management District, and as needed project applicant will be required to identify and demonstrate that best available control technologies regulating emissions).



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are generated from stationary sources, something neither Mitigation Measure prioritizes.<sup>96</sup> The Mitigation Measures should be redrafted to address stationary industrial sources of GHGs, in line with the recommendations from SCAQMD.

O13-11  
cont'd

c. The City of Santa Ana Should Conduct a More Thorough Analysis of Mitigation Measures for Greenhouse Gas Impacts

Analyzing GHG emissions is a statutory requirement when drafting an EIR.<sup>97</sup> This analysis is especially important to EJ communities because GHG production contributes to irregular climate patterns, warming temperatures, and associated adverse health impacts that disproportionately affect disadvantaged communities.<sup>98</sup> Because the City wants to “consider[] changes to its goals, policies, and actions that will improve existing and future conditions for all of Santa Ana, with a focus on those in greatest need of help and protection,”<sup>99</sup> the City should pursue aggressive mitigation measures for GHG emissions resulting from the GPU.

O13-12

i. The City should offer more concrete mechanisms for monitoring and mitigating GHG emissions

The DPEIR only provides a nebulous analysis of the mitigation measures available for GHGs.<sup>100</sup> In contrast, the Governor’s Office of Planning and Research recommends creating a programmatic GHG emissions reduction plan to set a long-term goal for GHG mitigation consistent with CEQA Guidelines section 15183.5.<sup>101</sup> Subsequent projects can then build upon this goal rather than independently developing mitigation measures.<sup>102</sup> The City would realize three main benefits by utilizing a programmatic GHG emissions reduction plan. First, implementing a programmatic GHG emissions reduction plan would set establish GHG mitigation as a priority for the City in future decision-making. Second, it would streamline subsequent EIR analyses by allowing those EIR’s to rely on existing mechanisms already identified in the PEIR.<sup>103</sup> In accordance with the state’s goal of streamlining regulatory for the construction of much needed housing and other development projects by avoiding repetitive

O13-13

<sup>96</sup> SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, *supra* note 91 (stating that Impact 5.2-3 is Implementation of the General Plan update would generate long-term emissions in exceedance of SCAQMD’s threshold criteria, and Impact 5.2-4 is Operation of industrial and warehousing land uses accommodated under the General Plan Update could expose sensitive receptors to substantial toxic air contaminant concentrations).

<sup>97</sup> CAL. CODE REGS. tit. 14, § 15064.4.

<sup>98</sup> LINDA MAZUR ET. AL., INDICATORS OF CLIMATE CHANGE IN CALIFORNIA: ENVIRONMENTAL JUSTICE IMPACTS 1–4, (Dec. 1, 2010), <https://oehha.ca.gov/media/downloads/climate-change/document/climatechangeej123110.pdf>.

<sup>99</sup> CITY OF SANTA ANA, ENVIRONMENTAL JUSTICE POLICY FRAMEWORK (DRAFT) FOR THE GENERAL PLAN UPDATE, (Jun. 2020), [https://www.santa-ana.org/sites/default/files/pb/general-plan/documents/Draft%20EJ%20Policy%20Framework\\_20200831.pdf](https://www.santa-ana.org/sites/default/files/pb/general-plan/documents/Draft%20EJ%20Policy%20Framework_20200831.pdf).

<sup>100</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-22–29 (providing a list of general policies that may reduce potential GHG impacts).

<sup>101</sup> GOVERNOR’S OFFICE OF PLANNING AND RESEARCH, DISCUSSION DRAFT: CEQA AND CLIMATE CHANGE ADVISORY, 15–17 (Dec. 2018), [https://opr.ca.gov/docs/20181228-Discussion\\_Draft\\_Climate\\_Change\\_Advisory.pdf](https://opr.ca.gov/docs/20181228-Discussion_Draft_Climate_Change_Advisory.pdf); see also *Ctr. for Biological Diversity v. Dep’t. of Fish & Wildlife*, 62 Cal. 4<sup>th</sup> 204, 230 (“Local governments thus bear the primary burden of evaluating a land use project’s impact on greenhouse gas emissions. Some of this burden can be relieved by using geographically specific greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis.”); CAL. DEP’T OF JUSTICE, Comment on *Tulare County General Plan and Recirculated Draft Environmental Impact Review*, 7 (May 27, 2010).

<sup>102</sup> CAL. CODE REGS. tit. 14, § 15183.5 (2020).

<sup>103</sup> CAL. CODE REGS. tit. 14, §§ 15183.5, 15168 (2020).

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analyses.<sup>104</sup> Finally, the City could utilize this opportunity to integrate EJ goals, policies, and objectives into the GPU to help protect Santa Ana's EJ communities from disproportionate impacts of GHG emissions.

Stating broad goals for different mitigation measures proposed for GHG emissions is only part of the analysis.<sup>105</sup> Mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development."<sup>106</sup> The California Department of Justice ("DOJ") has critiqued draft EIRs for failing to meet this requirement. For instance, in 2009, the DOJ criticized a County of San Diego EIR for using qualifying terms in its mitigation measures and GPU policies such as "encourage," "when appropriate," and "facilitate," instead of enforceable or mandatory language.<sup>107</sup> The DOJ specifically cited vague policies such as "promot[ing] and as appropriate, develop[ing] standard[s] for retrofit[ing] existing buildings to incorporate design elements that improve environmental sustainability and reduce GHG" emissions as inadequate.<sup>108</sup> Nearly every policy listed in Santa Ana's DPEIR that may reduce GHG emissions uses similarly vague language.<sup>109</sup> For instance, Conservation Element Policy 3.9 says the City will "[e]ncourage and support the generation, transmission, use, and storage of locally-distributed renewable energy in order to promote energy independence, efficiency, and sustainability."<sup>110</sup> To comply with CEQA Guidelines section 21081.6(b), and avoid problematic language identified by DOJ in other instances, the City should revise the PEIR to incorporate specific, enforceable GHG mitigation measures.

Incorporating specific, enforceable mitigation measures for GHG impacts is now common among California localities. For example, the City of Lake Forest included specific policies to mitigate the impacts of GHGs in its EIR for a climate action plan.<sup>111</sup> Among its measures, Lake Forest included setting specific local reduction targets, providing more carbon sinks, reviewing industrial plans to ensure compliance with local requirements, continuously monitoring GHG emissions with plans for revision if targets are not met, and establishing standards for electric vehicle parking.<sup>112</sup> Similarly, the County of San Diego, in the EIR for its GPU, included ways to improve vehicle efficiency, set standards for construction projects, and

O13-13  
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<sup>104</sup> CAL. PUB. RES. CODE § 21093 (2020); GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, DISCUSSION DRAFT: CEQA AND CLIMATE CHANGE ADVISORY, *supra* note 99, at 17.

<sup>105</sup> The City includes a list of broad general plan policies that may reduce potential GHG emissions impacts. PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-22-29.

<sup>106</sup> CAL. PUB. RES. CODE § 21081.6(b) (2002); Fed'n of Hillside & Canyon Ass'ns v. City of L.A., 83 Cal. App. 4th 1252, 1261 (2000).

<sup>107</sup> Letter from Office of the Attorney General to Devon Muto, Chief County Planner (Aug. 21, 2009), COMMENTS ON THE DRAFT ENVIRONMENTAL FOR THE SAN DIEGO GENERAL PLAN UPDATE, 6-8, [https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/comments\\_SD\\_County\\_GP\\_DEIR.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/comments_SD_County_GP_DEIR.pdf).

<sup>108</sup> *Id.* at 6.

<sup>109</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-22-29.

<sup>110</sup> *Id.* at 5.7-25.

<sup>111</sup> CITY OF LAKE FOREST, ENVIRONMENTAL IMPACT REPORT FOR THE 2040 LAKE FOREST GENERAL PLAN, 3.7-45-48 (Feb. 2020), <https://files.ceqanet.opr.ca.gov/255200-4/attachment/p1JpqcG18ieuJHVSEFme63aIxnOAY4ijGrUgwJICOC3VgWC7U5Ws19sgp2kAkncELZ4au53qbERx590>.

<sup>112</sup> *Id.* at 3.7-45-48.

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implemented measures for determining the significance of air quality impacts.<sup>113</sup> San Diego County also highlighted its use of monitoring systems that measure concentrations of criteria pollutants, which include various GHGs.<sup>114</sup>

The City should similarly incorporate specific, enforceable policies into the PEIR to advance the City's EJ objectives. For instance, the City should implement monitoring systems similar to San Diego's to determine whether long-term emissions meet the targets of the programmatic GHG emissions mitigation plan, provide data to residents to keep them informed of progress, and make corrective measures to protect the most vulnerable communities from disproportionate emissions impacts.

O13-13  
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- ii. The DPEIR fails to consider all available information when stating that the cannot meet targets of GHG Reduction Executive Order S-03-05

The DPEIR fails to meet multiple state GHG emission reduction mandates. The DPEIR states that current technology prevents the adoption of a GPU that would meet targets set in Executive Order ("EO") S-03-05, which mandates GHG reductions for 2010, 2020, and 2050.<sup>115</sup> Following EO S-03-05, the Governor also issued EO B-55-18, which requires the state to not only reduce emissions to 80% below 1990 levels by 2050, but to achieve carbon neutrality by 2045.<sup>116</sup> Additionally, CEQA Guidelines mandate that a City "shall consider feasible means . . . of mitigating the significant effects of greenhouse gas emissions."<sup>117</sup>

O13-14

The City relies on a determination by the California Council on Science and Technology ("CCST") to claim that the GPU's failure to meet the GHG reduction targets in the EOs is a "Significant Unavoidable Impact" due to limitations of current technology.<sup>118</sup> Specifically, the City states that the GPU would result in *some* decrease in GHG emissions by 2045 compared to current emissions, but concludes that since the state GHG targets are currently technologically infeasible, it will not make its best effort to reach those targets.<sup>119</sup> Not only is this conclusion dangerous for EJ communities most impacted by GHG emissions, but the City also fails to consider information from SCAQMD that was used in the City's air quality mitigation measures.<sup>120</sup> SCAQMD previously stated that by following its five-tier approach and limiting emissions of stationary sources by 90% using a lower significance threshold, targets in EO S-03-05 *can* be met using today's technology.<sup>121</sup>

<sup>113</sup> SAN DIEGO COUNTY, GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, 2.3-34-36 (Aug. 2011), [https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/BOS\\_Aug2011/EIR/FEIR\\_2.03\\_-\\_Air\\_Quality\\_2011.pdf](https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/BOS_Aug2011/EIR/FEIR_2.03_-_Air_Quality_2011.pdf).

<sup>114</sup> *Id.* at 2.3-4.

<sup>115</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-33.

<sup>116</sup> *Id.* at 4-2, 5.7-32 (stating that only a 12% reduction in emissions from existing to 2045 is projected, rather than the 80% reduction based on 1990's GHG emissions).

<sup>117</sup> CAL. CODE REGS. tit. 14, § 15126.4(c) (2020).

<sup>118</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-33, 6-3.

<sup>119</sup> *Id.* at 5.7-32.

<sup>120</sup> City of Santa Ana, *City of Santa Ana Council Meeting Aug 18, 2020*, YOUTUBE (Aug. 19, 2020), [43:50 – 44:30] (stating that the GPU acts as a constitution for the city); PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 1-14.

<sup>121</sup> SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, INTERIM CEQA GHG SIGNIFICANCE THRESHOLD FOR STATIONARY SOURCES, RULES AND PLANS 4-7 (Dec. 5, 2008), [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2).



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Furthermore, the City shirks its responsibility to mitigate GHG emissions by stating that the GPU can adjust based on “planned future updates to the [City’s] Climate Action Plan” rather than proposing possible solutions now, while developing the GPU.<sup>122</sup> By putting off changes in the City’s GHG reduction strategy necessary to meet EO B-55-18 to some undetermined future date, the City fails to accomplish a primary goal of its GPU of “provid[ing] the public . . . with an analysis of potential environmental consequences to support informed decision-making.”<sup>123</sup> Therefore, the City should revise the PEIR to analyze mitigation methods using current technology to meet GHG reduction goals.

O13-14  
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### V. THE DPEIR INCLUDES A MISTAKE IN CALCULATING PERCENTAGES FOR PROPOSED LAND USE DESIGNATIONS

Finally, MPNA would like to bring to the City’s attention that Table 1-1, Proposed Land Use Designations and Statistics, in the DPEIR includes a mathematical mistake in calculating the land use designations for the South Main Street focus area.<sup>124</sup> The percentages in the South Main Street section are incorrect, stating that 845.8% of the land will be designated as low density residential. The error is repeated in Table 3-5.<sup>125</sup> To ensure that both the City and its residents are able to rely on the DPEIR’s environmental analyses, MPNA asks that the City correct this mistake.

O13-15

### VI. CONCLUSION

The City of Santa Ana’s DPEIR for its General Plan Update fails to adequately incorporate considerations important for achieving environmental justice, as required by California law. The City has not meaningfully engaged with the very EJ communities whose neighborhoods will be shaped by the development contemplated in the GPU for the next 25 years, and whose needs have, historically, been least acknowledged, and seldomly addressed, by government decision-makers. Additionally, the DPEIR fails to adequately analyze the projected negative impacts on air quality from GHGs and other emissions, and does not provide adequate mitigation measures for the GPU’s projected impacts on disadvantaged communities. This GPU presents an opportunity for the City of Santa Ana to be a leader in the fight for environmental justice in Orange County and beyond. Instead of treating environmental justice as a box to be checked during the adoption process, the City should revise the PEIR to embrace this opportunity.

O13-16

Thank you for considering MPNA’s comments on the City’s DPEIR. Please do not hesitate to reach out to MPNA if you have questions about any of the comments contained herein. MPNA looks forward to continuing its collaboration with the City throughout the GPU process.

<sup>122</sup> PLACEWORKS PREPARED FOR CITY OF SANTA ANA, *supra* note 31, at 5.7-33.

<sup>123</sup> *Id.* at 1.1.

<sup>124</sup> *Id.* at 1-6. Table 1-1 shows a land use breakdown for several areas by acreage and by a percentage of each area. Based on the acreage reported in the same table, the correct percentages for the South Main Street area are 9.3% Industrial/Flex, 6.1% Institutional, 52.0% Low Density Residential, and 32.6% Urban Neighborhood.

<sup>125</sup> *Id.* at 3-29.

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Sincerely,

/s/ \_\_\_\_\_ /s/ \_\_\_\_\_ /s/ \_\_\_\_\_

Adolfo Sierra  
Interim President, Madison Park Neighborhood Association  
Jose J. Rea  
Treasurer, Madison Park Neighborhood Association  
Leonel Flores  
GREEN Community Organizer, Madison Park Neighborhood Association

/s/ \_\_\_\_\_ /s/ \_\_\_\_\_ /s/ \_\_\_\_\_ /s/ \_\_\_\_\_

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cc.       Brett Korte  
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## 2. Response to Comments

### O13. Response to comments from Adolfo Sierra, Interim President, Madison Park Neighborhood Association, dated 10/6/2020.

O13-1 This comment summarizes the definition of “environmental justice” and requirements of general plans under SB 1000. It is not a CEQA requirement, and the Draft PEIR is not required to address specific impacts to disadvantaged communities. Nevertheless, this FEIR has provided an expanded general response related to Environmental Justice and how it has been addressed in the GPU. Please refer to Section 2.1.2, *Environmental Justice*.

O13-2 This comment assert that the community outreach, particularly to EJ communities, was inadequate for the GPU. The community outreach process and relationship to the development of the GPU is described in the general response included as Section 2.1.1 *General Plan Update Process: Community Outreach and Schedule*. The policies for the General Plan Update were developed through the General Plan process, which started in 2015 through 2017, followed by a Draft Policy Framework in 2018. The General Plan Outreach Program included a series of 40 Community Workshops; informational “pop-ups” at community events; and presentations to focus groups and community, including seniors, youth, community serving organizations, Community Linkages Neighborhood Leaders, and City commissioners. Over 44,000 mailers were sent inviting residents to participate in various community meetings. The outreach conducted as part of this early effort included outreach on EJ issues. In order to ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach was conducted as virtual meetings as a result of the COVID-19 pandemic in July and August 2020. The Core Values and draft policies directly addressed the requirements of SB 1000.

Additionally, the City worked with the Madison Park Neighborhood through Charitable Ventures Orange County to obtain a grant from the California Air Resources Board (CARB) to expand the engagement between Madison Park residents and create a plan for community-based monitoring of air pollution and its effects.<sup>14</sup>

As outlined above, the City has conducted meaningful engagement with the EJ communities. Please also refer to Section 2.1.2, *Environmental Justice*. Appendix A of this FEIR includes a comprehensive list of EJ related policies and Implementation Actions, including supplemental and refined measures in response to comments received on the Draft PEIR.

O13-3 Environmental justice under SB 1000 details requirements for. It is not a CEQA requirement, and the Draft PEIR is not required to address specific impacts to disadvantaged communities. The Draft PEIR does address environmental justice–related impacts, including air quality/pollution, noise, water quality, and public services and

<sup>14</sup> CARB. 2020 (accessed). Community Air Grants, Proposed Awardees. <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants/proposed-awardees>

## 2. Response to Comments

utilities, but not specifically for disadvantaged communities. Pursuant to CEQA, these impacts are addressed in comparison to existing conditions and in a citywide, resource-based, or service-provider-boundary context. Please see general response 2.1.2, *Environmental Justice*, for an expanded discussion of how EJ is addressed in the GPU.

- O13-4 As noted in response O13-3, environmental justice is a requirement for general plans and not a specific requirement under CEQA for EIRs. The Draft Environmental Justice Policy Framework is incorporated into the proposed GPU, the project evaluated for the Draft PEIR. Thus, the Draft PEIR identifies GPU policies in each topical section that have the capability to reduce/mitigate environmental impacts. For example, as described in Draft PEIR Section 5.2.4.2, the GPU includes several policies to minimize air quality impacts on existing sensitive receptors, including the Madison Park Neighborhood, to achieve appropriate health standards.<sup>15</sup> At the request of this commenter, Land Use Policies 3.11 and 3.12 have been added to the Draft PEIR (see Chapter 3, *Revisions to the Draft PEIR*).

Additionally, South Coast AQMD has embarked on a community air initiative pursuant to Assembly Bill 617. Through this initiative, the South Coast AQMD is working with selective disadvantaged communities to implement a local air quality monitoring program. However, Santa Ana was not identified or nominated as one of the potential disadvantaged communities in the latest South Coast AQMD Year 2 Community Recommendations for AB 617 sent to CARB.<sup>16</sup> The only Orange County community identified through the self-recommendation process was the “South Fullerton, Buena Park, Anaheim” community. However, the City worked with the Madison Park Neighborhood through Charitable Ventures Orange County to obtain a grant from the California Air Resources Board (CARB) to expand the engagement between Madison Park residents and create a plan for community-based monitoring of air pollution and its effects.<sup>17</sup> Due in part to comments received on the General Plan Update and Draft PEIR, the City has incorporated and revised implementation measures into the Conservation Element of the GPU, such as:

- **Implementation Action CN-1.2 Community identification.** Coordinate with the South Coast Air Quality Management District and local stakeholders to pursue a priority community designation for eligible environmental justice areas of the city, with focus on areas with unique needs and pollution burden such the Delhi

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<sup>15</sup> Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

<sup>16</sup> South Coast AQMD. 2019, October 30. Final Submittal from South Coast AQMD: Year 2 Community Recommendations for AB 617 Implementation. <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/year-2/community-identification-prioritization/final-submittal-year-2.pdf?sfvrsn=8>

<sup>17</sup> CARB. 2020 (accessed). Community Air Grants, Proposed Awardees. <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants/proposed-awardees>

## 2. Response to Comments

Neighborhood area. If such designation is not awarded, seek grant funds for activities such as local air quality monitoring.

- **Implementation Action CN-1.5 Agency permits.** Monitor the South Coast Air Quality Management District permitting and inspection process and the Orange County Health Care Agency to identify businesses in Santa Ana with potential hazardous materials or by-products, with a special focus on environmental justice communities. Serve as a liaison for residents to identify potential emission violations. Share information and data with the community on the City's Environmental Quality web page.

O13-5 As described in Response O13-3, SB 1000 requires jurisdictions to address environmental justice in their general plans. It is not a CEQA requirements, and the Draft PEIR is not required to specifically address hazards specifically within EJ/disadvantaged community boundaries. Similarly, the contention in this comment that CEQA requires potential cumulative impacts to individual EJ communities is incorrect. Draft PEIR, Section 4.5, *Assumptions Regarding Cumulative Impacts*, describes the approach to cumulative impacts for each topical area in the Draft PEIR. For Hazards and Hazardous Materials, the analysis is based on the geographic boundary of the city.

This commenter is correct in citing the Draft PEIR concludes that the risk of accidental release for each individual project would be mitigated by the regulatory framework. It is also correct that neither the City nor EJ communities can assess how the risks of hazards and hazardous materials exposure will increase as a whole. The commenter then requests that the City analyze cumulative risks that will change due to the addition of industrial uses. It would be speculative to estimate potential industrial-related risks for future, unknown projects.

Note also that the 683-acre increase in industrial uses in this comment is misleading. This increase compares the potential increase in industrial uses at GPU buildout compared to existing industrial uses. In comparison to the current general plan, the GPU increases industrial designated land use from 2,260.3 acres to 2,411.0 acres, a total of approximately 151 acres. Also, the increase in industrial designated properties are all within the focus areas and are all designated Industrial Flex. This designation is defined as follows (see Draft PEIR Table 3-4, *Land Use Designation Descriptions*): Office/industrial flex spaces, small-scale R&D, retail, live-work, and clean manufacturing. Heavy manufacturing or other industrial uses that would potentially generate hazards would not be allowed within these areas. The proposed GPU, therefore, does not introduce a substantial hazards risk in comparison to the existing General Plan. Moreover, since it provides numerous EJ-related policies, including hazards policies, it is expected to result in beneficial impacts related to this potential impact to disadvantaged communities (please refer to Section 2.1.2, *Environmental Justice*).

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- O13-6 The commenter summarizes the CEQA requirements for selecting and evaluating a reasonable range of project alternatives. The commenter then makes the conclusion that because the alternative determined to be the environmentally superior alternative does not meet “most of the project objectives” that the alternatives analysis is inadequate. The City disagrees. In accordance with CEQA, the City has selected a reasonable range of alternatives for evaluation and disclosed the reasoning for the selection of those alternatives. As required by CEQA, each alternative has the potential to reduce environmental impacts and achieve some of the project objectives. The analysis is consistent with the purpose of CEQA alternatives—to evaluate the potential of a better alternative and to foster informed decision making. The commenter presumes that there is an alternative which would both meet most of the project objectives and reduce or eliminate significant impacts and urges the City to evaluate other alternatives that meet these criteria. The commenter, however, does not provide a suggestion for an alternative that might achieve the majority of the project objectives and reduce environmental impacts. The alternatives focus on the potential to reduce the significant, unavoidable impacts of the proposed project, which include air quality, greenhouse gases, and noise and population growth for the proposed GPU. For general plans, these impacts are typically significant and unavoidable due to the mere scale of the project.
- O13-7 This comment suggests that the Draft PEIR should rank alternatives by weighting the net benefits and level of impact analysis. It is suggested that one category may be considered more important than another. This approach would be contrary to CEQA and the requirement to provide objective analysis. As noted in the previous response, the purpose of the CEQA alternatives is to foster informed decision making. The suggestion to provide residents a questionnaire to rank priorities is consistent with the actual planning process and community outreach (see Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*), but is the antithesis of the purpose of CEQA and objective analysis. The CEQA alternatives provide the framework for decision-makers to balance the benefits of a project in comparison to its environmental impacts.
- O13-8 See response to Comment O13-2. The core values and draft policies in the General Plan Update directly address the requirements of SB 1000. Many of these EJ policies are directly referenced in Draft PEIR Section 5.2, *Air Quality* (see Section 5.2.3.2, *General Plan Update Policies*). To provide context, a reference to the EJ community boundary map located in the GPU has been added to the Draft PEIR (see Chapter 3, *Revisions to the Draft EIR*).
- O13-9 This comment is detailed in comments O13-10 through O13-15 and will be responded to as they appear in these comments.
- O13-10 The analysis in Draft PEIR Section 5.2 is consistent with the South Coast AQMD CEQA Guidelines for program-level impact evaluation. The Draft PEIR quantifies the increase in criteria air pollutants emissions within the city. However, at a programmatic level

## 2. Response to Comments

analysis, it is not feasible to quantify the increase in toxic air contaminants (TACs) from stationary sources associated with a general plan or meaningfully correlate how regional criteria air pollutant emissions above the South Coast AQMD significance thresholds correlate with basinwide health impacts (see pages 5.2-43 through 5.2-44).

To determine cancer and noncancer health risk, the location, velocity of emissions, meteorology and topography of the area, and locations of receptors are equally important model parameters as the quantity of TAC emissions. The white paper included in Appendix D of the Final EIR, “Assessing Regional Criteria Pollutant Emissions Impacts Under CEQA in Light of the Friant Ranch Ruling” and “We Can Model Regional Emissions, But Are the Results Meaningful for CEQA” describe several of the challenges of quantifying local effects—particularly health risks—for large-scale, regional projects, and these are applicable to both criteria air pollutants and TACs. Similarly, the two amicus briefs filed by the air districts on the Friant Ranch case (see Appendix E of the FEIR) describe respective positions regarding CEQA requirements, modeling feasibility, and variables, and reliability of results for determining specific health risks associated with criteria air pollutants. The discussions also include the distinction between criteria air pollutant emissions and TACs with respect to health risks. Additionally, the South Coast AQMD’s Significance Thresholds and Monitoring demonstrate the infeasibility based on the current guidance/methodologies. The following summarizes major points about the infeasibility of assessing health risks from criteria air pollutant emissions and TACs associated with implementation of the general plan.

### **Air Quality Districts’ Criteria Air Pollutant Significance Thresholds and Modeling**

To achieve and maintain air quality standards, the South Coast AQMD has established numerical emission indicators of significance for regional and localized air quality impacts for both construction and operational phases of a local plan or project. The South Coast AQMD has established the thresholds based on “scientific and factual data that is contained in the federal and state Clean Air Acts” and recommend “that these thresholds be used by lead agencies in making a determination of significance.” The numerical emission indicators are based on the recognition that the air basin is a distinct geographic area with a critical air pollution problem for which ambient air quality standards have been promulgated to protect public health. The thresholds represent the maximum emissions from a plan or project that are expected not to cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard. By analyzing the plan’s emissions against the thresholds, an EIR assesses whether these emissions directly contribute to any regional or local exceedances of the applicable ambient air quality standards and exposure levels.

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South Coast AQMD currently does not have methodologies that would provide the City with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions.<sup>18</sup>

For criteria air pollutants, exceedance of the regional significance thresholds cannot be used to correlate a project to quantifiable health impacts unless emissions are sufficiently high to use a regional model. South Coast AQMD has not provided methodology to assess the specific correlation between mass emissions generated and their effect on health (see Appendix E of this FEIR, SJVACPD's amicus brief, and South Coast AQMD's amicus brief).

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. Secondary formation of PM and ozone can occur far from sources as a result of regional transport due to wind and topography (e.g., low-level jet stream). Photochemical modeling depends on all emission sources in the entire domain (i.e., modeling grid). Low resolution and spatial averaging produce "noise" and modeling errors that usually exceed individual source contributions. Because of the complexities of predicting ground-level ozone concentrations in relation to the National Ambient Air Quality Standards (AAQS) and California AAQS, it is not possible to link health risks to the magnitude of emissions exceeding the significance thresholds.

Current models used in CEQA air quality analyses are designed to estimate potential project construction and operation emissions for defined projects. The estimated emissions are compared to significance thresholds, which are keyed to reducing emissions to levels that will not interfere with the region's ability to attain the health-based standards. While this serves to protect public health in the overall region, there is currently no CEQA methodology to determine the impact of emissions (e.g., pounds per day) on future concentration levels (e.g., parts per million or micrograms per cubic meter) in specific geographic areas. CEQA thresholds, therefore, are not specifically tied to potential health outcomes in the region.

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<sup>18</sup> In April 2019, the Sacramento Metropolitan Air Quality Management District (SMAQMD) published an Interim Recommendation on implementing *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 ("*Friant Ranch*") in the review and analysis of proposed projects under CEQA in Sacramento County. Consistent with the expert opinions submitted to the court in *Friant Ranch* by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and South Coast AQMD, the SMAQMD guidance confirms the absence of an acceptable or reliable quantitative methodology that would correlate the expected criteria air pollutant emissions of projects to likely health consequences for people from project-generated criteria air pollutant emissions. The SMAQMD guidance explains that while it is in the process of developing a methodology to assess these impacts, lead agencies should follow the *Friant Court*'s advice to explain in meaningful detail why this analysis is not yet feasible. Since this interim memorandum SMAQMD has since provided methodology to address health impacts. However, a similar analysis is not available for projects within the South Coast AQMD region.

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### **CWP Stationary Source Impacts**

Regional emissions are divided into two major source categories: stationary and mobile sources. The General Plan Update provides a land use plan that designates land uses for employment-generating uses, including Industrial and Industrial Flex. These broad categories cover a wide variety of potential uses. For a programmatic environmental document, it is speculative to determine the exact nature of and location that would occur within these employment-generating categories for stationary sources. Therefore, it is not possible to determine what types of TACs would be generated on an individual site. Additionally, because the exact nature of the future industrial uses is speculative for this programmatic assessment, the quantity of toxic air contaminants generated by the proposed project is also unknown. Thus, for programmatic, general plan-level assessments, it is not feasible to conduct regional dispersion modeling to determine the incremental contribution of risks associated with land use changes in the unincorporated areas.

New stationary, industrial sources proximate to EJ communities would be minimal. Furthermore, no new heavy industrial growth is anticipated as a result of buildout of the General Plan Update. While the GPU forecasts an increase in industrial land uses, this is mainly a result of redevelopment in areas proposed to be designated Industrial Flex. As identified in the GPU, the Industrial Flex zone is being introduced in areas already designated for industrial land uses as a means of providing a buffer between existing industrial areas and existing residential areas (i.e., transition use). The intent of the Industrial Flex zone is to allow for cleaner industrial and commercial uses, professional office, and creative live-work spaces. This proposed zone would not expand industrial areas within the city and would improve the air quality compatibility for existing areas in the city that are adjacent to industrial areas.

### **Missing Health Risk Assessment Parameters**

The Draft PEIR air quality analysis of mobile emissions was based on EMFAC2017. Modeling in the Draft PEIR captures the total increase in criteria air pollutant emissions, including PM<sub>2.5</sub>, within the entire city. Individual roadway segments were not modeled because modeling available for the Draft PEIR and used for air quality and greenhouse gas emissions modeling does not discern between vehicle miles traveled on freeways, major arterials, and other local roadways; rather, it is aggregated VMT. For accurate modeling, it is necessary to have data regarding the sources and types of criteria air pollutants and TACs, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). So, although exhaust PM<sub>2.5</sub> identified in the EIR may be a good surrogate to estimate the quantity of TACs from on-road vehicle travel citywide, emissions quantity alone does not include all the necessary modeling parameters to ascertain whether or not TAC emissions generated would result in a cancer or noncancer health risk.

## 2. Response to Comments

### **Decrease in Emissions from Existing Conditions (Table 5.2-11)**

As the lead agency, the City defined the existing baseline conditions consistently as the existing physical conditions. However, vehicle emission factors substantially decrease in future years; therefore, in order to provide a “normalized” comparison of the proposed project to existing conditions, the Draft PEIR uses the existing (baseline) land use conditions with future emission factors to compare impacts of the proposed project. However, as shown in Table 5.2-11, the results indicate that emissions of NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> (including transportation sector PM<sub>2.5</sub>) would decrease from existing conditions. Only VOC emissions would exceed the South Coast AQMD thresholds. As identified above, exhaust PM<sub>2.5</sub> is good surrogate to estimate health risk. As a result, health risks associated with the proposed project would also decrease over the long-term buildout of the General Plan Update. Therefore, modeling of health impacts was not conducted for the proposed project.

### **Summary**

The CEQA document must provide an analysis that is understandable for decision making and public disclosure. Regional-scale modeling may provide a technical method for this type of analysis, but it does not necessarily provide a meaningful way to connect the magnitude of a project’s criteria pollutant emissions to health effects without speculation. Additionally, this type of analysis is not feasible at a general plan level because the location of emissions sources and quantity of emissions are not known.

- O13-11 Permitted sources of criteria air pollutant and TAC emissions are not under the City’s jurisdictional authority; they are directly regulated by the South Coast AQMD. The South Coast AQMD Interim CEQA Significance Thresholds for Stationary Source, Rules, and Plans is therefore not directly applicable to land use development projects like the proposed GPU. Because these emissions are under the authority of another jurisdiction (i.e., the South Coast AQMD), a mitigation measure to restrict stationary emissions from new development is not a feasible mitigation measure under CEQA. For stationary sources that are directly regulated by South Coast AQMD, South Coast AQMD requires a Health Risk Assessment to ensure that impacts are minimized. Under New Source Review (South Coast AQMD Regulation XIII), any permit that has a net increase in emissions is required to apply Best Available Control Technology (equivalent to federal Lowest Achievable Emission Rate).

Additionally, the General Plan Update includes several policies to reduce potential impacts:

- **Policy CN-1.5 Sensitive Receptor Decisions.** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special



## 2. Response to Comments

considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.

- **Policy CN-1.15 Community Emissions Reduction.** Collaborate with the South Coast Air Quality Management District and local stakeholders in advance of designation as a priority community for air monitoring and reduction, and implement measures and strategies identified in other air monitoring and emissions reduction plans that are applicable to and feasible for Santa Ana.
- **Policy CN-1.16 Indirect Source Rules.** Support the development of regional legislation such as the drayage truck rule, advanced clean truck route, and heavy-duty low NOx rule by the South Coast Air Quality Management District.
- **Policy CN-1.2 Climate Action Plan.** Consistency with emission reduction goals highlighted in the Climate Action Plan shall be considered in all major decisions on land use and investments in public infrastructure.

O13-12 Draft PEIR Section 5.7, *Greenhouse Gas Emissions*, addresses the potential impact the General Plan Update has on GHG emissions impacts under CEQA. As stated previously, the Draft PEIR evaluates the project's physical impacts to the environment. As such, this section addresses emissions generated by the community and not the effect climate change has on disadvantaged communities affected by climate change.<sup>19</sup> Discussions regarding climate-related hazards such as air quality, landslides, sea level rise, flooding, drought, and wildfires are in Draft PEIR Sections 5.2, *Air Quality*; 5.6, *Geology and Soils*; 5.9, *Hydrology and Water Quality*; and 5.10, *Wildfire*.

Additionally, the General Plan Update evaluates climate change adaptation and resilience pursuant to Senate Bill 379 (SB 379) to aid vulnerable populations during an emergency. The GPU includes the following policies:

- **Policy EP-2.12 Resiliency.** Collaborate with governmental agencies and businesses to develop, maintain, and deploy physical and financial strategies that enable businesses of all sizes and their employees to withstand and recover from the acute impacts of flooding, extreme weather events, and public health epidemics or pandemics.
- **Policy PS-1.7 Sustainability and Resilient Practices.** Require the development or rehabilitation of any public facility or capital improvement to incorporate site design and building practices that promote sustainability, energy efficiency, and resiliency.

<sup>19</sup> Pursuant to the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), impacts of the environment on the proposed project are not CEQA impacts.

## 2. Response to Comments

- **Policy PS-2.11 Resilient Facilities and Infrastructure.** Coordinate with utilities and public agencies to develop, maintain, relocate, and/or upgrade critical local and regional public facilities and infrastructure systems to ensure their resiliency during times of extreme weather or natural disasters.
- **Policy PS-2.14 Vulnerable Populations.** Coordinate with and encourage the use of community-based networks to aid vulnerable populations in preparing for emergencies and provide assistance with evacuation and recovery.
- **Policy PS-2.15 Recovery.** Coordinate with the County and other local agencies to reestablish and expedite services to assist affected residents and businesses in the short- and long-term recovery from emergencies and natural disasters.

O13-13 The commenter states that the GPU should include a Climate Action Plan to reduce GHG emissions. As identified in Draft PEIR Table 5.7-6, buildout of the General Plan Update would result in a reduction of 255,878 MTCO<sub>2e</sub> (12 percent reduction in metric tons of CO<sub>2e</sub>-equivalent emissions) compared to existing conditions. As a result, implementation of the proposed project would not result in a substantial increase in emissions. However, the State has adopted aggressive GHG emissions and carbon neutrality goals. In order to align the City's GHG reduction goals with those identified by the State, the City of Santa Ana has adopted a Climate Action Plan. However, it does not address the long-term GHG reduction targets. Additionally, the reduction in GHG emissions over the long-term implementation of the General Plan is insufficient to achieve the more stringent reductions needed to achieve the State's carbon neutrality goals. Consequently, the Draft PEIR includes Mitigation Measure GHG-1 that requires the City to update the Climate Action Plan to address the long-term GHG reduction goal.

Pursuant to the CEQA Guidelines Section 15126.4(a)(1)(B), mitigation measures may specify performance standards for mitigating a significant impact when it is impractical or infeasible to specify the specific details of mitigation during the EIR review process, provided the lead agency commits to implement the mitigation, adopts the specified performance standard, and identifies the types of actions that may achieve compliance with the performance standard. In this case, the City's Climate Action Plan is a separate policy document. Mitigation Measure GHG-1 lays out a clear performance standard and actions for addressing consistency with the State's GHG reduction goals. Mitigation Measure GHG-1 includes monitoring, reporting, and adaptive management requirements as well as outreach and tracking tools. As such, the requirement to prepare a Climate Action Plan is not improper deferral and includes the components requested by the commenter.

However, the Draft PEIR identifies that because major technological advancements may be needed to achieve the 2050 target, the City may not achieve the substantial reductions

## 2. Response to Comments

needed to achieve the goal. As a result, this impact was considered significant and unavoidable.

At the request of the commenter, the following measures will be considered when the City updates the Climate Action Plan pursuant to Mitigation Measure GHG-1:

- Measures to protect the most vulnerable populations
- Measure to increase carbon sinks
- Standards for electric vehicle parking
- Standards for construction projects

O13-14 See response to Comment O13-13. The aggressive GHG reduction targets of the State are noted. The Draft PEIR identifies the statement made by the California Council on Science and Technology (CCST) to substantiate that not all emissions control strategies available in year 25 of the general plan implementation may be available when they prepare the Climate Action Plan update in year 1. Further, the City does not have jurisdictional control over new vehicle technology and the consumer preferences for electric vehicles (EV). At buildout, transportation emissions represent 54 percent of the City's community emissions. Additionally, without vetting individual GHG reduction measures with the community and the decision-makers, it is not known whether or not the reductions identified will achieve the performance standard. The City can enact specific performance standards for new development. However, existing emissions in the City significantly hinder the ability of the City to achieve GHG reduction goals. As identified in Table 5.7-6, GHG emissions from residential energy use represent the single largest increase in GHG emissions from baseline conditions, and emissions from residential and nonresidential energy use, in general, will become a larger percentage of the City's GHG emissions inventory (29 percent under existing conditions but 39 percent at buildout). Under SB 100, the State has a goal to achieve decarbonization of electricity by 2045. This highlights that State measures, in addition to local measures, are needed to achieve the deep reductions needed. Consequently, GHG impacts are considered significant and unavoidable.

It should be noted that GHG emissions impacts are global impacts and not localized emissions that directly affect EJ communities. Assembly Bill 197 and Senate Bill 617 aim at reducing localized emissions that affect disadvantaged communities. As identified previously, the City does not have direct jurisdictional control over emissions from stationary sources. These emissions are under the authority of South Coast AQMD (for criteria air pollutants and TACs) and the California Air Resources Board (CARB) for facilities that emit more than 25,000 MTCO<sub>2e</sub> annually.

## 2. Response to Comments

To reduce GHG emissions, the GPU includes the following policies for climate change:

- **Policy CN-1.2 Climate Action Plan.** Consistency with emission reduction goals highlighted in the Climate Action Plan shall be considered in all major decisions on land use and investments in public infrastructure.
- **Policy CN-1.3 Education.** Promote efforts to educate businesses and the general public about air quality standards, reducing the urban heat island effect, health effects from poor air quality and extreme heat, and best practices they can make to improve air quality and reduce greenhouse gas emissions.
- **Policy CN-1.4 Development Standards.** Support new development that meets or exceeds standards for energy-efficient building design and site planning.
- **Policy CN-1.8 Promote Alternative Transportation.** Promote use of alternate modes of transportation in the City of Santa Ana, including pedestrian, bicycling, public transportation, car sharing programs and emerging technologies.
- **Policy CN-1.9 Public Investment Alternative Transportation Infrastructure.** Continue to invest in infrastructure projects that support public transportation and alternate modes of transportation in the City of Santa Ana, including pedestrian, bicycling, public transportation, car sharing programs, and emerging technologies.
- **Policy CN-1.11 Public Investments in Low or Zero Emission Vehicles.** Continue to invest in low-emission or zero-emission vehicles to replace the City's gasoline powered vehicle fleet and to transition to available clean fuel sources such as bio-diesel for trucks and heavy equipment.
- **Policy CN-1.13 City Contract Practices.** Support businesses and contractors that use reduced- emissions equipment for city construction projects and contracts for services, as well as businesses that practice sustainable operations.
- **Policy CN-1.14 Transportation Demand Management.** Require and incentivize projects to incorporate Transportation Demand Management (TDM) techniques.
- **Policy CN-1.15 Community Emissions Reduction.** Collaborate with the South Coast Air Quality Management District and local stakeholders in advance of designation as a priority community for air monitoring and reduction, and implement measures and strategies identified in other air monitoring and emissions reduction plans that are applicable to and feasible for Santa Ana.

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- **Policy CN-3.1 Interagency Coordination.** Consult with regional agencies and utility companies to pursue energy efficiency goals and expand renewable energy strategies.
- **Policy CN-3.4 Site Design.** Encourage site planning and subdivision design that incorporates the use of renewable energy systems.
- **Policy CN-3.5 Landscaping.** Encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.
- **Policy CN-3.6 Life Cycle Costs.** Encourage construction and building development practices that use renewable resources and life cycle costing in construction and operating decisions.
- **Policy CN-3.7 Energy Conservation Design and Construction.** Incorporate energy conservation features in the design of new construction and rehabilitation projects.
- **Policy CN-3.8 Energy-Efficient Public Facilities.** Promote and encourage efficient use of energy and the conservation of available resources in the design, construction, maintenance, and operation of public facilities, infrastructure, and equipment.
- **Policy CN-3.9 Energy Generation in Public Facilities.** Encourage and support the generation, transmission, use, and storage of locally-distributed renewable energy in order to promote energy independence, efficiency, and sustainability.

These policies were developed as part of the General Plan Update and were informed by the technical reports, including the Vulnerability Assessment Report. The vulnerability assessment addressed climate change vulnerability in the city and climate change adaptation and resilience. The policies incorporated into the General Plan Update enable the City to prepare for, respond to, withstand, and recover from disruptions created or caused by climate change and address the climate change hazards affecting specific populations and assets.

O13-15 Draft PEIR Table 1-1 and Table 3-5 are corrected as follows. Changes are also included in Chapter 3, *Revisions to the Draft PEIR*.

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**Table 1-1 Proposed Land Use Designations and Statistics**

Land Use Designation	Acres	% of Total
<b>Grand Avenue/17th Street</b>	<b>171.5</b>	<b>—</b>
District Center	23.7	13.8
General Commercial	19.9	11.6
Industrial/Flex	7.1	4.1
Open Space	1.1	0.6
Urban Neighborhood	119.7	69.8
<b>55 Freeway/Dyer Road</b>	<b>354.5</b>	<b>—</b>
District Center	158.0	44.6
General Commercial	68.0	19.2
Industrial/Flex	127.4	35.9
Open Space	1.1	0.3
<b>South Bristol Street</b>	<b>199.9</b>	<b>—</b>
District Center	108.3	54.2
Open Space	6.0	3.0
Urban Neighborhood	85.7	42.9
<b>South Main Street</b>	<b>312.2</b>	<b>—</b>
Industrial/Flex	29.0	9.3
Institutional	19.2	66.4
Low Density Residential	162.3	845.8
Urban Neighborhood	101.7	62.7
<b>West Santa Ana Boulevard</b>	<b>481.6</b>	<b>—</b>
Corridor Residential	10.0	2.1
General Commercial	21.5	4.5
Industrial/Flex	87.9	18.3
Institutional	45.5	9.4
Low Density Residential	108.1	22.4
Low-Medium Density Residential	6.8	1.4
Medium Density Residential	27.0	5.6
Open Space	133.6	27.7
Professional and Administrative Office	6.2	1.3
Urban Neighborhood	35.0	7.3
<b>Balance of City</b>	<b>11,598.8</b>	<b>—</b>
District Center	124.2	1.1
General Commercial	424.2	3.7
Industrial	2,159.6	18.6
Institutional	886.7	7.6
Low Density Residential	6,173.3	53.2
Low-Medium Density Residential	429.0	3.7
Medium Density Residential	335.3	2.9
One Broadway Plaza District Center	4.1	0.0
Open Space	793.8	6.8
Professional and Administrative Office	260.4	2.2
Urban Neighborhood	4.1	0.0
Not Specified	4.1	0.0
<b>Total</b>	<b>13,118.5</b>	<b>100%</b>

Source: Figures aggregated and projected by PlaceWorks, 2020.

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**Table 3-5 Proposed Land Use Designations and Statistics**

Land Use Designation	Acres	% of Total
<b>Grand Avenue/17th Street</b>	<b>171.5</b>	<b>100%</b>
District Center	23.7	13.8
General Commercial	19.9	11.6
Industrial/Flex	7.1	4.1
Open Space	1.1	0.6
Urban Neighborhood	119.7	69.8
<b>55 Freeway/Dyer Road</b>	<b>354.5</b>	<b>100%</b>
District Center	158.0	44.6
General Commercial	68.0	19.2
Industrial/Flex	127.4	35.9
Open Space	1.1	0.3
<b>South Bristol Street</b>	<b>199.9</b>	<b>100%</b>
District Center	108.3	54.2
Open Space	6.0	3.0
Urban Neighborhood	85.7	42.9
<b>South Main Street</b>	<b>312.2</b>	<b>100%</b>
Industrial/Flex	29.0	9.3
Institutional	19.2	<del>66.4</del> 6.1
Low Density Residential	162.3	<del>845.8</del> 52.0
Urban Neighborhood	101.7	<del>62.7</del> 32.6
<b>West Santa Ana Boulevard</b>	<b>481.6</b>	<b>100%</b>
Corridor Residential	10.0	2.1
General Commercial	21.5	4.5
Industrial/Flex	87.9	18.3
Institutional	45.5	9.4
Low Density Residential	108.1	22.4
Low-Medium Density Residential	6.8	1.4
Medium Density Residential	27.0	5.6
Open Space	133.6	27.7
Professional and Administrative Office	6.2	1.3
Urban Neighborhood	35.0	7.3
<b>Balance of City</b>	<b>11,598.8</b>	<b>100%</b>
District Center	124.2	1.1
General Commercial	424.2	3.7
Industrial	2,159.6	18.6
Institutional	886.7	7.6
Low Density Residential	6,173.3	53.2
Low-Medium Density Residential	429.0	3.7
Medium Density Residential	335.3	2.9
One Broadway Plaza District Center	4.1	0.0
Open Space	793.8	6.8
Professional and Administrative Office	260.4	2.2
Urban Neighborhood	4.1	0.0
Not Specified	4.1	0.0
<b>TOTAL</b>	<b>13,118.5</b>	<b>—</b>

Source: Figures aggregated and projected by PlaceWorks, 2020.

## 2. Response to Comments

O13-16      The General Plan Update weaves EJ policies throughout the elements. The City is striving to ensure that the EJ policies are some of the most aggressive in the state. The policies were developed through the GPU process, which started in 2015 through 2017 followed by a Draft Policy Framework in 2018. The GPU Outreach Program included a series of 40 Community Workshops; informational “pop-ups” at community events; and presentations to focus groups and community, including seniors, youth, community-serving organizations, Community Linkages Neighborhood Leaders, and City commissioners. Over 44,000 mailers were sent inviting residents to participate in various community meetings.. The outreach conducted as part of this early effort included outreach on EJ issues. In order to ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings as a result of the COVID-19 pandemic. The core values and draft policies directly addressed the requirements of SB 1000.

- **Policy 1.16 Indirect Source Rules (Conservation Element).** Support the development of regional legislation such as the drayage truck rule, advanced clean truck route, and heavy-duty low NOx rule by the South Coast Air Quality Management District.
- **Policy 1.2 Climate Action Plan (Conservation Element).** Consistency with emission reduction goals highlighted in the Climate Action Plan shall be considered in all major decisions on land use and investments in public infrastructure.
- **Policy 2.12 Resiliency (Economic Prosperity Element).** Collaborate with governmental agencies and businesses to develop, maintain, and deploy physical and financial strategies that enable businesses of all sizes and their employees to withstand and recover from the acute impacts of flooding, extreme weather events, and public health epidemics or pandemics.
- **Policy 1.7 Sustainability and Resilient Practices (Public Services Element).** Require the development or rehabilitation of any public facility or capital improvement to incorporate site design and building practices that promote sustainability, energy efficiency, and resiliency.
- **Policy 2.11 Resilient Facilities and Infrastructure (Public Services Element).** Coordinate with utilities and public agencies to develop, maintain, relocate, and/or upgrade critical local and regional public facilities and infrastructure systems to ensure their resiliency during times of extreme weather or natural disasters.
- **Policy 2.14 Vulnerable Populations (Public Services Element).** Coordinate with and encourage the use of community- based networks to aid vulnerable populations in preparing for emergencies and provide assistance with evacuation and recovery.



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- **Policy 2.15 Recovery (Public Services Element).** Coordinate with the County and other local agencies to reestablish and expedite services to assist affected residents and businesses in the short- and long-term recovery from emergencies and natural disasters.
- **Policy 1.2 Climate Action Plan (Conservation Element).** Consistency with emission reduction goals highlighted in the Climate Action Plan shall be considered in all major decisions on land use and investments in public infrastructure.
- **Policy 1.3 Education (Conservation Element).** Promote efforts to educate businesses and the general public about air quality standards, reducing the urban heat island effect, health effects from poor air quality and extreme heat, and best practices they can make to improve air quality and reduce greenhouse gas emissions.
- **Policy 1.4 Development Standards (Conservation Element).** Support new development that meets or exceeds standards for energy-efficient building design and site planning.
- **Policy CN-1.8 Promote Alternative Transportation (Conservation Element).** Promote use of alternate modes of transportation in the City of Santa Ana, including pedestrian, bicycling, public transportation, car sharing programs and emerging technologies.
- **Policy 1.9 Public Investment Alternative Transportation Infrastructure (Conservation Element).** Continue to invest in infrastructure projects that support public transportation and alternate modes of transportation in the City of Santa Ana, including pedestrian, bicycling, public transportation, car sharing programs, and emerging technologies.
- **Policy 1.11 Public Investments in Low or Zero Emission Vehicles (Conservation Element).** Continue to invest in low-emission or zero-emission vehicles to replace the City's gasoline powered vehicle fleet and to transition to available clean fuel sources such as bio-diesel for trucks and heavy equipment.
- **Policy 1.13 City Contract Practices (Conservation Element).** Support businesses and contractors that use reduced- emissions equipment for city construction projects and contracts for services, as well as businesses that practice sustainable operations.
- **Policy 1.14 Transportation Demand Management (Conservation Element).** Require and incentivize projects to incorporate Transportation Demand Management (TDM) techniques.

## 2. Response to Comments

- **Policy 1.15 Community Emissions Reduction (Conservation Element).** Collaborate with the South Coast Air Quality Management District and local stakeholders in advance of designation as a priority community for air monitoring and reduction, and implement measures and strategies identified in other air monitoring and emissions reduction plans that are applicable to and feasible for Santa Ana.
- **Policy 3.1 Interagency Coordination (Conservation Element).** Consult with regional agencies and utility companies to pursue energy efficiency goals and expand renewable energy strategies.
- **Policy 3.4 Site Design (Conservation Element).** Encourage site planning and subdivision design that incorporates the use of renewable energy systems.
- **Policy 3.5 Landscaping (Conservation Element).** Encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.
- **Policy 3.6 Life Cycle Costs (Conservation Element).** Encourage construction and building development practices that use renewable resources and life cycle costing in construction and operating decisions.
- **Policy 3.7 Energy Conservation Design and Construction (Conservation Element).** Incorporate energy conservation features in the design of new construction and rehabilitation projects.
- **Policy 3.8 Energy-Efficient Public Facilities (Conservation Element).** Promote and encourage efficient use of energy and the conservation of available resources in the design, construction, maintenance, and operation of public facilities, infrastructure, and equipment.
- **Policy 3.9 Energy Generation in Public Facilities (Conservation Element).** Encourage and support the generation, transmission, use, and storage of locally-distributed renewable energy in order to promote energy independence, efficiency, and sustainability.

## 2. Response to Comments

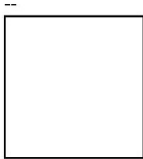
LETTER O14 – Kristopher Fortin, Project Director, Santa Ana Active Streets, (3 page[s]).

**O14**

**From:** Kristopher Fortin <[kris@saascoalition.org](mailto:kris@saascoalition.org)>  
**Sent:** Tuesday, October 6, 2020 5:00 PM  
**To:** [vcervajal@santa-ana.org](mailto:vcervajal@santa-ana.org); Information <[info@placeworks.com](mailto:info@placeworks.com)>  
**Subject:** General Plan Comments

Hello,

Please see my comments for the general plan



Kristopher Fortin  
Project Director  
[Santa Ana Active Streets](#)  
(657) 205-7306

▪

## 2. Response to Comments

### Circulation Element

Front cover, change to image that's not so photoshopped, see the building in background

O14-1

CE4, Policy CE-1.6, replace "trees" with "shade trees"

CE12, Add policy that measures safety from the barriers to travel while being a woman, queer, trans., senior, youth, e.g. most vulnerable.

<https://thesource.metro.net/2019/09/19/metro-releases-understanding-how-women-travel-report/>

### Draft EIR

Fig. 3-14 - The eastern portion of the Hazard Bike Lane ends at the Willowick property creating a missing link between bike lanes. Why is that gap there and what will be done to close it?

O14-2

Page 5.7-36

**Promote Diverse Housing Choices.** The Connect SoCal Plan notes that priority must be placed on urban and suburban infill, in existing/planned service areas and, for unincorporated county growth, within the planning boundary known as "Spheres of Influence" (SOI) where applicable and feasible. Growth at strategic nodes along key corridors, many of which are within HQTAs, will make transit a more convenient and viable option. In addition to new developments, production and preservation of permanent affordable housing to complement infill strategies is essential to achieving equitable outcomes.

O14-3

- Q; How does the HQTA high-quality transit area map out on to the city? What areas will be exempt from traffic analysis?

Page 5.16-1; 5.16 Transportation Note that IBI's traffic impact study (TIA) includes a comprehensive analysis of the potential impact of buildout of the GPU on the level of service (LOS) of 105 area intersections (including several intersections in adjacent cities) and 60 roadway segments. The results of this LOS analysis, however, are not reproduced or summarized in this EIR section because, pursuant to SB 743—passed in September 2013 and incorporated into updated CEQA Guidelines approved in December 2018—LOS and auto delay are no longer metrics to evaluate transportation impacts under CEQA. The updated guidelines codify the switch from LOS to vehicle miles traveled (VMT) as the metric for transportation analysis. VMT refers to the amount and distance of automobile travel attributable to a project. Although the LOS analysis in the TIA is not used to evaluate environmental impacts, the analysis supports the GPU and associated transportation standards of service in the circulation element.

O14-4

## 2. Response to Comments

**Comment: updated state standards are having cities measure by VMT not LOS. Change this language from LOS to VMT.**

O14-4  
cont'd

## 2. Response to Comments

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## 2. Response to Comments

**O14. Response to comments from Kristopher Fortin, Project Director, Santa Ana Active Street, dated 10/6/2020.**

- O14-1 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.
- O14-2 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.
- O14-3 This comment reproduces the “Promote Diverse Housing choices” strategy from the RTP/SCS (see Draft PEIR Table 5.7-7) and also inquires what areas of the city fall within High Quality Transit Corridors (HQTCs) and Transit Priority Areas (TPAs) defined as within ½ mile of major transit stops would be exempt from traffic analysis under CEQA. The following two pages show the 2019 mapping of HQTCs and TPAs within the City of Santa Ana (SCAG Data/Map Book).
- O14-4 Comment noted. The commenter is correct in stating that the LOS analysis in the traffic study is used to evaluate the transportation standards of service in the Circulation Element (Mobility Element). Since it is not clear what language the commenter is requesting to be changed regarding updated state standards, it was not possible to make the change requested.

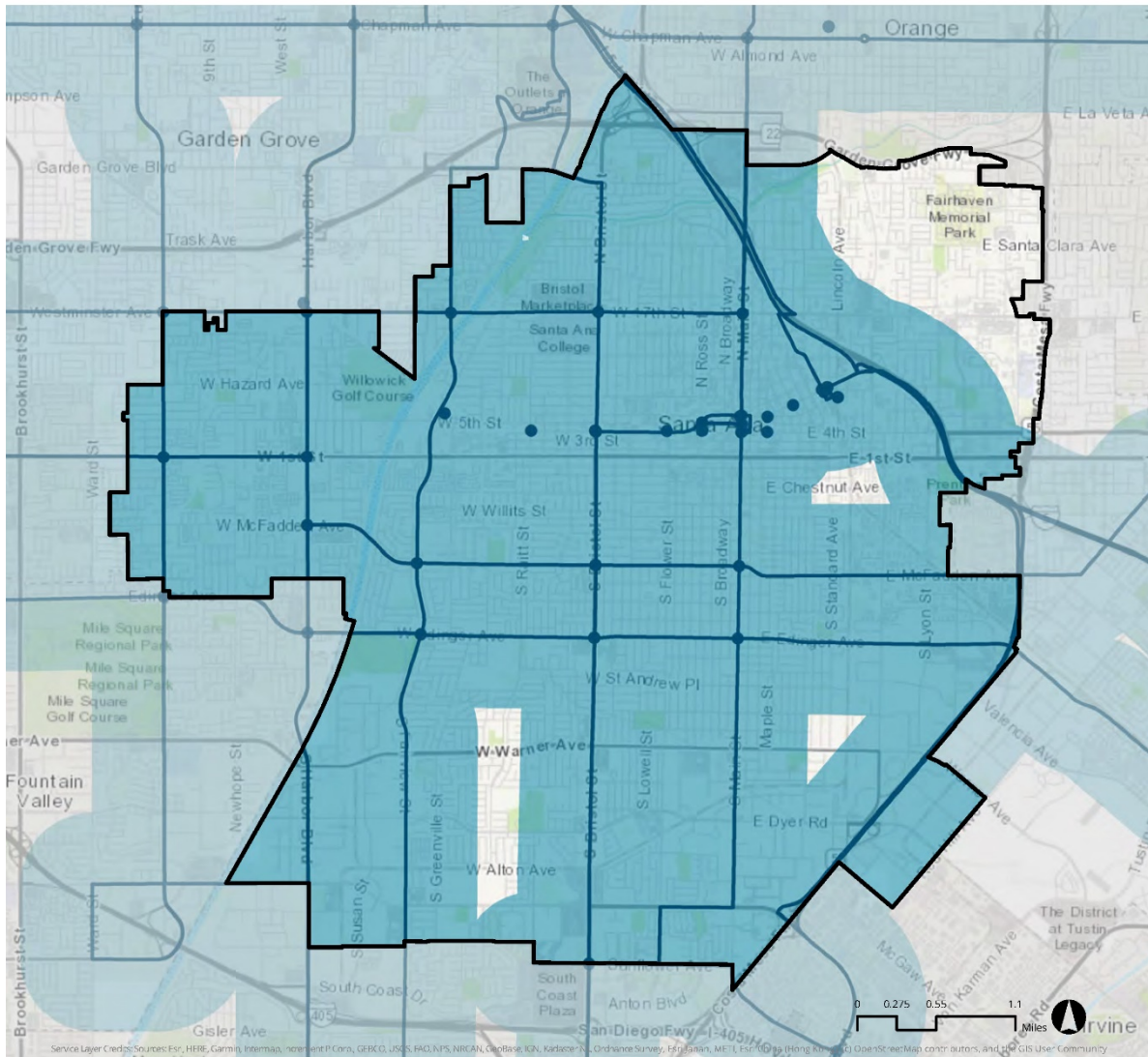
## 2. Response to Comments

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## 2. Response to Comments

SCAG DATA/MAP BOOK



### Major Transit Stops and High Quality Transit Corridors in City of Santa Ana [Year 2045]

- Major Transit Stops
- High Quality Transit Corridors (HQTs)
- High Quality Transit Areas (HQTAs)

Note: To assist in identifying transit priority project areas, SCAG identifies Major Transit Stops and High Quality Transit Corridors (HQTs), and their surrounding areas in one-half mile radius distance, as specified in Section 21155.(b)(3). Major transit stops and HQTs are extracted from 2045 plan year data of the Draft Connect SoCal. SCAG's High Quality Transit Area (HQTa) is within one-half mile from Major Transit Stops and HQTs and developed based on the language in SB375. Please note that this map may undergo changes as SCAG continues to update its transportation network as part of the Connect SoCal development process and SCAG shall not be responsible for local jurisdiction's use of this map. Updates to this information will be forthcoming as information becomes available.

Data Source: SCAG, County Transportation Commissions, 2019 | Map Created: 6/18/2019

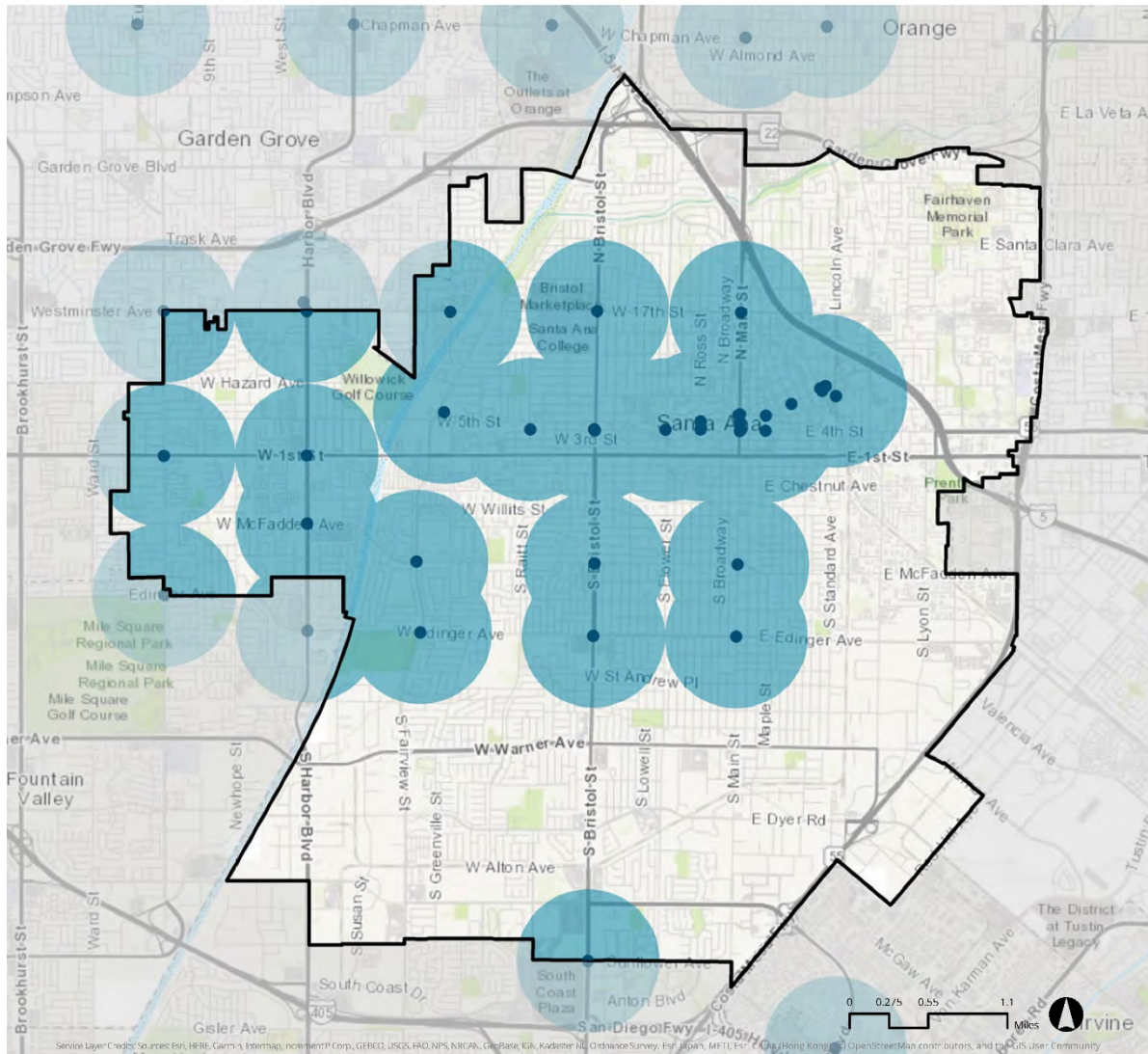
Disclaimer: The information shown on this map reflects jurisdiction's input submitted during the Local Input and Envisioning Process for the Connect SoCal. SCAG shall not be responsible for user's misuse or misrepresentation of this map. For the details regarding the sources, methodologies and contents of this map, please refer to the SCAG Data/Map Book or contact RTPLocalInput@scag.ca.gov.

## 2. Response to Comments

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## 2. Response to Comments

SCAG DATA/MAP BOOK



### Major Transit Stops and Transit Priority Areas in City of Santa Ana [Year 2045]

- Major Transit Stops
- Transit Priority Areas (Areas within One-Half Mile from Major Transit Stops)

Note: As defined in SB 743, "Transit priority area" means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations. Major transit stops are extracted from 2045 plan year of the Draft Connect SoCal. Please note that this map may undergo changes as SCAG continues to update its transportation network as part of the Connect SoCal development process and SCAG shall not be responsible for local jurisdiction's use of this map. Updates to this information will be forthcoming as information becomes available.

Data Source: SCAG, County Transportation Commissions, 2019 | Map Created: 6/18/2019

Disclaimer: The information shown on this map reflects jurisdiction's input submitted during the Local Input and Envisioning Process for the Connect SoCal. SCAG shall not be responsible for user's misuse or misrepresentation of this map. For the details regarding the sources, methodologies and contents of this map, please refer to the SCAG Data/Map Book or contact RTPLocalInput@scag.ca.gov.

## 2. Response to Comments

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## 2. Response to Comments

LETTER I1 – Brett Korte, UC Irvine Fellow, School of Law (2 page[s])

I1

**From:** [Brett Korte \(clinic\)](#)  
**To:** [Pulido, Miguel](#); [Sarmiento, Vicente](#); [Penaloza, David](#); [Solorio, Jose](#); [Bacerra, Phil](#); [Villegas, Juan](#); [Mendoza, Nelida](#); [Thai, Minh](#); [Ridge, Kristine](#); [SONIA.CARVALHO@BBKLAW.COM](#); [Carvajal, Verry](#); [Saba, Nabil](#); [New General Plan](#)  
**Cc:** [Adolfo Sierra](#); [Leonel Flores](#); [abigail.blodgett@doj.ca.gov](#)  
**Subject:** Re: Environmental Justice & Community Outreach Concerns - Gen. Plan Update  
**Date:** Monday, August 3, 2020 10:28:11 AM

Dear Mayor, City Council, and City Planners:

Based on information shared at the "General Plan Virtual Meetings" held this past Friday evening and Saturday morning, the Madison Park Neighborhood Association (MPNA) understands that the City still plans to release the Draft General Plan Policies & Land Use Maps, and the Draft EIR today, beginning a 45-day public comment period on the CEQA document. MPNA is discouraged by the City's insistence on this timeline despite overwhelming opposition voiced by members of the community before and at the outreach meetings. To effectively address environmental justice concerns of MPNA and other Santa Ana residents, the City must facilitate more robust public engagement prior to, at least, the initiation of the public comment period.

I1-1

MPNA also requests more information on the public input process for the Draft General Plan Policies & Land Use Maps. Will there be a formal public comment period for these documents? If so, when will that initiate and how long will it be? How will the City facilitate engagement with the community?

I1-2

Again, MPNA urges the City to refrain from initiating the comment period on the Draft EIR until there is opportunity for additional community input on environmental justice aspects of the Draft General Plan Policies & Land Use Maps. MPNA appreciates your attention to this serious concern.

I1-3

Sincerely,

Brett Korte

Brett M. Korte, Esq.  
Fellow | Environmental Law Clinic  
UC Irvine School of Law  
401 E. Peltason Dr. | Irvine, CA 92697  
[REDACTED]

---

**From:** Brett Korte (clinic)  
**Sent:** Thursday, July 23, 2020 5:43 PM  
**To:** [mpulido@santa-ana.org](mailto:mpulido@santa-ana.org) <[mpulido@santa-ana.org](mailto:mpulido@santa-ana.org)>; [vsarmiento@santa-ana.org](mailto:vsarmiento@santa-ana.org)



## 2. Response to Comments

<vsarmiento@santa-ana.org>; dpenaloza@santa-ana.org <dpenaloza@santa-ana.org>; JSolorio@santa-ana.org <JSolorio@santa-ana.org>; pbacerra@santa-ana.org <pbacerra@santa-ana.org>; jvillegas@santa-ana.org <jvillegas@santa-ana.org>; nmendoza@santa-ana.org <nmendoza@santa-ana.org>; mthai@santa-ana.org <mthai@santa-ana.org>; council@santa-ana.org <council@santa-ana.org>; kridge@santa-ana.org <kridge@santa-ana.org>; SONIA.CARVALHO@BBKLAW.COM <SONIA.CARVALHO@BBKLAW.COM>; vcarvajal@santa-ana.org <vcavajal@santa-ana.org>; nsaba@santa-ana.org <nsaba@santa-ana.org>; newgeneralplan@santa-ana.org <newgeneralplan@santa-ana.org>

**Cc:** Adolfo Sierra <adolfoSierra2019@gmail.com>; Leonel Flores <mpnacorg@gmail.com>; abigail.blodgett@doj.ca.gov <abigail.blodgett@doj.ca.gov>

**Subject:** Environmental Justice & Community Outreach Concerns - Gen. Plan Update

Dear Mayor, City Council, and City Planners:

On behalf of the Madison Park Neighborhood Association, please find attached a letter regarding concerns about the City of Santa Ana's public engagement relating to the environmental justice components of the City's General Plan Update. Please do not hesitate to reach out if you have any questions. MPNA looks forward to working with the City to address these issues.

Sincerely,

Brett Korte

Brett M. Korte, Esq.  
Fellow | Environmental Law Clinic  
UC Irvine School of Law  
401 E. Peltason Dr. | Irvine, CA 92697  
[REDACTED]

## 2. Response to Comments

### **I1. Response to Comments from Brett Korte, UC Irvine Fellow, School of Law, dated 8/3/2020.**

- I1-1 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I2-2 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for expanded discussion of public's opportunity on GPU process.
- I1-3 Please refer to Sections 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, and 2.1.5, *Request to Recirculate Draft PEIR*.

## 2. Response to Comments

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## 2. Response to Comments

LETTER I1A – Brett Korte, UC Irvine Fellow, School of Law (2 page[s])

**I1A**

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SANTA BARBARA • SANTACRUZ

Environmental Law Clinic  
UC Irvine School of Law

PO Box 5479  
Irvine, CA 92616-5479  
(949) 824-9660

August 19, 2020

**Sent Via Electronic Mail:** mthai@santa-ana.org; strategicplan@santa-ana.org

Minh Thai  
Executive Director, Planning and Building  
City of Santa Ana  
20 Civic Center Plaza  
Santa Ana, CA 92701

**Re: Environmental Justice and Community Engagement in Santa Ana’s General Plan Update Process**

Dear Mr. Thai,

Thank you for your response to MPNA’s July 23, 2020 letter. MPNA appreciates the invitation to the forthcoming Community Outreach Roundtable, and looks forward to receiving more information from the City’s General Plan Team. Intro

MPNA recognizes that the City’s community outreach efforts related to the General Plan Update began several years ago, and that those efforts may constitute meaningful engagement on some elements of the General Plan. However, that is not the case when it comes to environmental justice. The environmental justice-focused flyers sent in May, the Draft Environmental Justice Policy Framework released in June, and the two community outreach meetings on July 31 and August 1 are not enough. I1A-1

Specifically, environmental justice communities need more time to provide feedback on the DPEIR. The 45-day comment period on the approximately 2500 page, highly technical PDEIR is already onerous for community-based organizations like MPNA, and COVID-19 is making it worse. Low-income communities are bearing the brunt of the health and economic burdens of the pandemic. Santa Ana is a “hot spot,” with a positivity rate more than double Orange County’s as a whole,<sup>1</sup> and the timing of the comment period is especially difficult due to the expiration of emergency relief measures and the start of the school year. I1A-2

Now that the DPEIR is available for public review, the City should: 1) hold additional environmental justice-focused meetings to solicit feedback and answer questions from the public,

<sup>1</sup> See Spencer Custodio, *Orange County Sees Coronavirus Trends Improving, Anaheim and Santa Ana Remain Hot Spots*, VOICE OF OC (Aug. 13, 2020), <https://voiceofoc.org/2020/08/orange-county-sees-overall-coronavirus-trends-improving-anaheim-and-santa-ana-remain-hot-spots/>.

## 2. Response to Comments

and 2) extend the comment period on the DPEIR to accommodate those meetings and allow for more engagement in the process.

MPNA appreciates the City's attention to its concerns, and looks forward to working collaboratively with the City to ensure there is robust community input, and that environmental justice is adequately incorporated into the General Plan Update.

11A-2  
cont'd

Sincerely,

/s/

Brett M. Korte, Esq.  
Clinical Fellow  
Environmental Law Clinic  
University of California, Irvine School of Law  
[REDACTED]

cc: Adolfo Sierra, Interim President, Madison Park Neighborhood Association  
Leonel Flores, GREEN Community Organizer, Madison Park Neighborhood Association

Miguel Pulido, Mayor, City of Santa Ana  
Phil Bacerra, Councilmember, City of Santa Ana  
Nelida Mendoza, Councilmember, City of Santa Ana  
David Penaloza, Councilmember, City of Santa Ana  
Vicente Sarmiento, Councilmember, City of Santa Ana  
Jose Solorio, Councilmember, City of Santa Ana  
Juan Villegas, Mayor Pro Tem/Councilmember, City of Santa Ana

Kristine Ridge, City Manager, City of Santa Ana  
Verny Carvajal, Principal Planner, City of Santa Ana  
Sonia Carvalho, City Attorney, City of Santa Ana  
Nabil Saba, Public Works Agency Executive Director, City of Santa Ana  
Minh Thai, Planning & Building Agency Executive Director, City of Santa Ana

Abigail Blodgett, Deputy Attorney General, Bureau of Environmental Justice

## 2. Response to Comments

### **I1A Response to Comments from Brett Korte, UC Irvine Fellow, School of Law, dated 8/19/2020.**

- I1A-1 This commenter states that GPU community outreach efforts were not sufficient with respect to environmental justice communities. The City recognizes the broad scope of the GPU and its accompanying Draft PEIR. Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.
- I1A-2 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for a discussion on EJ community outreach meetings conducted by the City. EJ outreach in July and August 2020 was conducted as virtual meetings due to the COVID-19 pandemic.

## 2. Response to Comments

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## 2. Response to Comments

LETTER I2 – Maria de los Angeles Diaz (1 page[s])

**From:** [Maria de los angeles Diaz](#)  
**To:** [New General Plan](#)  
**Cc:** [Leonel Flores](#)  
**Subject:** Retrasen plan general  
**Date:** Saturday, August 22, 2020 12:33:12 PM

---

Buenas tardes mi nombre es Angeles Diaz y soy parte del Grupo Cual y parte de la comunidad de Madison park y les escribo para pedirles que retrasen el proceso del Plan General y Extiendan el periodo de Comentarios para el EIR. Muchas gracias por su atencion.

Good evening. My name is Angeles Diaz and I am part of the group CUAL and part of the Madison Park community and I write to ask that you delay the General Plan process and extend the EIR public comment period. Thank you very much for your attention.

I2-1

## 2. Response to Comments

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## 2. Response to Comments

### I2. Response to Comments from Maria de los Angeles Diaz, dated 8/22/2020.

- I2-1 This commenter requests that additional time be provided for review of the GPU and Draft PEIR. Subsequent to receipt of this letter, the City extended the public review period for the Draft PEIR by 20 days (extending the deadline for comments from September 16, 2020 to October 6, 2020). Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for a discussion on the schedule for the GPU.

## 2. Response to Comments

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## 2. Response to Comments

### LETTER I3 – Jose J. Rea, Madison Park Neighborhood Association (1 page[s])

**From:** [Jose J. Rea](#)  
**To:** [New General Plan](#)  
**Cc:** [Leonel Flores](#)  
**Subject:** Environmental Justice in SA General Plan  
**Date:** Monday, August 24, 2020 7:31:15 PM

SA General Plan Public Comment:

Southeast Santa Ana has an industrial corridor that extends North-South from the Logan & Lacy neighborhoods to Delhi and Sand Point Neighborhoods along Grand Ave. There are dozens of “dirty” industries that required permits from SCAQMD to release pollutants into the air near schools and residential areas. Century High School is surrounded 360 degrees by industries.

The latest addition is Brasstech Industries that is less than 1000 yards from both Madison and Kennedy Elementary Schools playgrounds. Brasstech is a metal plating company that releases pounds of volatile organic compounds, particular matter and nitrogen oxides daily.

Additionally, the Department of Toxic Substance Control is cleaning 1224 E. Pomona St. the site of a former metal plating company that contaminated the soil and subterranean water deposit with trichloroethelene, a carcinogen.

The city has not address environmental justice adequately in the General Plan being revised currently. Our kids and adults suffer from asthma and other ailments disproportionately as a result of the city negligence. You need to delay the approval of the General Plan until enough outreach is done at the 17 census tracts within the 21 neighborhoods impacted by environmental and social Injustice in the City of Santa Ana, including those in the West side of the city. SB 1000 requires it, the affected communities participate actively in addressing these important matters and that future policies robustly improve that air, soil and water contamination in our city. The quality of our lives depend on it.

José J. Rea  
Treasurer  
Madison Park NA  
37 year Santa Ana Resident

Sent from my iPhone

I3-1

I3-2

## 2. Response to Comments

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## 2. Response to Comments

### I3. Response to Comments from Jose J. Rea, Madison Park Neighborhood Association, dated 8/24/2020.

I3-1 Comment noted. Industrial areas within the city include facilities that generate air pollutant emissions that require permits from the South Coast Air Quality Management District (South Coast AQMD). These facilities are proximate to the Madison Park neighborhood. Please refer to Section 2.1.4, *Health Risk/Pollution Assessment*, for an expanded response regarding this issue.

I3-2 Please refer to Section 2.1.2, *Environmental Justice*, for a discussion of GPU requirements under SB 1000 and CEQA requirements for the Draft PEIR. Also refer to Appendix A of this FEIR for a comprehensive listing of EJ-related policies and implementation actions.

For air quality, Section 5.2.4.2 of the Draft PEIR identifies several policies included in the GPU to minimize air quality impacts on sensitive receptors to achieve appropriate health standards:<sup>20</sup>

- **Policy 1.5 Sensitive Receptor Decisions (Conservation Element).** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks.
- **Policy 3.8 Sensitive Receptors (Land Use Element).** Avoid the development of sensitive receptors in close proximity to land uses that pose a hazard to human health and safety, due to the quantity, concentration, or physical or chemical characteristics of the hazardous materials that they utilize, or the hazardous waste that they generate or emit.
- **Policy 3.9 Noxious, Hazardous, Dangerous, and polluting Uses (Land Use Element).** Improve the health of residents by discontinuing the operation of noxious, hazardous, dangerous, and polluting uses that are in close proximity to sensitive receptors.
- **Policy 2.6 Existing Sensitive Uses (Safety Element).** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses.

Furthermore, the Department of Toxic Substances Control is providing oversight of the cleanup at 1224 E. Pomona Street. The remediation of the property is underway and the DTSC is taking precautions to prevent any further exposure to the community at large.

<sup>20</sup> Note that the updated policies are included here as shown under section 3.2.2, Changes to GPU Policies, of this FEIR.

## 2. Response to Comments

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## 2. Response to Comments

### LETTER I4 – Erica Peratoner, MS1, UC Irvine Medical Student e (2 page[s])

**From:** [Peratoner, Erika](#)  
**To:** [Carvajal, Verry](#); [New General Plan](#)  
**Cc:** [Leonel Flores](#); [Pulido, Miguel](#); [Bacerra, Phil](#); [Mendoza, Nelida](#); [Penaloza, David](#); [Sarmiento, Vicente](#); [Solorio, Jose](#); [Villegas, Juan](#); [council@santa-ana.org](#); [Ridge, Kristine](#); [SONIA.CARVALHO@BBKLAW.COM](#); [Carvajal, Verry](#); [Saba, Nabil](#)  
**Subject:** Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process  
**Date:** Wednesday, August 26, 2020 1:30:44 PM

August 26th, 2020

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am Erika Peratoner, a first-year medical student at UC Irvine School of Medicine in the Program for Medical Education in the Latino Community (PRIME-LC). Part of our mission includes improving the health of the community and advocating for social equity.

Intro

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons that I think this is very important:

I4-1

1. The city's community outreach efforts have been rushed and insufficient, focusing more on providing information rather than receiving community input. Outreach during COVID-19 has not addressed technology and language access barriers for Santa Ana residents in the defined disadvantaged communities
2. Environmental justice issues are not adequately reflected in the General Plan Update or the planning process, which is required by SB 1000
3. The 45-day public comment period on the 2500 page, highly technical Environmental Impact Report for the General Plan is insufficient to meaningfully engage Santa Ana communities under any circumstance, and particularly during the COVID-19 pandemic.

I4-2

I4-3

I4-4

In summary, in order to effectively construct a plan well-suited for the residents of Santa Ana, the City's General Plan outreach should be designed to collect community input that will be incorporated into the plan, not just provide updates. For this reason, the process for implementing the General Plan should be delayed until there is proper input from the residents of the city of Santa Ana.

I4-5

Sincerely,

**Erika Peratoner, MS1**  
 UC Irvine School of Medicine  
 Program in Medical Education for the Latino Community (PRIME-LC)  
 (She/Her/Hers)



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## 2. Response to Comments

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## 2. Response to Comments

### I4. Response to Comments from Erica Peratoner, MS1, UC Irvine Medical Student, dated 8/26/2020.

- I4-1 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.
- I4-2 The General Plan Outreach Program included a series of 40 Community Workshops, informational “pop-ups” at community events, and presentations to focus groups and the community. Over 44,000 mailers were sent inviting residents to participate in various community meetings. The outreach conducted as part of this early effort included outreach on EJ issues. To ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings due to the COVID-19 pandemic.
- I4-3 Please refer to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.
- I4-4 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I4-5 Please refer to responses to comments I4-1 through I4-4.

## 2. Response to Comments

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## 2. Response to Comments

LETTER I5 – Biblia Cha, MPH, UC Irvine PhD Candidate, Public Health (2 page[s])

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SANTA BARBARA • SANTA CRUZ

August 29, 2020

**Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process**

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am a 5th year Public Health PhD Candidate at the University of California, Irvine, and a Fellow at the UC Irvine Newkirk Center for Science and Society Community-based Research Initiative. I have also been working alongside Madison Park Neighborhood Association in Santa Ana supporting their environmental justice efforts for community health and air quality monitoring.

Intro

I am writing to demand that the City of Santa Ana delay the process for moving forward with the General Plan to allow more time for meaningful community outreach, engagement, and input per the requirements of SB1000.

I5-1

1. The city's community outreach efforts have been rushed and insufficient. Community outreach to residents for the General Plan process should include multiple forms of communication based on resident's needs, including **radio, social media, publicly posted fliers** in locations such as laundromats, community centers, and bus stops, **email campaigns and mailed information**. **Furthermore, such communication and outreach should be** needs to be **bilingual/multilingual** so all community members can participate, and released at least several weeks before scheduled meetings to community members have sufficient time to both plan ahead to prepare for and attend meetings, as well as to **provide public comment**.
2. The city's community outreach efforts have also been focused more on providing information rather than **receiving community input that will be incorporated into the plan, and have not addressed technology and language access barriers** for Santa Ana residents in the defined disadvantaged communities, an important factor in access especially during COVID-19. In line with truly hearing the community's voices, meetings and events should be held at **convenient times** for working families, have **remote options** for participation and comment, and provide **professional translators** for non-English speakers to both participate fully in all aspects of the meetings. In addition, **planners and city officials should visit the community** to see needs firsthand and hear residents' input in **community forums**.
3. The 45-day public comment period on the 2500 page, highly technical Environmental Impact Report is insufficient to meaningfully engage Santa Ana residents, especially during the COVID-19 pandemic.

I5-2

I5-3

I5-4

In summary, the City's efforts to develop a General Plan that is truly serving Santa Ana residents, especially those in the defined disadvantaged communities, would be better served by delaying the finalization of the General Plan to allow for more meaningful input and integration of community perspectives. The City must take immediate measures to redress these through proactive public outreach and a General Plan that reflects the needs and input of Santa Ana residents most impacted by environmental justice issues.

I5-5

Sincerely,

Biblia Cha, MPH  
PhD Candidate | Program in Public Health  
Susan and Henry Samueli College of Health Sciences  
Newkirk Community-based Research Initiative Fellow  
University of California, Irvine

## 2. Response to Comments

cc: Adolfo Sierra, President, Madison Park Neighborhood Association  
José Rea, Treasurer, Madison Park Neighborhood Association  
Leonel Flores, GREEN Community Organizer, Madison Park Neighborhood Association

Miguel Pulido, Mayor, City of Santa Ana  
Phil Bacerra, Councilmember, City of Santa Ana  
Nelida Mendoza, Councilmember, City of Santa Ana  
David Penaloza, Councilmember, City of Santa Ana  
Vicente Sarmiento, Councilmember, City of Santa Ana  
Jose Solorio, Councilmember, City of Santa Ana  
Juan Villegas, Mayor Pro Tem/Councilmember, City of Santa Ana  
Kristine Ridge, City Manager, City of Santa Ana  
Verny Carvajal, Principal Planner, City of Santa Ana  
Sonia Carvalho, City Attorney, City of Santa Ana  
Nabil Saba, Public Works Agency Executive Director, City of Santa Ana  
Minh Thai, Planning & Building Agency Executive Director, City of Santa Ana

## 2. Response to Comments

### I5. Response to Comments from Biblia Cha, MPH, UC Irvine PhD Candidate, Public Health, dated 8/29/2020.

- I5-1 Please refer to Section 2.1.1 *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.
- I5-2 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for discussion of the City's community outreach efforts.
- I5-3 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Outreach conducted as part of the GPU effort included outreach on EJ issues. To ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings due to the COVID-19 pandemic.
- I5-4 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I5-5 Please refer to responses to comments I5-1 through I5-4.

## 2. Response to Comments

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## 2. Response to Comments

Letter I6 – Victoria Rodriguez, UC Irvine Public Health Student (2 page[s])

I6

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Department of Population Health & Disease Prevention  
653 E. Peltason Drive  
Irvine, CA 92697

August 31, 2020

### Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update

To Whom it May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am a current Doctoral Student in the Program in Public Health at the University of California, Irvine. I have a Masters in Public Health and Masters in Social Work and research health inequities within Latinx populations.

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons that I think this is very important:

I6-1

1. Environmental conditions such as exposure to pollution in the air, water, and soil contribute immensely to producing and maintaining health disparities. These conditions disproportionately impact communities of color, such as those residing in Santa Ana.
2. Many times, risk assessment and policy recommendations are done without the consideration or input of community members. Community members are experts of their own lives and their lived conditions, not allowing outreach and input of the community is a disservice to that community and can further perpetuate health disparities.

In summary, providing adequate time for outreach and input of the community before moving forward with the General Plan will elicit an accurate snapshot of the strengths, challenges, and needs for the communities in Santa Ana. Without this expert information, environmental justice in this community is not possible. Thank you.

Sincerely,

Victoria E. Rodriguez, MSW, MPH

cc: Adolfo Sierra, President, Madison Park Neighborhood Association  
José Rea, Treasurer, Madison Park Neighborhood Association  
Leonel Flores, GREEN Community Organizer, Madison Park Neighborhood Association

Miguel Pulido, Mayor, City of Santa Ana  
Phil Bacerra, Councilmember, City of Santa Ana  
Nelida Mendoza, Councilmember, City of Santa Ana  
David Penaloza, Councilmember, City of Santa Ana  
Vicente Sarmiento, Councilmember, City of Santa Ana  
Jose Solorio, Councilmember, City of Santa Ana  
Juan Villegas, Mayor Pro Tem/Councilmember, City of Santa Ana

## 2. Response to Comments

Kristine Ridge, City Manager, City of Santa Ana  
Verny Carvajal, Principal Planner, City of Santa Ana  
Sonia Carvalho, City Attorney, City of Santa Ana  
Nabil Saba, Public Works Agency Executive Director, City of Santa Ana  
Minh Thai, Planning & Building Agency Executive Director, City of Santa Ana

## 2. Response to Comments

**I6. Response to Comments from Victoria Rodriguez, UC Irvine Public Health Student, dated 8/31/2020.**

- I6-1 Please refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Please also refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city.

## 2. Response to Comments

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## 2. Response to Comments

Letter I7 – Stephanie Guevara, UC Irvine Medical Student, Santa Ana Healthy Neighborhoods (1 page[s])

**From:** [Guevara, Rossella](#)  
**To:** [Carvajal, Verny](#); [New General Plan](#)  
**Cc:** [Leonel Flores](#); [Pulido, Miguel](#); [Bacerra, Phil](#); [Mendoza, Nelida](#); [Penaloza, David](#); [Sarmiento, Vicente](#); [Solorio, Jose](#); [Villegas, Juan](#); [council@santa-ana.org](#); [Ridge, Kristine](#); [Carvalho, Sonia](#); [Carvajal, Verny](#); [Saba, Nabil](#); [Thai, Minh](#)  
**Subject:** Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process  
**Date:** Thursday, September 3, 2020 4:32:41 PM

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. My name is Stephanie Guevara, and I am currently a first-year medical student at the University of California, Irvine School of Medicine. I am also engaged with the PRIME-LC program, which is committed to serving our Latino population, like the large Latino population living in Santa Ana.

Intro

As we are learning in medical school, our environments are a huge determining factor on health outcomes. Certain environmental factors, including increased levels of air/water/soil pollution, lack of safe parks for exercise, and occupational hazards, lead to poor health outcomes. To truly assess what the community of Santa Ana needs, you need to ensure that the community is as involved as possible. Community members are the best source of information, and they have a right to be involved in important decisions that will affect their lives. For this reason, I am writing you all today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input.

I7-1

In summary, please delay this important decision in order to better account for community voices. These decisions are multi-faceted and require more deliberation, especially from those who will be the most impacted. Thank you for your time.

Sincerely,  
Stephanie Guevara, MS1  
UC Irvine School of Medicine  
Program in Medical Education for the Latino Community (PRIME-LC)

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## 2. Response to Comments

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## 2. Response to Comments

**I7. Response to Comments from Stephanie Guevara, UC Irvine Medical Student, Santa Ana Healthy Neighborhoods, dated 9/3/2020.**

- I7-1 The City recognizes the broad scope of the General Plan Update and its accompanying Draft PEIR. Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City.

## 2. Response to Comments

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## 2. Response to Comments

### Letter I8 – Susana Sandoval & Irma Jaurequi, Alliance (2 page[s])

**From:** [suzie\\_c\\_sandoval](#)  
**To:** [Pulido, Miguel](#); [Bacerra, Phil](#); [Mendoza, Nelida](#); [Penaloza, David](#); [Sarmiento, Vicente](#); [Solorio, Jose](#); [Villegas, Juan](#); [Ridge, Kristine](#); [Carvajal, Verny](#); [Carvalho, Sonia R.](#); [Thai, Minh](#); [Saba, Nabil](#)  
**Cc:** [Irma Jaurequi](#); [Strategic Plan](#)  
**Subject:** General Plan: Request to slow down the current process and timeline  
**Date:** Thursday, September 3, 2020 5:01:23 PM

#### Santa Ana Healthy Neighborhoods Alliance

1318 S. Birch Street, Santa Ana, CA 92707

September 3, 2020

Sent Via electronic mail

City of Santa Ana  
Mayor, City Council & Staff  
20 Civic Center Plaza  
Santa Ana, CA 92701

Dear Elected Officials, City Manager and Staff:

The Santa Ana Healthy Neighborhoods Alliance supports the delaying of the General Plan to move forward in the current process and established timeline.

I8-1

The current process has not allowed for sufficient and effective community outreach and input. Both of us participated in the virtual meetings held on July 31 and August 1 where the majority of those who participated voiced concerns and requested slowing down the process.

The community was given short notice for the dates of these meetings which were held on Friday evening at 6:00 pm and Saturday morning. These were not good times as some residents work Saturday mornings and Friday evenings are a time when many families have other commitments and are winding down from the week's activities with children and work. The city can be well served by contacting the community leadership for recommendations on best times for residents to participate in meetings.

I8-2

This General Plan process reminds us of the City's and County's attempt in 2014 to place the Normandy Homeless Shelter for the most vulnerable population in the immigrant low income community impacting South East Santa Ana neighborhoods, particularly affecting the Madison Park, the then East Side (now Pacific Park) and the other south east corridor neighborhoods and adjacent schools. Once again in this case the city sent out letters requesting resident input with very short notice and the meeting was scheduled on the July 4<sup>th</sup> weekend 2014 at Kennedy Elementary School. The businesses impacted by the proposed Normandy Homeless Shelter were not informed with due process. The Community organized because of the lack of community outreach, input and the very inappropriate location to place the proposed shelter where 9,000 children walk through daily to get to school and home. We spent months presenting data, research and more effective national models to both the City Council members and County supervisors as to why the Normandy shelter was not a good location for the homeless population or the community. As a result, the City changed their position, and the County rescinded this decision. During this process, the community was disrespected by both the City and County sending us back and forth between both entities like ping pong balls. The community was resilient and organized; we did our research, had

I8-3

## 2. Response to Comments

legal counsel, and as a result overcame this injustice.

Then this takes us to the 25 – 25 project in 2019. Once again, the outcry from residents was compelling - residents were well prepared, articulate, and had their data in order. The majority of residents who presented at the City Council meetings did not approve and asked the City Council not to approve. Unfortunately, the City Council passed even with the strong resident opposition. Then the community jumped into action, exercising their voice, which was loud and clear in opposition. Long story short, the City Council changed their votes and the 25 – 25 project was voted down.

18-3  
cont'd.

We encourage you to listen to the residents, slow down the General Plan process and timeline, and do justice to create a comprehensive and effective plan, and in particular one that can meet the standards of SB1000 on Environmental Justice. We appreciate the dedication of the staff from the Planning Department to complete the General Plan. However, in our observations, they have not taken advantage of, or exercised the wisdom, experience and history of residents in listening to their genuine concerns and expertise in establishing public policy. We are here to help the staff.

18-4

Most respectfully,

Susana Sandoval, Irma Jauregui

Co-Chairs, Santa Ana Healthy Neighborhoods Alliance, and  
Residents of Wilshire Square

## 2. Response to Comments

### I8. Response to Comments from Susana Sandoval & Irma Jaurequi, Alliance, dated 9/3/2020

I8-1 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for discussion of the City's community outreach efforts.

I8-2 Meetings were held at various times and on various days of the week. Please refer to <https://www.santa-ana.org/general-plan/meetings> for details. Following is a sample of the latest public meetings:

- General Plan EJ Community Meeting: Virtual meeting held Monday, October 19, 2020 at 5:30 pm.
- General Plan Community Outreach Roundtable: Virtual meeting held Wednesday, October 14, 2020 at 5:30 pm.
- General Plan Anti-displacement Roundtable: Virtual meeting held Tuesday, October 13, 2020 at 10:00 am.
- General Plan/EJ—Madison Park: Virtual meeting held Tuesday, September 15, 2020 at 10:00 am.

Furthermore, the City formed a General Plan Advisory Group composed of 17 members of the community, including seniors, youth, community-serving organizations, Community Linkages Neighborhood Leaders, and City commissioners.

I8-3 Comment noted.

I8-4 Please refer to the response to comment I8-1. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.

## 2. Response to Comments

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## 2. Response to Comments

Letter I9 – Alexis Pellecer, MSI, UC Irvine Medical Student (2 page[s])

I9

**From:** [Pellecer, Alexis](#)  
**To:** [Carvajal, Verny](#); [New General Plan](#)  
**Cc:** [Pulido, Miguel](#); [Bacerra, Phil](#); [Mendoza, Nelida](#); [Penaloza, David](#); [Sarmiento, Vicente](#); [Solorio, Jose](#); [Villegas, Juan](#); [council@santa-ana.org](#); [Ridge, Kristine](#); [Carvalho, Sonia](#); [Saba, Nabil](#); [Thai, Minh](#); [Leonel Flores](#)  
**Subject:** Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process  
**Date:** Thursday, September 3, 2020 1:59:17 PM

Alexis Pellecer, MSI  
UC Irvine School of Medicine  
PRIME-LC  


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**From:** Pellecer, Alexis  
**Sent:** Thursday, September 3, 2020 1:58 PM  
**To:** [vcarvajal@santa-ana.org](mailto:vcarvajal@santa-ana.org) <[vcarvajal@santa-ana.org](mailto:vcarvajal@santa-ana.org)>; [newgeneralplan@santa-ana.org](mailto:newgeneralplan@santa-ana.org)  
**Cc:** Pulido, Miguel <[MPulido@santa-ana.org](mailto:MPulido@santa-ana.org)>; Bacerra, Phil <[pbacerra@santa-ana.org](mailto:pbacerra@santa-ana.org)>; Mendoza, Nelida <[nmendoza@santa-ana.org](mailto:nmendoza@santa-ana.org)>; Penaloza, David <[DPenaloza@santa-ana.org](mailto:DPenaloza@santa-ana.org)>; Sarmiento, Vicente <[VSarmiento@santa-ana.org](mailto:VSarmiento@santa-ana.org)>; Solorio, Jose <[JSolorio@santa-ana.org](mailto:JSolorio@santa-ana.org)>; Villegas, Juan <[JVillegas@santa-ana.org](mailto:JVillegas@santa-ana.org)>; council@santa-ana.org <[council@santa-ana.org](mailto:council@santa-ana.org)>; Ridge, Kristine <[kridge@santa-ana.org](mailto:kridge@santa-ana.org)>; Carvalho, Sonia <[SONIA.CARVALHO@BBKLAW.COM](mailto:SONIA.CARVALHO@BBKLAW.COM)>; Carvajal, Verny <[VCarvajal@santa-ana.org](mailto:VCarvajal@santa-ana.org)>; Saba, Nabil <[NSaba@santa-ana.org](mailto:NSaba@santa-ana.org)>; [mthai@santa-ana.org](mailto:mthai@santa-ana.org) <[mthai@santa-ana.org](mailto:mthai@santa-ana.org)>; Leonel Flores <[mpnacorg@gmail.com](mailto:mpnacorg@gmail.com)>  
**Subject:** Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process

9.3.2020

### Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. My name is Alexis Pellecer, B.S. Microbiology, and I am a current medical student at the University of California Irvine with the Program in Medical Education for the Latino Community.

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons that I think this is very important:

1. The city's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input

Intro

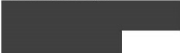
I9-1

## 2. Response to Comments

- |   |                |
|---|----------------|
| 2. Outreach during COVID-19 has not addressed technology and language access barriers for Santa Ana residents in the defined disadvantaged communities  | 19-1<br>cont'd |
| 3. Environmental justice issues are not adequately reflected in the General Plan Update or the planning process, which is required by SB 1000   | 19-2           |
| 4. The 45-day public comment period on the 2500 page, highly technical Environmental Impact Report for the General Plan is insufficient to meaningfully engage Santa Ana communities under any circumstance, and particularly during the COVID-19 pandemic. | 19-3           |

In summary, I believe it is imperative for the city of Santa Ana to delay the process for moving forward with the General Plan.

Sincerely,

Alexis Pellecer, MS1  
UC Irvine School of Medicine  
PRIME-LC  


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## 2. Response to Comments

### **I9. Response to Comments from Alexis Pellecer, MSI, UC Irvine Medical Student, dated 9/3/2020.**

- I9-1 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Outreach conducted as part of the GPU effort included outreach on EJ issues. In order to ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings as a result of the COVID-19 pandemic.
- I9-2 Please refer to the response to comment I8-1. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan complies with SB 1000 requirements.
- I9-3 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.

## 2. Response to Comments

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## 2. Response to Comments

Letter I10 – Jenny Ventura, UC Irvine Medical Student (2 page[s])

**From:** [Ventura, Jenny](#)  
**To:** [Carvajal, Verny](#); [New General Plan](#)  
**Cc:** [Pulido, Miquel](#); [Bacerra, Phil](#); [Mendoza, Nelida](#); [Penaloza, David](#); [Sarmiento, Vicente](#); [Solorio, Jose](#); [Villegas, Juan](#); [council@santa-ana.org](#); [Ridge, Kristine](#); [Carvalho, Sonia](#); [Carvajal, Verny](#); [Saba, Nabil](#); [Thai, Minh](#); [Leonel Flores](#)  
**Subject:** Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process  
**Date:** Friday, September 4, 2020 1:34:14 PM

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am a first-year medical student at the University of California, Irvine School of Medicine. Furthermore, I am a member in the Program for Medical Education for the Latino Community (PRIME-LC).

Intro

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons that I think this is very important:

1. The city's community outreach efforts have been rushed and do not thoroughly incorporate community input.
2. Community improvements are only long-lasting and effective if they reflect the needs of the community. One way to truly understand the wide-spread community concerns and ideas is to increase the participation of the community via accessible city council meetings, addressing language and/or technology barriers.

I10-1

I10-2

In summary, I hope the urgency to delay the process for moving forward with the General Plan to allow for community outreach is considered. Addressing environmental injustices that exacerbate health conditions should be a priority especially as we are in living through a pandemic. Thank you for your time.

I10-3

Sincerely,

Jenny Ventura  
MS1, UCI School of Medicine  
Program in Medical Education for the Latino Community (PRIME-LC)



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## 2. Response to Comments

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## 2. Response to Comments

### **I10. Response to Comments from Jenny Ventura, UC Irvine Medical Student, dated 9/4/2020.**

- I10-1 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for discussion of the City's community outreach efforts.
- I10-2 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for discussion of the City's community outreach efforts.
- I10-3 Please refer to the response to comment I10-1 and General Responses 2.1.2, *Environmental Justice*, and 2.1.4, *Health Risk/Pollution Assessment*.

## 2. Response to Comments

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## 2. Response to Comments

Letter I11 – Martha Romero (1 page[s])

**From:** [Martha Romero](#)  
**To:** [Carvajal, Vervy](#); [New General Plan](#)  
**Cc:** [Leonel Flores](#); [Pulido, Miguel](#); [Bacerra, Phil](#); [Mendoza, Nelida](#); [Penaloza, David](#); [Sarmiento, Vicente](#); [Solorio, Jose](#); [Villegas, Juan](#); [council@santa-ana.org](#); [Ridgely, Kristine](#); [SONIA.CARVALHO@bbklaw.com](#); [Saba, Nabil](#)  
**Subject:** Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process  
**Date:** Saturday, September 5, 2020 8:43:16 PM

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. I am Martha Romero and am a resident of Santa Ana.

Intro

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons that I think this is very important:

1. Outreach during COVID-19 has not addressed technology and language access barriers for Santa Ana residents in the defined disadvantaged communities
2. The city's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input
3. Environmental justice issues are not adequately reflected in the General Plan Update or the planning process, which is required by SB 1000

I11-1

I11-2

In summary, City's General Plan outreach should be designed to **collect community input that will be incorporated into the plan**, not just provide updates. As a resident of Santa ana, I am asking that the City take immediate measures to redress these concerns through proactive public outreach and a General Plan that reflects the needs and input of Santa Ana residents most impacted by environmental justice issues. Therefore, I **urge the need for a delay in the process to give our community the opportunity to voice their concerns** in this that will be impacting them and their families.

I11-3

Sincerely,

Martha Romero, BS  
Resident of Santa Ana, CA  
University of California, Los Angeles  
Class of 2018 | Biology B.S. and Chican@ Studies minor

## 2. Response to Comments

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## 2. Response to Comments

### **I11. Response to Comments from Martha Romero, dated 9/5/2020.**

- I11-1 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Outreach conducted as part of the GPU effort included outreach on EJ issues. In order to ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings due to the COVID-19 pandemic. Moreover, translation services were offered during the meetings, and videos of workshops were archived and made available for those unable to attend in-person.
- I11-2 Please refer to the response to comment I8-1. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.
- I11-3 Please refer to the responses to comments I11-1 and I11-2.

## 2. Response to Comments

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## 2. Response to Comments

Letter I12 – Omar Morales-Haro and Jean-Paul Plaza, UC Irvine Medical Students (1 page[s])

UNIVERSITY OF CALIFORNIA, IRVINE

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

September 8th, 2020

**Re: Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process**

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. We are medical students from the University of California, Irvine who have been researching the effects of urban zoning on childhood asthma in the city of Santa Ana.

We became involved in this research project to respond to the high volume of pediatric hospitalizations in Santa Ana and the concern of residents regarding asthma exacerbation from air pollution. In partnership with the community health center located at James Madison Elementary School, we have conducted multiple surveys, pulmonary function tests, and mobile air quality monitoring with willing participants. The community's thoughtful input throughout this study has been valuable and necessary to understanding the relationship between urban zoning and health. Given the value of community input, we are concerned that the city hasn't engaged the community in a city plan that will affect their health.

We are writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons that we think this is very important:

1. The city's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input.
2. Environmental justice issues are not adequately reflected in the General Plan Update or the planning process, which is required by SB 1000
3. The 45-day public comment period on the 2500 page, highly technical Environmental Impact Report for the General Plan is insufficient to meaningfully engage Santa Ana communities under any circumstance, and particularly during the COVID-19 pandemic.

In summary, the impact of the proposed plan on the health of residents should be carefully considered by actively engaging community members. We kindly request additional time to allow for community input.

Sincerely,

Omar Morales-Haro, MS2

Jean-Paul Plaza, MS2

**UC Irvine School of Medicine**

**Program in Medical Education for the Latino Community (PRIME-LC)**

Intro

I12-1

I-12-2

I12-3

I12-4

I12-5

## 2. Response to Comments

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## 2. Response to Comments

### **I12. Response to Comments from Omar Morales-Haro and Jean-Paul Plaza, UC Irvine Medical Students, dated 9/8/2020.**

- I12-1 Please refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Please also refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city.
- I12-2 Please refer to General Response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I12-3 Please refer to the response to comment I8-1. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.
- I12-4 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I12-5 Please refer to responses for comments I12-1 through I12-5.

## 2. Response to Comments

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## 2. Response to Comments

Letter I13 – Greg Camphire, UC Berkeley Planning Student (1 page[s])

I13

**From:** [Greg Camphire](#)  
**To:** [New General Plan; Carvajal, Verny](#)  
**Cc:** [REDACTED]  
**Subject:** Santa Ana General Plan Program Environmental Impact Report  
**Date:** Friday, September 11, 2020 9:52:05 AM

Hello,

My name is Greg Camphire and I am a resident of Santa Ana. I am writing to request that the city of Santa Ana delay the process for moving forward with the General Plan to allow more time for community outreach and input.

I13-1

The city's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input. Outreach during the Covid-19 pandemic has not addressed technology and language access barriers for Santa Ana residents in the defined disadvantaged communities.

I13-2

Environmental justice issues are not adequately reflected in the General Plan update, or the planning process, which is required by SB 1000. The 45-day public comment period--on the 2500-page environmental impact report for the General Plan, which includes highly technical language--is insufficient to meaningfully engage Santa Ana communities under any circumstances, and particularly during the Covid-19 pandemic.

I13-3

I13-4

I appreciate your attention to this matter in order to ensure that the General Plan truly reflects the needs and values of all members of our communities.

Thank you,  
Greg Camphire

## 2. Response to Comments

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## 2. Response to Comments

**I13. Response to comments from Greg Camphire, UC Berkeley Planning Student, dated 9/11/2020.**

- I13-1 Please refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I13-2 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Outreach conducted as part of the GPU effort included outreach on EJ issues. In order to ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings as a result of the COVID-19 pandemic. Moreover, translation services were offered during the meetings.
- I13-3 Please refer to the response to comment I8-1. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.
- I13-4 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.

## 2. Response to Comments

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## 2. Response to Comments

Letter I13A – Greg Camphire, UC Berkeley Planning Student (1 page[s])

### I13A

**From:** Greg Camphire [REDACTED]  
**Sent:** Tuesday, October 06, 2020 2:51 PM  
**To:** New General Plan <[NewGeneralPlan@santa-ana.org](mailto:NewGeneralPlan@santa-ana.org)>  
**Subject:** Comment: Draft Program Environmental Impact Report (DPEIR)

Hello,

I am writing this comment at a time of great urgency for the city of Santa Ana and our entire planet. We are experiencing the disastrous effects of not only man-made climate change and pollution, but of the consistent denial and cover-up of these problems for decades. Our ability to breathe is under grave threat from the combined effects of the ongoing global climate emergency, the COVID-19 pandemic, and widespread brutal acts of racist police violence.

If these problems are connected, then the solutions are connected as well. Creating more green spaces in our communities will lead to cleaner air and improved breathing for all. Defunding police departments means refunding investments into Indigenous land sovereignty, public parks, community gardens, and other ecologically sustainable projects. These solutions are also aligned with goals of creating a just transition from an extractive economy into a regenerative one.

As reported recently, low-income and predominantly Latino neighborhoods in Santa Ana--including the one that my family and myself live in--have been greatly affected by toxic lead. For several of the past weeks, the EPA's Air Quality Index for Santa Ana has fluctuated from Moderate to Unhealthy levels. It's clear that the city has become a dumping ground over the years for the worst effects of an unsustainable economy. There is no time for half-measures or bureaucratic stalling. We are dying at the hands of our own species.

I13A-1

With so much of the city covered in concrete and congested by fossil fuel-emitting vehicles and business, prioritizing sustainable land use should be a top priority of the Santa Ana General Plan. There should be three main components of sustainable land use:

1. Affordable housing
2. Parks, community gardens, and other types of green space
3. Indigenous leadership and input

These three components should each have specific budget allocations, data, and measurements of the affected square mileage listed in the final version of the General Plan.

Thank you,  
Greg Camphire

## 2. Response to Comments

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## 2. Response to Comments

### **I13A Response to comments from Greg Camphire, UC Berkeley Planning Student, date 10/6/2020.**

- I13A-1 This comment is regarding the proposed General Plan and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.

## 2. Response to Comments

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## 2. Response to Comments

Letter I14 – Juan Gonzalez, Planning Student (1 page[s])

**From:** [Juan Gonzalez](#)  
**To:** [New General Plan: Carvajal, Verny](#)  
**Subject:** Public Comment on Santa Ana General Plan EI Report  
**Date:** Saturday, September 12, 2020 1:46:08 PM

Hello,

My name is Juan Gonzalez, and I am a born-and-raised Santanero, a resident of the Memorial Park neighborhood, and a student of Public Health and City Planning at UC Berkeley. I am emailing to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input:

Intro

- The City's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input. It is hard not to assume that the rushed timeline is directly correlated with the upcoming November elections, as the Plan is aiming to be adopted before then. As a student of city planning, I encourage you to strongly reflect on the social and community considerations and focuses of our field, rather than on the political ones.

I14-1

- Outreach during COVID-19 has not addressed technology and language access barriers for Santa Ana residents in the defined disadvantaged communities.

I14-2

- Environmental justice issues are not adequately reflected in the General Plan update or the planning process, which is required by SB1000. I will also note that displacement and cultural competency considerations for the Plan have also been left to the wayside. As an example, I had previously demanded that racial and socioeconomic equity be integrated into the proposed development projects that are part of the plan. I was encouraged to voice my thoughts on the HOO in order to defend continued affordable housing development throughout the city, which I did, but as you and I both know, private interests won that battle, and so your team's imperative is even more clear now.

I14-3

- The 45-day public comment period on the 2500 page, highly technical environmental impact report for the General Plan is insufficient to meaningfully engage Santa Ana communities under any circumstance, and particularly during the COVID-19 pandemic.

I14-4

I14-5

The importance of this document is highlighted over and over again, but at the end of the day, it is most important to us, the Santa Ana community. City planning is about community first, so I expect that you and your team take these demands and the demands of other community members seriously. Thank you.

Be well,

**Juan J. González**

UC Berkeley School of Public Health | MPH Candidate

UC Berkeley College of Environmental Design | MCP Candidate

Pronouns in Use: He Him His

## 2. Response to Comments

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## 2. Response to Comments

### I14. Response to Comments from Juan Gonzalez, Planning Student, dated 9/12/2020.

- I14-1 Please refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I14-2 Comment noted. Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I14-3 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Outreach conducted as part of the GPU effort included outreach on EJ issues. In order to ensure continued coordination with key stakeholders, the City conducted additional outreach specific to EJ issues. This additional EJ outreach in July and August 2020 was conducted as virtual meetings due to the COVID-19 pandemic.
- I14-4 Please refer to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan complies with SB 1000 requirements. The potential for the GPU to result in housing displacement is addressed as Impact 5.13-2 in Section 5.13, *Population and Housing*.
- I14-5 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.

## 2. Response to Comments

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## 2. Response to Comments

### Letter I15 – Natalie Sierra (1 page[s])

**From:** [Natalie A Sierra](#)  
**To:** [New General Plan: Cervatal, Verry](#)  
**Subject:** Environmental Justice and Community Engagement in Santa Ana's General Plan Update Process  
**Date:** Monday, September 14, 2020 7:07:13 PM

September  
14, 2020

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. My name is Natalie Sierra and I am a student at Samueli Academy, as well as an official member of the CUAL Environmental Justice committee.

Intro

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input. There are a few reasons why I think this is very important:

The members of the CUAL committee have learned over the course of several months that the Madison Park neighborhood has been gravely affected by pollution and contaminants coming from major industrial establishments, the majority of which happen to be placed near schools, homes, and recreational areas. Data collected over the past few years has shown how our neighborhood and our city has seen an increase in the severity and the number of asthma cases amongst the residents. There is a direct correlation between the presence of these industries and the worsening of health in Madison Park, mostly due to the fact that the policies within our city's general plan aren't strict enough to prevent these sorts of issues from happening.

I15-1

Much of the city's outreach on environmental justice issues has been mostly about communicating with the public rather than listening to what they have to say. More likely than not, the residents of Madison Park and Santa Ana may find it hard to have their voices heard concerning these issues due to a language barrier, the lack of resources to speak up, or because they are not informed enough about the issues. While I do agree that the city should continue with its community outreach to inform residents of what is going on in their neighborhood, they should also give them resources to send in concerns, questions, or comments about environmental justice issues; that would include letting the resident provide thoughts and feedback on a draft of the new proposed general plan for the city. This way, we can ensure that nobody gets left unheard and everyone gets the opportunity to improve our neighborhood, our city, and our future.

I15-2

I urge you to please consider our request and ensure that we are not left unnoticed by our government as it pertains to the issues that matter most.

Sincerely,

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**Natalie Sierra**  
Pronouns: She/Her/Hers  
Samueli Academy Student Class of 2022

## 2. Response to Comments

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## 2. Response to Comments

### **I15. Response to Comments from Natalie Sierra, dated 9/14/2020.**

- I15-1 Please refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city.
- I15-2 Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for a detailed discussion on the City's outreach efforts. As noted, the purpose of the City's outreach efforts is to inform the public but also to engage the community and solicit feedback. The City engaged in a variety of outreach formats, including focus groups and community roundtable meetings to share information and dialogue with the community regarding the General Plan Update. The City also convened a General Plan Advisory Group composed of 17 members of the community, including seniors, youth, community-serving organizations, Community Linkages Neighborhood Leaders, and City commissioners. On September 15, 2020, City staff held a meeting with the Madison Park Neighborhood Association and University of California, Irvine (UCI), to discuss EJ issues.

## 2. Response to Comments

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## 2. Response to Comments

Letter I16 – Perla Mendoza (1 page[s])

**From:** [Perla Mendoza](#)  
**To:** [New General Plan](#)  
**Cc:** [Carvajal, Verny](#); [Leonel Flores](#)  
**Subject:** Delay the General Plan  
**Date:** Monday, September 14, 2020 7:42:07 PM

I demand for the city of Santa Ana and the ones in charge of the General Plan . My name is Perla Mendoza. My family and I have been living in Santa Ana for about 16 years specifically around the Madison Park area. I am here to talk about the “General Plan” , I have been a member of CUAL for more than a year now and we have been discussing the rights we have as a community . I attended the city meeting in which the General Plan was explained and not much about bettering the environment when it comes to pollution. First and foremost, I would like to share with you guys the importance of this to me, not only am I young but I do acknowledge the fact that our community continues to grow more. That is why we would like you guys to take our concerns into consideration. We ask that not only you guys but the rest of the community take a look at the draft of the plan more deeply and that you put more time into. Otherwise it would feel as if you don' t care for the community as much as you guys say you do ! This has been a very big problem , everything you guys talk about is the well being of the economy but what about the people and their health!!? You see there have been many issues in our community that those who live around have experienced, we have gone on community walks as members of CUAL and we have noticed how incredibly close factories like Brastick are to schools, like Kennedy, Century, Villa, not only that but the apartments that surround the factory. This is putting the health of others in jeopardy. How is a final draft supposed to work if the rest of the community doesn't know what it's really being put on there? This is something that can affect us for years. Really taking into consideration the opinions of not only what you guys think but what the rest of the community thinks would be the right thing to do . Taking more time for that final draft that is going to affect people for years and taking a more in depth look at the companies that surround the community would be great. Not everyone but the majority of population in Santa Ana are made up of Latinos, and they should have the right to know what really is going on , notifying them in just english wouldn't be fair, it should be in spanish as well the majority of this community speaks spanish fully and it is definitely not fair to be “ notified” in a way that they don't even understand. Each person can be affected very differently from this, and it's important to get the opinion from others, it's not something to take lightly and hopefully you take these things into consideration. It' s not fair for the people if you guys don' t think about others as citizens, I'm not sure if you guys live around here , but if you had kids or family would you like their health to be ruined by things that could be prevented like pollution . Thank you so much for your time and I hope this is taken into consideration !

Intro

I16-1

I16-2

I16-3

I16-4

I16-5

## 2. Response to Comments

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## 2. Response to Comments

### **I16. Response to Comments from Perla Mendoza, dated 9/14/2020.**

I16-1 Please refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*. Please also refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city.

I16-2 Please refer to the response to comment I16-1.

I16-3 Public notification associated with the Draft PEIR was issued both in English and Spanish.

The Notice of Preparation (NOP) was released for a 30-day public review period from February 26, 2020, through March 27, 2020. The NOP was released in English and Spanish and was posted at the Orange County Clerk's Office on February 26, 2020. The NOP was sent to all persons, agencies, and organizations on the list of interested persons and sent to the State Clearinghouse in Sacramento for distribution to public agencies.

The Notice of Availability (NOA) was released for a 45- day public review period (August 3, 2020, through September 16, 2020), which was extended to October 6, 2020. The NOA was sent in both English and Spanish to all persons, agencies, and organizations on the list of interested persons and sent to the State Clearinghouse in Sacramento for distribution to public agencies. The NOA was posted at the Orange County Clerk's Office on August 3, 2020.

I16-4 Comment noted.

I16-5 Please also refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city.

## 2. Response to Comments

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## 2. Response to Comments

Letter I17 – Kelton Mock, UC Irvine, Medical Student (2 page[s])

**From:** [Mock, Kelton](#)  
**To:** [Carvajal, Vervy](#); [New General Plan](#)  
**Cc:** [leonel flores MPNA](#); [Jose J Rea](#)  
**Subject:** Please Delay General Plan Deadline  
**Date:** Monday, September 14, 2020 7:51:11 PM  
**Attachments:** [SACityCouncil\\_GP\\_KMock.pdf](#)

To Whom it May Concern,

Thank you for the opportunity to submit my comment on the General Plan. My name is Kelton Mock and I am a Fourth-Year medical student in the Program in Medical Education for the Latino Community (PRIME-LC) at the UC Irvine School of Medicine. Outside of my core clinical training, I have had the opportunity to work with the Madison Park Neighborhood Association Environmental Justice project, which brings together multiple departments from the University of California, Irvine with Madison Park residents and Association board members.

Intro

From my experience listening to residents at town hall sessions, while simultaneously studying asthma in a research team lead by pediatric pulmonologist Dr. Kim Lu, it has become clear to me that major health disparities exist in the City of Santa Ana, especially in the area of pediatric asthma. It has also become clear that residents have not felt heard by the City in matters pertaining to Environmental Justice. For example, two years ago, residents discovered that the James Madison Elementary School was less than 1,000 feet from an industrial corridor housing 42 South Coast Air Quality Management District (SCAQMD) permitted facilities. Despite numerous subsequent town halls in which representatives of the City of Santa Ana were often present, there was little indication that resident concerns were being heard or directly integrated into the General Plan process.

I17-1

I urge you to consider extending the deadline for public comment, so that residents can have time to consider the draft of the General Plan and provide their input, especially regarding Environmental Justice concerns.

I17-2

Sincerely,

Kelton Mock

P.S. Attached is a PDF copy of this letter.

**Kelton A. Mock, MS4**  
UC Irvine School of Medicine  
Program in Medical Education for the Latino Community (PRIME-LC)



This message may contain confidential information and is for the sole use of the intended recipient(s). If you are not the intended recipient, do not use, distribute, or copy this e-mail. Please notify the UC Irvine Health – Compliance and Privacy Office via email at [hacompliance@uci.edu](mailto:hacompliance@uci.edu) or by phone 888-456-7006 immediately if you have received this e-mail in error. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

## 2. Response to Comments

September 14, 2020

Re: Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report

To Whom it May Concern,

Thank you for the opportunity to submit my comment on the General Plan. My name is Kelton Mock and I am a Fourth-Year medical student in the Program in Medical Education for the Latino Community (PRIME-LC) at the UC Irvine School of Medicine. Outside of my core clinical training, I have had the opportunity to work with the Madison Park Neighborhood Association Environmental Justice project, which brings together multiple departments from the University of California, Irvine with Madison Park residents and Association board members.

From my experience listening to residents at town hall sessions, while simultaneously studying asthma in a research team lead by pediatric pulmonologist Dr. Kim Lu, it has become clear to me that major health disparities exist in the City of Santa Ana, especially in the area of pediatric asthma. It has also become clear that residents have not felt heard by the City in matters pertaining to Environmental Justice. For example, two years ago, residents discovered that the James Madison Elementary School was less than 1,000 feet from an industrial corridor housing 42 South Coast Air Quality Management District (SCAQMD) permitted facilities. Despite numerous subsequent town halls in which representatives of the City of Santa Ana were often present, there was little indication that resident concerns were being heard or directly integrated into the General Plan process.

I urge you to consider extending the deadline for public comment, so that residents can have time to consider the draft of the General Plan and provide their input, especially regarding Environmental Justice concerns.

Sincerely,

Kelton Mock

MS-4, PRIME-LC  
UC Irvine School of Medicine

## 2. Response to Comments

### **I17. Response to Comments from Kelton Mock, UC Irvine, Medical Student, dated 9/14/2020.**

- I17-1 Please refer to the response to comment O3-2. Additionally, refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, and 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR.
- I17-2 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.

## 2. Response to Comments

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## 2. Response to Comments

Letter I18 – Soledad Valentin, Madison Park Neighborhood Association (1 page[s])

**From:** [Soledad Valentin](#)  
**To:** [New General Plan](#); [vcarvaja@santa-ana.org](mailto:vcarvaja@santa-ana.org); [Leonel Flores](#)  
**Subject:** Importante  
**Date:** Tuesday, September 15, 2020 7:15:09 PM

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Hola soy Soledad Valentin , disculpen por mandar mi sugerencia tarde pero porfavor quiero y les pido un retraso en el proceso hasta que el problema de la contaminacion del aire y el corredor industrial se aborden e incluyan en el plan general . Queremos que la ciudad de Santa Ana sea limpia y libre de toda contaminacion . Gracias.  
Enviado desde mi iPhone

Hello I am Soledad Valentin. I apologize for sending my suggestion late but, please, I want and request a delay to the process until the problem with air contamination and industrial corridor is addressed and included in the General Plan. We want the City of Santa Ana to be clean and free of contamination. Thank you.

I18-1

## 2. Response to Comments

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## 2. Response to Comments

**I18. Response to Comments from Soledad Valentin, Madison Park Neighborhood Association, dated 9/15/2020.**

I18-1 Please refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city.

## 2. Response to Comments

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## 2. Response to Comments

Letter I19 – Adolf Sierra, Madison Park Neighborhood Association (1 page[s])

September 15, 2020

To Whom It May Concern,

Thank you for the opportunity to comment on the City of Santa Ana's Draft General Plan and the General Plan Program Environmental Impact Report. My name is Adolfo Sierra and I am a long time resident, as well as Interim President of MPNA.

I19-1

I am writing today to request that the City of Santa Ana delay the process for moving forward with the General Plan to allow time for community outreach and input and vote to approve it until 2021. There are a few reasons why I think this is very important:

The residents have learned over the course of several months that the Madison Park neighborhood has been gravely affected by pollution and contaminants coming from major industrial establishments, the majority of which happen to be placed near schools, homes, and recreational areas. Data collected over the past few years has shown how our neighborhood and our city has seen an increase in the severity and the number of asthma cases amongst the residents. There is a direct correlation between the presence of these industries and the worsening of health in Madison Park residents, mostly since the policies within our city's general plan are not included to prevent these sorts of issues from happening. Environmental justice issues are not adequately reflected in the New General Plan Update or the planning process, which is required by State Law SB 1000.

I19-2

Much of the city's outreach on environmental justice issues has been mostly about communicating with the public rather than listening to what they have to say. More likely than not, the residents of Madison Park and Santa Ana may find it hard to have their voices heard concerning these issues due to a language barrier, the lack of resources to speak up, or because they are not informed enough about the issues. The 45-day public comment period on the 2500 page, highly technical Environmental Impact Report for the General Plan is insufficient to meaningfully engage Santa Ana communities under any circumstance, and particularly during the COVID-19 pandemic.

I19-3

I19-4

I urge you to please consider our request and ensure that we are not left unnoticed by our government as it pertains to the issues that matter most. The City must take immediate measures to redress these through proactive public outreach and a New General Plan that reflects the needs and input of Santa Ana residents most impacted by environmental justice issues.

I19-5

Sincerely,

Adolfo Sierra  
Interim President Madison Park Neighborhood Association (MPNA)

## 2. Response to Comments

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## 2. Response to Comments

### **I19. Response to Comments from Adolf Sierra, Madison Park Neighborhood Association, dated 9/15/2020.**

- I19-1 Please refer to General Response 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.
- I19-2 Please refer to Section 2.1.4, *Health Risk/Pollution Assessment*, in this FEIR for an expanded discussion of environmental-related health issues (air pollution and soil) in the city. Please also refer to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.
- I19-3 Please refer to the response to comment I5-2.
- I19-4 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Community meetings since July 2020 were conducted as virtual meetings due to the COVID-19 pandemic .
- I19-5 Please refer to responses to comments I19-1 through I19-4.

## 2. Response to Comments

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## 2. Response to Comments

Letter I20 – Diane Fradkin (19 page[s])

I20

**DIANE FURTADO FRADKIN**



SEP 17 2020

September 16, 2020

VIA EMAIL & US MAIL

Verny Carvajal, Principal Planner  
City of Santa Ana Planning & Building Agency  
PO Box 1988 (M-20)  
Santa Ana, CA 92702

RE: Comments to the Program EIR for the Santa Ana General Plan Update  
State Clearinghouse Number: 2020029087

Dear Mr. Carvajal:

Thank you for your efforts, along with your team, in preparing the General Plan Update (GPU) Program EIR for the City of Santa Ana.

### GENERAL COMMENTS

The future of Santa Ana is in your hands. A creative vision for each of the Focus Areas is needed, but there is also a practical side to how the areas are re-envisioned. A balance needs to be achieved so that the future planning requirements, what the current existing infrastructure can support and what can actually be implemented and developed, all align.

Right now this document is not in alignment and is out of balance. I believe that a reduced project with less intensity and density would create a better balance between the Planning Department's goals and the needs of the Citizens of this community.

There are 2 items that have not been considered as part of the overall methodology of developing the land use element and analysis for the Program EIR....

One is that the Citizens who participated in all the outreach meetings conducted by the City emphatically spoke out regarding their concerns for the intense density increase proposed in the 5 Focus Area zones and yet, their voices were not heard.

The City of Santa Ana is one of the densest Cities in the US and what has been proposed as part of the General Plan Update is an extensive density increase throughout most of the 5 zones. The City's infrastructure can handle some density increase, but certainly not what is currently proposed.

Intro

1

## 2. Response to Comments

The second item is how we need to adapt our everyday living situation post-Corona Virus.

The overall philosophy of how we live, work and interact post-Corona Virus is changing our landscape. There has been more of a need to shelter in place and this has demonstrated a preference for single family homes. The high density - high rise buildings are not where people want to live if they have to shelter in place and social distance. These high density projects will likely become less desirable going forward. Planning more new construction of this type of housing is not what we need for the future.

Also, more people are working from home. Those working from home ideally work from a home office and so a designated office space is needed and desired in the home. If one is working from home, there is less need for Transit Oriented Development since they are not commuting on a daily basis.

Because more people are working from home successfully, companies are realizing they no longer need large amounts of office space to house all of their employees. Some companies will decide that they don't need any office space at all and others will lease a much less amount. There will likely be a glut of vacant office space in the near future.

One of the features which needs to be considered as part of the GPU Program EIR is the repurposing and adaptive reuse of existing office space. Some office buildings could be repurposed into residential housing and even affordable housing where applicable. There needs to be more of an in-depth study of this so that we aren't just focused on adding density and new construction to all 5 of the zones, but looking at where adaptive reuse for residential (and other appropriate uses) would work best.

If these items are not considered as part of the GPU Program EIR, you will have a GPU that is already out of date before its even approved.

### GENERAL PLAN UPDATE PROGRAM EIR COMMENTS

The following are my comments to the Program EIR.....

1. Figure 3-13 Grand Ave/17<sup>th</sup> St Focus Area Existing vs. Proposed Land Use – my comment has to do with the “Open Space” designation as show on the key for the Proposed section.....the actual open space you are calling out is part of the rail road easement which includes 2 railroad tracks, a decorative wall and some landscaping. This open space is not at all usable to the general public. I don't think this space should be included as open space for the proposed section because it's not useable to the public and so is misleading as it just appears that there is more open space then there really is. I would recommend that you call it out as Railroad ROW which is what it really is.
2. Figure 3-15 55 Fwy/Dyer Rd Focus Area Existing vs Proposed Land Use – my comment has to do with re-thinking the District Center land use area and

Intro  
cont'd

120-1

120-2

2

## 2. Response to Comments

- consider a "repurposing/adaptive reuse" category for some of the area where applicable. Also, some of this area is under the flight path for John Wayne Airport and in some cases, the planes are only 700 feet above the building. Not sure if District Center is the appropriate use based on this information as the 2 recently approved projects, The Heritage/Broadstone/Arden and the Bowery both have roof top decks and makes it difficult to utilized this open space when planes are flying over in 4 minute increments. (See comment #23 for more details). I20-2 cont'd
3. Page 3-51.....bullet points – my comment is to add a bullet point that specifies "promote open space and park uses as a design feature of this area". The Grand Ave/17<sup>th</sup> St Focus Area should have a park use focal point, "Grand Park" and the exact acreage calculation should based on the proposed density and land uses plus the appropriated deficit amount for the deficient park lands. In fact, this bullet point and definition should be applied to all the Focus Areas. I20-3
  4. Page 3-51.....last paragraph of Grand Ave/17<sup>th</sup> St Focus Area – my comment is that language should be added which reflects that at a minimum, the overall planning of the Medical Arts and adjacent Shopping Center at the NWC of 17<sup>th</sup> St/Grand Ave shall be planned as a Specific Plan. Consideration should be made to also include, in the same Specific Plan, the entire corridor of Grand Ave (and adjacent lands) from the 22 Fwy to the 5 Fwy, if appropriate. Please revise. I20-4
  5. Page 3-53.....3.3.2.4 Specific Plan/Special Zoning – my comment is to include language to the first paragraph in this section regarding including a designation for a Specific Plan for the Medical Arts & adjacent Shopping Center at the NWC of 17<sup>th</sup> St/Grand Ave (and entire corridor of Grand Ave and adjacent lands from the 22 Fwy to the 5 Fwy, if appropriate). But at a minimum, the Specific Plan shall encompass the Medical Arts & adjacent shopping center properties. Please update accordingly. I20-5
  6. Page 3-55.....after Transit Zoning Code Specific Development – my comment is to add an additional paragraph which addresses a Specific Plan to be prepared for the future development of the Medical Arts & adjacent Shopping Center at the NWC of 17<sup>th</sup> St/Grand Ave (and entire corridor of Grand Ave and adjacent lands from the 22 Fwy to the 5 Fwy if appropriate). But at a minimum, the Specific Plan shall encompass the Medical Arts & adjacent Shopping Center properties. I20-6
  7. Table 3-7 GPU Existing & Buildout Population – my comment is to the percentage increase of the population due to the buildout of the proposed GPU....this increase is tremendous in a City that has a fixed and aged infrastructure and question how this would actually be implemented and supported. The intensity of the population increase and proposed GPU density increase is unsustainable and should be reduced to a level that the current existing infrastructure can support. Please revise. I20-7
  8. Table 3-8 Existing Conditions, Potential Growth and Buildout Conditions: Housing Units, Nonresidential Square Footage and Jobs – my comment is that 3 of the 5 GPU Focus Areas under the Growth Scenario will be losing jobs in the amount of 4,473 for an increase of 15,839 housing units in the Buildout Scenario. Why does the City want to sacrifice all these jobs? This doesn't help with the jobs/housing balance....this puts the balance in an imbalance. Therefore, the proposed GPU density should be reduced and jobs kept so that there is more of an even jobs/housing balance. I20-8

## 2. Response to Comments

- |  |               |
|--|---------------|
| <p>9. Table 3-9 Existing and Buildout Dwelling Unit Breakdown – my comment is that the proposed GPU density is losing SFR during a time when there is more demand for SFR due to the Corona Virus and <u>doubles</u> the amount of Multi-family Units compounding the density of a City that is rank #4 in the US as one of the densest Cities. I understand that we have state mandated requirements but more than doubling the Multi-family Units is not sensible planning. Some increase is appropriate, but the proposed GPU density increase is at a level that can't be supported by the current infrastructure. Therefore, the proposed GPU density needs to be reduced.</p>  | <p>120-9</p>  |
| <p>10. Page 4-3...Senate Bill 743 – my comment is that what SB743 was trying to accomplish upon its establishment in 2013 needs to also factor in recent information as part of the GPU analysis given the Corona Virus and how our actions have changed due to Corona Virus along with more Electric Vehicles on the road in CA. For example, 1) more people are working from home, 2) the general population is not taking public transit as they had previously because of Corona Virus and the risks of being in close proximity of others and there is also a reduction of traffic trips due to the option of working from home and 3) there are more Electric Vehicles in CA and therefore, less gas cars. All of these additional items need to be factored into the methodology of thinking when evaluating Greenhouse Gas Emissions.</p>  | <p>120-10</p> |
| <p>11. Page 4-5...Grand Ave and 17<sup>th</sup> St Focus Area – my comment for this paragraph has to do with the last sentence.....the USPS North Grand office and the Edison Substation should be designated as "Institutional" and "Utility" as this is what the existing uses are and should continue to be in order to serve the community, not Urban Neighborhood. I would recommend that this change be made to your land use designation maps and keys.</p>   | <p>120-11</p> |
| <p>12. Page 4-14 4.4.1 General Plan; bullet points – my comment has to do with the first set of bullet points "Land Use Element" and "Open Space, Parks and Recreation Element"....these updated plans need to be available to review and comment on prior to the approval of the Program EIR. Please provide these as soon as possible for public comment.</p>  | <p>120-12</p> |
| <p>13. Page 4-14 4.4.1 General Plan; bullet points – my comment has to do with the second set of bullet points....add a bullet point for "Future Grand Ave/17<sup>th</sup> Street Specific Plan".</p>  | <p>120-13</p> |
| <p>14. Table 5.1.1 Intensity and Height Comparison: Current General Plan vs GPU – my comment has to do with the Grand Ave/17<sup>th</sup> St Section....the Urban Neighborhood designation shows 119.7 acres as part of the GPU and FAR of 1.5 or 40/DUA with a maximum height of 4 stories. As part of the community outreach conducted by the City, the citizens responded time and time again stating that additional intense density is not sustainable for our City. I have specifically stated to the Planning Department at the meeting on July 31, 2020 and again in an email dated August 6, 2020 that 40/DUA is too intense and believe that <b>20/DUA</b> would be more appropriate for a city that is already the 4<sup>th</sup> Densest City in the US. As it relates to the height, 3 stories for residential and only 4 stories when the bottom story is retail/commercial/office and then 3 stories of residential above for a total of 4 stories. This change needs to be made as the citizens of Santa Ana have spoken at the outreach meetings specifically about</p> | <p>120-14</p> |

## 2. Response to Comments

- the unsustainability of additional density to our City. This is a more reasonable increase (20/DUA) which I believe the community can support. | 120-14  
cont'd
15. Page 5.1-7...last paragraph of the Grand Ave and 17<sup>th</sup> St Focus Area – my comment is to include language regarding preparing a Specific Plan for the Medical Arts & adjacent Shopping Center located at NWC of Grand Ave/17<sup>th</sup> St (and entire corridor of Grand Ave and adjacent lands from the 22 Fwy to the 5 Fwy if appropriate). But at a minimum, the Specific Plan shall encompass the Medical Arts & adjacent shopping center properties. | 120-15
16. Figure 5.1-2 – Artist Rendering of Urban Neighborhood Land Use Designation – my comment is that this picture depicts a 4-story building adjacent to a single story SFR home. This should not be allowed. 4 story buildings under the Urban Neighborhood Land Use shall have one story of retail and three stories of residential. If all residential, then the maximum height shall be 3 stories. **But in no case shall a 4-story building abut a single story or two story SFR home.** This needs to be noted in this Program EIR and included in the zoning requirements. Lastly, this picture needs to be changed so that it does not depict a 4-story building adjacent to a SFR home. | 120-16
17. Page 5.1-30 Conclusion – my comment has to do with the first paragraph here....the citizens of Santa Ana have spoken numerous times at the community outreach meetings stating that additional intense density is not sustainable for our City, but what is written here goes directly against what the citizens want. The GPU needs to reduce the proposed intensity and density for all 5 Focus Areas, my specific concern is the Focus Area of Grand Ave/17<sup>th</sup> St which definitely needs to be downgraded as to the density and intensity. What is proposed in the GPU is a significant impact and therefore, the proposed density needs to be reduced in order to reduce the impacts generated by this proposed GPU density. Please revise accordingly. | 120-17
18. Page 5.2-24 Land Use Element – Policy 1.6 Transit Oriented Development – my comment is that post Corona Virus has us looking at public transit differently as most individuals don't want to be exposed to the risks of Corona Virus in close quarters such as public transit and so, there is now less demand for this. Also, more employees are working from home and therefore, are not having to commute. So, this policy doesn't apply today as it did at the beginning of the year. The methodology post-Corona Virus world needs to be incorporated in the re-thinking and revision of this policy. | 120-18
19. Page 5.4-18 Grand Ave/17<sup>th</sup> St – my comment has to do with this paragraph, 3<sup>rd</sup> sentence....its states "3 lanes". This is incorrect. The section of Grand Ave between 22 fwy and 5 fwy is not entirely 3 lanes on both sides; there are many sections where there are only 2 lanes. So, the question I have is: in the areas where there are only 2 lanes on Grand Ave, is the City planning on making those sections 3 lanes as part of the GPU? If that's the case, it is not specified in this document. Please correct this statement with the analysis of actual facts and proposed implementation and update and recirculate. | 120-19
20. Page 5.4-27 Level of Significance Before Mitigation....Impact 5.4-1 would still be potentially significant – my comment is that there needs to be language inserted in this document that states each individual new infill project shall address and appropriately mitigate to a less than significant level any impact to Historic Resources. It is important that we protect our historic resources, especially | 120-20

## 2. Response to Comments

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| <p><i>facades of old buildings, monuments and other appropriate historic items. The City's Historic Resources Committee needs to look at each infill project which is proposed to the Planning Department and provide findings to the developer so that nothing is passed over.</i></p>   | <p>120-20<br/>cont'd</p> |
| <p>21. Page 5.10-14 Open Space Element Policy 1.5 Development Amenities – <i>my comment is that this policy has not been followed in the past and has no teeth. The most recent high-density projects approved such as The Mark, The Heritage and the Bowery, as well as the many projects along First Street between the 55 Fwy and 5 Fwy have not provided "open space" per this policy. I believe that there needs to be a mandated percentage of the project that equates to a specific amount of open space acreage (and sorry, balconies and sidewalks should not count!) on site for the residents to use along with the formulated number of park acres/park fee based on the density for an offsite park area in a nearby location. Otherwise, its nice to have a policy that says "Ensures all new development provides open space...", but it needs to be better defined for a city lacking of open space and park space and is already the 4<sup>th</sup> densest City in the US. I would recommend that you add specific language as outlined above to this policy so that there is not the continued deficit of park land for our City.</i></p>   | <p>120-21</p>            |
| <p>22. Page 5.10-15 Land Use Element Policy 2.5 Benefits to Mixed Use – <i>my comment here is that under this policy it talks about "improve jobs/housing balance". I believe this is important, however, by way of the proposed GPU, it reduces the number of jobs and instead increases the density. Therefore, the GPU as proposed doesn't not support "improve jobs/housing balance" as outlined in Policy 2.5. Reducing the GPU density would allow for more compliance with Policy 2.5 and is recommended. Please revise accordingly.</i></p>   | <p>120-22</p>            |
| <p>23. Page 5.10-19 Impact 5.10.2 The GPU would be consistent with the AELUP for the John Wayne Airport – <i>my comment is that I would completely disagree with the findings that this is less than significant. The Dyer/55 Fwy area has a lot of District Center shown. Also, the ALUC recently disapproved the Bowery project. The logistics of this area is that the planes descent for landing directly above and are approximately 700 feet from the top of this building. This occurs at a rate of approximately every 4 minutes during peak hours as noted in the ALUC hearing minutes from May of 2020. The constant noise level from the airplanes path for landing, even with double paned windows, may not provide a less than significant finding and certainly enjoying the roof top deck areas would be awful (same thing with the Heritage/Broadstone Arden). That is why industrial/office is a much more compatible use for flight path areas than residential. (Guess they got it right the first time?!) Why have review and recommendations from the ALUC if the City thumbs its nose and just does whatever they want to do? The role of the City and Planning Department is to provide safe and good planning principles.....this certainly is not either. Outside of the Heritage and the Bowery, it would be wise to change the District Center use to the same adjacent use of "Industrial/Flex" and "Live/Work" for the Dyer/55 Fwy zone.</i></p> | <p>120-23</p>            |
| <p>24. Page 5.10-22 Table 5.10-1 RTP/SCS G4 – Bullet Point 8 "...encourage transit oriented development....concentrated development of high quality transit corridors to reduce vehicle miles traveled" – <i>my first comment regarding this last bullet point is that due to the Corona Virus, the desirability of living in a high density high rise and the use of public transportation has lost its luster for the</i></p>   | <p>120-24</p>            |

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- general population. The GPU needs to factor this into the methodology and thinking of this document. More people are working from home and when sheltering in place, desire to be in a SFR. Because they are working from home, the need to commute is lessen, the need to use public transportation to commute to work is lessen. Therefore, the need to do more transit oriented development has now lessen (this is the old way of thinking). Instead, there should be more of a focus to do repurposing and adaptive reuse of current and future vacant office buildings due to Corona Virus and more companies having people working from home, therefore needing less office space. I think that it would better serve the community to make this exchange in your document as it is a much more reasonable thought based on the current situation and facts.
- The second comment has to do with the sentence that states: "...and concentrated development of high quality transit corridors to reduce vehicle miles traveled." I'm unfamiliar with the term "high quality transit corridors" and so not sure exactly what this means or what you want to achieve? Please provide clarification of what this land use policy means and some examples to better understand this statement and how it applies and the relevancy.
25. Page 5.10-24 Table 5.10-1 RTP/SCS G9 Bullet Point 2 – my comment has to do with the definition of "high quality transit"...what exactly is this? Also, this again is an old way of thinking given where we are with the Corona Virus and how people are living, working from home and not commuting to the office as they did in the past. The use of public transportation has lost its luster to the general population due to the risks associated with the Corona Virus. The GPU needs to factor this into the methodology and thinking of this document. More people are working from home and when sheltering in place, desire to be in a SFR. Because they are working from home, the need to commute is lessen, the need to use public transportation to commute to work is lessen. Instead, there should be more of a focus to do repurposing and adaptive reuse of now vacant office buildings due to Corona Virus and more companies having people working from home and needing less office space.
- On a side note: the repurposing and adaptive reuse of office space, certainly in downtown areas, is ideal for low income/affordable housing units and policy should be included to accommodate this.
26. Page 5.10-26 Table 5.10-2 LOS analysis for CMP Intersections – my comment regarding this table is why it only shows the CMP intersections? What is the LOS of Grand Ave/17<sup>th</sup> Street intersection current and buildout per the GPU? What about the LOS for 17<sup>th</sup> Street/Lincoln Street intersection with the railroad tracks (and proposed future grade separation) current and buildout per the GPU? What is the LOS for Grand Ave/Santa Clara intersection current and buildout per the GPU? Please provide this information and analysis and recirculate.
27. Page 5.12-13 Aircraft Noise – my comment is that you have significant noise in the Dyer/55 Fwy area due to the path of the airplane's decent for landing which is approximately 700 feet above the Bowery building and roof top decks. There is no mention of this specific flight path in this section even though most decent paths lead to this location in order to line up with the runway at John Wayne Airport. Please revise to include this important information.
28. Page 5.12-13 Railroad Noise – my comment is that there is no indication in this section of the railroad noise directly affecting the Grand Ave/17<sup>th</sup> Street zone



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| <p>given the proposed GPU land use for this area of Urban Neighborhood. There is a section of this zone area (Medical Arts property) that is directly adjacent and shares a boundary with the 2 railroad tracks. Significant noise is generated by the Metrolink and Amtrak trains running these lines all day, every day and especially the freight trains that come through during the night-time. Please revise to include this important information.</p>  | <p>120-28<br/>cont'd</p> |
| <p>29. Page 5.12-30 to 45...Impact 5.12-2: Buildout of the plan area would cause a substantial traffic noise increase on local roadways and could locate sensitive receptors in areas that exceed established noise standards....Level of Significance Before Mitigation: The proposed project would result in significant traffic noise increases – my comment is that this can be mitigated by decreasing the proposed GPU density. Less density would generate less traffic trips. Again, the proposed GPU density is too intense and dense for the fixed infrastructure of our City which is ranked the 4<sup>th</sup> densest in the US. Re-analyze this section with less overall density of the 5 zones and incorporate the post-Corona Virus facts for living and commuting methodology to this GPU....this should help with creating a less than significant finding.</p> | <p>120-29</p>            |
| <p>30. Page 5.12-51 Impact 5.12- 2....this paragraph states: "...Thus, traffic noise would remain a <b>significant and unavoidable</b> impact in the plan area..." – my comment is that this can be mitigated by decreasing the proposed GPU density. Less density would generate less traffic trips. Again, the proposed GPU density is too intense and dense for the fixed infrastructure of our City which is ranked the 4<sup>th</sup> densest in the US. Re-analyze this section with less overall density of the 5 zones and incorporate the post-Corona Virus facts for living and commuting methodology to this GPU....this should help with creating a less than significant finding.</p>   | <p>120-30</p>            |
| <p>31. Page 5.13-7 Regional Housing Needs Assessment &amp; Table 5.13-4 City of Santa Ana 2014-2021 Regional Housing Needs Assessment – my comment has to do with how the "carryover" of 201 lower-income units are divided into "very low" and "low" categories. How is this decided? Please advise. Also, since it appears that the City will be able to achieve the build out of the remaining 204 units for the planning period 2014-2021 and then some, I'm not sure what this information is trying to portray? It would be best to understand the next 7-year period requirement as it relates to the GPU proposed density. My limited knowledge is that our next 7-year requirement is a lot less than then GPU density proposed. Please explain why this information is not included and analyzed in this GPU?</p>  | <p>120-31</p>            |
| <p>32. Page 5.13-13 Jobs-Housing Ratio &amp; Table 5.13-9 Comparison of Orange County COG 2045 and GPU Buildout Projections - this information is interesting but it does not factor in the current existing jobs-housing info vs. proposed GPU jobs-housing info (should compare apples to apples). Instead it looks at OC COG 2045 projection and compares that to the GPU buildout. Since the OC COG 2045 is just a projection, its not a very valid analysis. I believe it would be more meaningful to compare the existing jobs-housing ratio for Santa Ana to the proposed GPU jobs-housing ratio. Please redraft and reanalyze to include this information.</p>   | <p>120-32</p>            |
| <p>33. Page 5.13-14 Table 5.13-10 Existing and Proposed Land Use Designations – again, proposed GPU density and intensity increase is unsustainable for the City's fixed and antiquated infrastructure. The City of Santa Ana is rank 4<sup>th</sup></p>   | <p>120-33</p>            |



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- densest in the US. Also, this table is incorrect. The zone for 55 Fwy/Dyer Road shows 0 existing residential acreage and then 0 for GPU residential....however, the GPU land use map shows a change for some of this zone to District Center which includes a high-density residential component. So, in fact the category for GPU Residential Acreage for 55 Fwy/Dyer Rd is not zero and should be accurately calculated. Also, the increase should be noted in the last column [titled: Increase (Acres)] as its not "0". Please redraft and update accordingly and recirculate.* 120-33 cont'd
34. Page 5.13-15 5.13.6 Mitigation Measures Impact 5.13-1 – *again, I'm not sure this comparison is sufficient (see comment #32). Also, why would the GPU propose a population growth (and therefore corresponding density) 20% greater than the OC COG's 2045 projections? Reduce the density for the GPU so that it is more inline with the OC COG's 2045 projections....this City is already too dense and the infrastructure cannot sustain this type of density increase the GPU proposes!* 120-34
35. Page 5.13-15 5.13.7 Level of Significance and After Mitigation Impacts 5.13-1 "Impacts would be significant and unavoidable at full buildout" – *well, this is simple, reduce the proposed density of the GPU until its less than significant. This entire section needs to be redrafted and reanalyzed with less density along with the post-Corona Virus methodology of how we live now....work from home, reduced commuting, repurpose and adaptive reuse of vacant existing office buildings. Please provide a more updated analysis based on this information.* 120-35
36. Page 5.14.28 Impact 5.14-2: The GPU would introduce new structures, residents and workers into the Santa Ana Police Department Service Boundaries, thereby increasing the requirement for police protection facilities and personnel – *According to the City Council, our Police Dept is under staffed based on the population of the City. The proposed GPU density increase (stated in the GPU as 36,261 housing units) will require additional Police Officers. Does the City have the ability to financially support this increase in Police based on the GPU density increase? It appears that this is not adequately analyzed in this document. Also, based on the current social unrest of protestors, riots and general mayhem, we need all the Police Officers that the City can currently support....more GPU density will only exacerbate this. I also believe that the City has a formula for how many Police Officers are needed for the generation of new residential projects based on the approximate occupancy rate based on the proposed density (GPU says 36,261 housing units but only 22,361 additional residents....this number definitely appears to be low and in no way corresponds to 32,261 housing units?) Therefore it would be more meaningful to do a redraft that would include this analysis (actual number for the population based on the 36,261 housing units) along with the cost of the Police Officers based on the proposed GPU density increase. Once that is formulated, this information would provide more worthwhile analysis and financial information. Please research, reanalyze and redraft this section regarding Police Service.* 120-36
37. Page 5.14-41 Impact 5.14-3: The GPU would generate additional students who would impact the school enrollment capacities of the Santa Ana Unified School District, Garden Grove Unified School District and Orange Unified School District – *Table 5.14-13 GPU Updated Buildout Student Generation – my comment is* 120-37

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*that based on the information, an additional Intermediate School appears to be needed. Also, some of the zones in the GPU which are being proposed as residential development (and were previously industrial, commercial and office uses) don't have schools in close proximity. This was not addressed adequately in this Program EIR. I would like to see further research and analysis regarding this information in order for it to be truly meaningful and more of a worthwhile analysis.*

120-37  
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38. Page 5.14-46 Impact 5.14-4: The GPU would allow for up to 22,361 additional residents in the GPU plan area increasing the service needs for the Main Library and the Newhope Library Learning Center – *my comment is that since the City is under served by Library locations, it should be part of the GPU to designate several annex locations, especially since the proposed density of the GPU is so large. Ideally, one of those annex locations should be in the Grand Ave/17<sup>th</sup> St zone, especially since there should be a Specific Plan for this area between the 22 Fwy & 5 Fwy or at a minimum, the Medical Arts property and adjacent shopping center properties at the NWC of 17<sup>th</sup> St/Grand Ave. There should probably be another annex location in the southern section of the City, perhaps the South Bristol zone would also be ideal. Given that you are in the process of drafting this GPU and Program EIR, it seems shortsighted that you wouldn't designate which zones Library Annexes should be located in. Please revised this document to include this information.*

120-38

39. Page 5.15-5 Parks and Open Space by Focus Area – Grand Ave/17<sup>th</sup> St....this section states: "...There are parcels designated as open space in this focus area, however, there are no parks in this focus area." – *my comments are as follows....first this "open space" that is shown on the Land Use Map for this zone is actually the Railroad ROW which contains 2 railroad tracks, a decorative fence and some landscaping plants. It is in no way "useable" open space. It should be redesignated as Railroad ROW....this is just plain deceptive. The second part of my comment has to do with the statement that no parks are in this zone. I would like to recommend that for all 5 zones you apply the actual overall acreage for parks to be developed based on the residential density requirements for park space plus the requirements for all other land uses and combine along with an appropriation of the existing park lands deficit to come up with a per zone park acreage number. Calling this out at the beginning is the only way to plan for and build the parks. If you don't do it this way, the requirement park space will never be located and built, and the park land deficit will continue to grow. This is an excellent opportunity to fix the overall lack of parks in our City.*

120-39

*In the case of the 17<sup>th</sup> St/Grand Ave zone, I would recommend that as part of the Specific Plan for the Medical Arts property and adjacent Shopping Center at the NWC of 17<sup>th</sup>/Grand Ave, a park component be calculated and included in the Specific Plan based on the same methodology as above. If the Specific Plan encompasses all the of the zone property between the 22 Fwy and 5 Fwy, then all those additional properties will make the same contribution based on their land use designation. Ideally, the Specific Plan could be planned to have a centralize park feature in the center of the Medical Arts & adjacent Shopping Center properties, it could be called "Grand Park" with lush grass and shade trees, walking/biking trails, gardens, fountains, a real focal point for this overall development. You could have most of the commercial/office/medical/retail along*

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| <p>Grand Ave and 17th street where you have lots of visual frontage and then the next layer of residential.....Medium Density, Condos/Town Homes and SFR making rings around the park and then a splattering of unique retail along the park perimeter.....such as cafes for dining and other supportive retail for the park. It's a vision for a better City, which could use a bit more imaginative thinking for the planning of the future (and incorporated into the GPU) along with shoring up the park land deficit in the City. Please incorporate this kind of thinking in your reanalysis of creating and implementing actual park acreage for all 5 zones in the GPU.</p>  | <p>120-39<br/>cont'd</p> |
| <p>40. Page 5.15-10 Table 5.15-3 Existing vs Required Parkland Acreage – this table shows that currently, the City of Santa Ana is <b>short about 108 park acres</b> throughout the City. <u>That's before the GPU density numbers are factored in!</u> I would like to know what the actual total park acreage is after you analyze what additional park acreage is generated based on the proposed density and land uses of the GPU and add that to the 108 park acre deficit. Please research and analyze this and revise the document accordingly. This information is very important in how each zone is going to be able to provide the necessary park acreage going forward. Because the City is operating at a .32 acre shortage per 1,000 residents, its important to rectify this in the GPU and make sure the zones provide the require amount of 2.0 acres per every 1,000 residents and include additional park acreage to fix the 108 acre deficit as well, which is doable given that all 5 zones are spread out throughout the entire city and not just concentrated in one area. Thus, these zones should be able to serve all of Santa Ana proper with an even disbursement of additional park acreage. Please revise based on this information.</p> | <p>120-40</p>            |
| <p>41. Page 5.15-12 Land Use Element Policy 1.3 Equitable Distribution of Open Space – my comment is that the City Planning Department needs to adhere to Goal 1 Policy 1.3! Therefore, this document should include on a separate exhibit that has a calculation of the exact acreage for each zone for park acreage plus the existing deficit of the 108 acres shared accordingly for each of the 5 zones. Please provide this information.</p>  | <p>120-41</p>            |
| <p>42. Page 5.15-12 Land Use Element Goal 1; Policy 1.9 Public Facilities and Infrastructure – this document needs to ensure that based on the 5 zones these proposed land use designations need to "ensure that they do not compound existing public facility and service deficiencies." Please provide research and analysis on this and incorporate in the GPU so that its verified that these zones are able to meet Goal 1 Policy 1.9. This will make the GPU a better document.</p>  | <p>120-42</p>            |
| <p>43. Page 5.15-13 Land Use Element Goal 4; Policy 4.9 – my comment here is that you need to ensure that you adhere to "encourage public and commercial recreational facilities in areas that are park and open space deficient." Particularly with the Grand Ave/17<sup>th</sup> St zone where I envision a Specific Plan that ideally encompasses the "Grand Park" component. Also, this Policy should be included in all of the other Focus Areas as well. I would like to see research and analysis that supports Goal 4; Policy 4.9. Please redraft and recirculate with the updated information.</p>  | <p>120-43</p>            |
| <p>44. Page 5.15-13 Open Space Element Goal 1; Policy 1.3 Park Standard – my comment here is that all 5 zones of the GPU should adhere to this Policy which is "achieve a minimum park standard of two (2) acres per 1,000 residents in the</p>  | <p>120-44</p>            |

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| <p><i>City.” This should be analyzed in the GPU for all the zones. The calculations should be incorporated into the GPU land use map and key so that its noticed what the requirements are and thus achieved instead of operating in a 108 acre deficit! Please update accordingly and recirculate for an additional 45-day public review.</i></p>  | <p>I20-44<br/>cont'd</p> |
| <p>45. Page 5.15-14 Open Space Element Goal 2; Policy 2.2 Neighborhood Engagement, Policy 2.4 Urban Forest, Policy 2.6 Facility Maintenance - <i>my comment is that all of these Policies should be included in the 5 zones for the GPU and show how these Policies are being accomplished for each of the zones. Please incorporate in this document with the specifics and recirculate the Program EIR for an additional 45-day public review.</i></p>  | <p>I20-45</p>            |
| <p>46. Page 5.15-15 Goal 4 Create nodes and urban hubs throughout the City to foster community, education, arts and culture, business activities, entertainment and establish Santa Ana s a vibrant center – Policy 4.3 and Policy 4.5 – <i>my comment is that Goal 4 and Policies 4.3 and 4.5 need to be incorporated into the GPU and show how they will be implemented in each of the zones. Specifically as it relates to the properties of the Medical Arts and adjacent Shopping Center at the NWC of 17<sup>th</sup> St/Grand Ave so that in the future Specific Plan for this area, it addresses the Grand Park and linkage components in order to achieve Goal 4 and Policies 4.3 &amp; 4.5. It should also be addressed in the other 4 zones. Please revise the GPU to address this Goal and Policies. Please research and include this information and recirculate the document.</i></p>   | <p>I20-46</p>            |
| <p>47. Page 5.15-16 Table 5.15-4 Existing and Proposed Parkland – <i>my comment about this Table is that it shows how the City of Santa Ana is under parked! In order to overcome this extreme deficit, the GPU needs to incorporate this deficit of parklands in the amount of 108 acres and incorporate it into the 5 zones along with the calculated appropriate park acreage requirement for the GPU zone areas based on the GPU density and land uses. This GPU should factor in the old and the new and implement an accurate Park Land acreage for the City of Santa Ana. This needs to be factored into the document, researched and analyzed so that there no longer is a deficit and the new GPU incorporates this much needed park acreage increase. Please update and recirculate.</i></p>  | <p>I20-47</p>            |
| <p>48. Page 5.15-17 Paragraph starting with “Furthermore...” This paragraph talks about the Dyer/55 Fwy Focus Area and other growth areas of the City provide additional recreation, parks and core services essential to making complete communities – <i>my comments are that there are 2 major projects: the Heritage/Broadstone/Arden (approx. 1400 units) and the Bowery at 1100 units and no park space was include in the Bowery and only 1 acre was included in the Heritage/Broadstone/Arden with 1,400 units?! This does not satisfy the General Plan requirement at all. Why would the City's Planning Department allow this to slip? It just shows that the Planning Dept is not looking out for the citizens of Santa Ana and have even contributed to the increase of the park lands deficit of the City! This is unacceptable and the people in charge should be fired for not following the General Plan policy!!! Now, this zone needs to make up for the deficit which the Planning Department created when they approved these projects in the 55 Fwy/Dyer Rd zone. Going forward the deficit parklands need to be appropriated in this area to make up for the deficit from the Heritage/Broadstone/Arden and the Bowery. Also, the City now needs to</i></p> | <p>I20-48</p>            |

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- incorporate proportionately the park acreage shortfall into the other zones and incorporate the mandated park requirement generated by the GPU into this document. Please reanalyze and redraft these requirements and recirculate the Program EIR for an additional 45-day public review period.* | 120-48 cont'd
49. Page 5.16-24 Impact 5.16-1: The GPU is consistent with adopted programs, plans and policies addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities – *my comment is a general comment as to the existing roadways....the City's roadways are a set factor, and more roadways cannot be added to a City which is built out. However, the GPU proposes to add more density, and even if some of those new residents use public transit, bike or walk, there will still be a vast majority that will travel by car and the current roadway system will be hard pressed to operate smoothly with additional traffic and congestion generated from the additional density. Because the roadways are set, the density increase and traffic generated will add to the air pollution from more idling on congested roadways and freeways and this will never be able to be mitigated to a level of less than significant. All the more reason to decrease the proposed GPU density and create more mid-level jobs for our City so its possible for people to actually "live/work" in Santa Ana.* | 120-49
50. Page 5.16-33 Conclusion – *my comment in this section is regarding the sentence "...implementation of the GPU will increase demand for public transit, bicycle and pedestrian facilities, which will require the improvement and expansion of the circulation system." How can a built-out City with a fixed roadway system provide "expansion of the circulations system"? Please explain how this is to be achieved.* | 120-50
51. Page 5.16-34 Impact 5.16-2: GPU implementation would result in a reduction of vehicle miles travels per service population (VMT/SP) in comparison to existing City conditions and would achieve a VMT/SP at least 15 percent lower than the countywide VMT/SP – *not sure how this can happen? The only way this would be a true statement is that all the additional density proposed by the GPU and all the additional people that are going to living in the City would not travel in cars. I believe that further analysis and discussion is necessary to understand how you are able to arrive at this conclusion because from a common sense standpoint, it can't happen.* | 120-51
52. Page 5.16-35 The paragraph below Table 5.16-3 which starts with "Furthermore..." – *my first comment has to do with the sentence "concentrate development along high-quality transit corridors." First, I believe that it would be beneficial to better understand the meaning of "high-quality transit corridors" and how they are used and how this will be implemented in the GPU zones. My second comment is in this same paragraph where it states "nonmotorized transportation as alternatives to augmenting roadway capacity." Please provide more specific examples of "nonmotorized transportation" so that this statement can be more understandable and does actually provide a realistic alternative in augmenting roadway capacity as well as demonstrating how this would be implemented in the GPU zones. Please update accordingly.* | 120-52
53. Page 5.18-7 Table 5.18-2 Existing Average Daily Sewer Flows – *my comment is a general comment which I believe needs to be further expanded on and better explained in this section....in general, non-residential uses generate less sewer need and capacity compared to residential uses. So, by adding more residential* | 120-53

## 2. Response to Comments

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|---|--------------------------|
| <p><i>land uses as proposed by the GPU, especially where non-residential uses currently exist, there will be a net increase for sewer capacity. This needs to be further evaluated and documented in the Program EIR, please revise accordingly.</i></p>  | <p>I20-53<br/>cont'd</p> |
| <p>54. Page 5.18-13 Table 5.18-3 Average Sewer Flows – GPU Buildout – my comment is specific to the Focus Area of Grand Ave/17<sup>th</sup> St showing a change of sewer flow by 140% for this area or an additional 262,947/gpd. This increase in sewer capacity is a concern for an infrastructure that is older. Also, this Table shows that overall, GPU will provide and net increase of sewer flow of 3,091,195/gpd! Also, there are 2 zones (S. Bristol St. &amp; 55 Fwy/Dyer Rd) which have an exorbitant increase of sewer flow due to the GPU of 1,132,067/gpd (existing is 125,918/gpd) and 1,581,821/gpd (existing 538,450/gpd) respectively. This is concerning given the antiquated infrastructure in our City. Please provide information regarding the actual durability of the sewer system to handle this increase.</p> | <p>I20-54</p>            |
| <p>55. Page 5.18-15 Bullet Point Grand Ave/17<sup>th</sup> St Focus Area – my comment has to do with the statement “...will not exacerbate existing adjacent upstream capacity issues within the 15” and 18” trunk lines.” I would like to see more technical data that supports this statement. These sewer lines are older and that should be a concern with the increase of capacity due to the GPU which could cause potential strain on old sewer lines and significant damage. Please provide more information as to the condition of the durability of these sewer lines.</p>  | <p>I20-55</p>            |
| <p>56. Page 5.18-25 Table 5.18-6 Existing Average Daily Water Flows – my comment is a general comment that has to do with water usage. In general, Residential uses have a higher demand of water usage compared to Non-residential uses. So the GPU proposed increase of residential and the decrease on non-residential uses will generate a higher demand for water usage. I think this information should be included in this section for a baseline. Also, there is a typo in your Table...the far right column should stated “<u>water</u> flows” instead it reads “sewer flows”.</p>   | <p>I20-56</p>            |
| <p>57. Page 5.18-36 Table 5.18-12 Average Water Demand – Existing Compared to GPU – my comment is that 2 of the 5 Focus Areas of the GPU are creating major changes in water demands....the S. Bristol St zone has a demand increase of 1,198,226/gpd or an 857% increase! And the 55 Fwy/Dyer Rd zone has a demand increase of 1,660,558/gpd or an 666% increase! These are huge increases. Overall the GPU will generate an increase of water demand by 3,244,498/gpd...this seems too excessive and would be best to revise the GPU so that the residential density increase proposed is a much more reasonable increase so that there is not such a huge increase in demand for water especially since the water lines of the City are older which is a cause for concern. Please update accordingly.</p>                             | <p>I20-57</p>            |
| <p>58. Page 5.18-37 First paragraph starting with “Full GPU.....” – my comment is in this paragraph it states that the water increase is “representing approximately 75% of the projected city-wide increase in water demand”...this again is huge! Therefore, the GPU proposed density should be reduced to a more manageable level as it relates to water demand. (Water supply is always a concern here in CA). Please update accordingly.</p>   | <p>I20-58</p>            |



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59. Page 5.18-37 Water Distribution System – my comment is directed at the 4 bullet points discussing water main replacement projects...it would probably be ideal to have these replacement projects underway prior to redevelopment and building of these 4 Focus Areas so that there isn't a strain on the system by allowing close to the buildout of these Focus Areas before replacing these water mains. I would recommend creating a schedule and requirement that before a certain number of units in the Focus Areas are built, the replacement projects are in place. I would like to see a schedule and cost estimate for these replacement projects included in the GPU. Please research and revise accordingly. 120-59
60. Page 5.18-37 Table 5.18-13 Water Flow changes, Current General Plan to Proposed GPU – my comment is that you have a typo in the far right column...it should be "Change in Water Flows" not "Sewer". 120-60
61. Page 5.18-39 Table 5.18-15 Water Demand – Existing compared to GPU – my comment here has to do with the increase of 36,851 Multi-family units as proposed by the GPU....this is a major increase which equates to a water demand of 6,761/AFY. A reduction in the proposed increase number of Multi-family units for the GPU should be considered so the demand for water can be better managed by the City for our future water needs. Please look at adding new residential units, just not at the density you've drafted in the GPU. 120-61
62. Page 5.18-47 Safety Element Policy 1.7 Surface Water Infiltration – my comment pertains to the section in this Policy that says "Encourage site drainage features that reduce impermeable surface areas..." In order to achieve this Policy of the reduction of impermeable surface areas, there needs to be included in the land use planning of the 5 Focus Areas, designated park and open space acreage in order to create more permeable surfaces to capture ground water and to lessen the burden on the City's older storm drain systems. Please incorporate this into the Land Use Element in order to fulfill this Policy. 120-62
63. Page 5.18-52 Forecast Solid Waste Generation by General Plan Buildout – my comment has to do with the statement "...The net increase in estimated solid waste generation compared to existing conditions is approximately 401,408 pounds per day." This is a big amount of solid waste being generated per day due to the GPU increase of residential density and decrease of commercial, office and industrial uses. Based on this information, it would be best for the City and the planet if we lessen the GPU residential increase to a level that is much more manageable for our City and our landfills...this would provide a reasonable balance. Please revise accordingly. 120-63
64. Page 5.18-63 Impact 5.18-7: Development pursuant to the GPU would require or result in the relocation or construction of new or expanded electric power and natural gas – my comment here is that the net increase for Electricity Demand based on the current existing vs the GPU buildout is an increase of 260,755,497 kWh per year! The net increase for Natural Gas Demand based on the current existing vs the GPU buildout is an increase of 119,734,406 therms per year! In light of these huge demands on energy, it would be best for the City and the planet if we lessen the GPU residential increase to a level that is much more manageable for our City, the power grid and the harvesting of natural gas...this would provide a reasonable balance. Please revise accordingly. 120-64
65. Page 6-1 Air Quality Impact 5.2-1 Inconsistency with Air Quality Management Plan – my comment is whether there is an scenario of reduced construction 120-65

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- and/or scheduling that would satisfy SCAQMD (AQMP) threshold? When was the last time the AQMP was updated? What type of projections did they make? Is the GPU proposing too much density and intensity that is not supported by the AQMP projections? Just saying that the impact remains significant and unavoidable unless the AQMP includes an update that incorporates the GUP is an unreasonable request. Please provide more information and analysis. 120-65 cont'd
66. Page 6-1 Air Quality Impact 5.2-3 Long-term Emissions – my comment is that it states here that the buildout of the GPU would generate long-term emissions that exceed South Coast AQMD's regional significant thresholds.....at what decrease of the proposed density of the GPU would there be less than significant impacts? In order to decrease the emissions, I believe that the City needs to look at what revisions need to be made to the GPU to achieve a level that is within the SC AQMD threshold. Please provide more research and analysis on this subject. 120-66
67. Page 6-2 Air Quality Impact 5.2-4 Exposure of Sensitive Receptors to Toxic Air Contaminants & Impact 5.2-5 Exceeding Localized Significance Thresholds – my comment here has to do with what reductions to the GPU density and intensity needs to occur in order to make Toxic Air Contaminants health risks less than significant? Is this achievable in any way? Please advise. 120-67
68. Page 6-2 Cultural Resources Impact 5.4-1 Historic Resources – my comment is that the City needs to look at how to avoid impacts to Historic Resources so that we can create a balance in preserving the City's history in hand with new infill development. A harvesting of historic items should be done for all projects and placed in the City's museum, if applicable. All attempts to preserve historic architecture need to be supervised by the Historic Resource Committee so that all involved are working together to preserve all that can be preserved of the City's history in order to achieve a balance during the redevelopment process. 120-68
69. Page 6-3 Greenhouse Gas Emissions Impact 5.7-1 Greenhouse Gas Emissions – my comment here is that if you change to meeting a 2030/2040 goal as well as reducing the proposed density and intensity of the GPU, would this then reduce the impact to a less than significant level? I believe that at this time, the 2050 goal may be unrealistic in projecting out this far as so many things can change just like what has happened with Corona Virus and more people working from home and therefore less commuters on the road creating Greenhouse Gas Emissions. Please advise. 120-69
70. Page 6-3 Noise Impact 5.12-1 Traffic Noise – my general comment here is that if you reduce the proposed density and intensity of the GPU, then there will be a corresponding decrease in trip traffic....would this help in achieving a less than significant level? 120-70
71. Page 6-4 Population and Housing Impact 5.13-1 Population and Housing Growth – my comment is if the GPU proposed density and intensity were reduced to create a population increase that meets the 2045 OC COG projections, at what proposed density increase would it be a less than significant level? I believe that this should be researched and analyzed. 120-71
72. Page 7-2 7.1.2 Project Objectives Item #2 Optimize high density residential and mixed use development that maximizes potential use of mass transit – my comment here is again, not sure this old style of thinking is necessary as we once thought due to the living adjustments post-Corona Virus. There is more desire to live in SFR as opposed to high density, especially while sheltering at 120-72



## 2. Response to Comments

- home, more people working from home, less people commuting to work, more risks in taking public transportation due to the Corona Virus, more vacant office space because companies have their employees working from home, likely less office space needed for companies since they can save costs on leasing office space with employees working from home. This then creates a repurposing and adaptive reuse for the vacant office buildings potentially lessening the need for a density increase and new construction. Need to factor in the rethinking and methodology of the new way of living and working post-Corona Virus.*
73. Item #4 Facilitate new development at intensities sufficient to generate community benefits and attract economic activity – *my comment has to do with fully understanding what exactly this means by "intensities sufficient to generate community benefits...". Providing some examples would be helpful to better understand the intent of this sentence. I'm all for generating "economic activity" but unsure how this is achieved by way of this sentence. The economic activity that should be generated is the recruiting of mid-level jobs to our City.*
74. Item #5 Provide housing and employment opportunities at an urban level of intensity at the City's edge – *again, I'm not sure exactly what this sentence means or what it is trying to accomplish. Why do we want this at the City's edge? Not all housing has to be at an urban level....not everyone wants to live in a high density high rise. A variety of residential is always best.....balance is good. This GUP is definitely unbalanced on so many levels especially between the high density uses and lack of generating jobs. For example, why not try to recruit a Costco for the 17<sup>th</sup> St/Grand Ave zone? That would be worthwhile. Just adding high density housing makes our City much more undesirable since we are already the 4<sup>th</sup> densest City in the US.*
75. Item #6 Introduce mixed-use urban villages and encourage experiential commercial uses that are more walkable, bike-friendly and transit-oriented – *my comment again here is what exactly is "experiential commercial uses"? What are some examples? This sentence may sound good but is it actually achievable? In order to be successful, people have to want to live in an "urban village" first. Also, the commercial uses need to serve the urban resident on a variety of levels and it takes the right product mix to achieve a desirable affect so people want to be there and enjoy the experience. DTSA has started to do this and it has the building foundation (literally!) to actually pull it off in my opinion. Creating a new "urban village" from scratch is a bit harder for a City like Santa Ana and the income level of a majority of the population here is lower compared to other cities in Orange County.*
76. 7.2.1 Alternative Circulation Element – Roadway Classifications – *my first comment has to do with the first paragraph and the statement "...a reduction in the number of existing or planned travel lanes." The reduction of existing travel lanes or planned travel lanes should not at all be considered. Here in Southern California we still embrace the car culture and as hard as the State and City try to break us from this, it likely will not happen so making everyone miserable by reducing lanes is just insane! My second comment is to the next paragraph which states "...potential to reduce VMT (by reducing the number travel lanes for some roadways)..." – again, not sure why reducing travel lanes for some roadways is even being discussed and how you can calculate a reduction of VTM when the GPU alternative increases both the residential density uses and*

I20-72  
cont'd

I20-73

I20-74

I20-75

I20-76

## 2. Response to Comments

- population....this is not sensible thinking. Please reanalyze and revise based on this comment. | 120-76 cont'd
77. Page 7-6 7.2.2 Reduced Traffic Noise Alternative – my comment on this section is whether there is any planning scenario that would mitigate traffic noise to a less than significant level? I would like to know if there is as to whether this is even achievable...please advise. | 120-77
78. Page 7-9 7.3 Alternatives Selected For Further Analysis – bullet point Reduced Intensity Alternative – my comment here is by creating a reduced density and intensity alternative, is it possible for Air Quality, GHG Emissions, Noise and Population & Housing impacts to be reduced to a level of less than significant? It would be interesting to find out how this could be achievable. I would like to see some analysis for this as I believe overall, it would be very helpful in creating an Alternative that would be less dense and therefore, less impacting. | 120-78
79. Page 7-10 bullet point 2020 RTP/SCS Consistency Alternative – my comment regarding this alternative is if you revise the GPU to mirror the Connect So Cal and RTP/SCS projections, would this alternative create a less than significant impacts for Air Quality, GHG Emissions, Population & Housing and Noise? It would be interesting to know what this alternative looks like. | 120-79
80. Page 7-12 7.3.1 Alternative Comparison Table 7-3 Project Alternatives – Socioeconomic Comparison – this is a very interesting table....I would like to see a blended alternative prepared which melds the best of the "Reduced Intensity Alternative" and the best of the "2020 RTP Population/Housing Consistency Alternative". I believe that this combined alternative may be the **win/win/win scenario** for the City, its citizens and future generations. I would highly recommend that the Planning Department create this alternative and provide the same level of analysis and make this the GPU "preferred" project for the Program EIR. | 120-80

Based on the above comments, I would suggest the following recommendations:

- A. Prepare a "preferred" project that is a blend of the "Reduced Intensity Alternative" and the "2020 TRP Population/Housing Consistency Alternative". This would 1) create a less dense and intense GPU Preferred Project compared to the current GPU August 2020 project as presented in the Program EIR, 2) still achieve the goals of the Planning Department and 3) would likely be better embraced by the Community. | 120-81
- B. Redraft and reanalyze this GPU Program EIR so that it factors in the rethinking and methodology of the post-Corona Virus adapted way we now live, work and commute today and in the future. | 120-82
- C. Include a park acreage component for the City's deficit amount of park lands plus what each Focus Area will require based on the land uses and density in each zone. Add this acreage total to the land use maps and keys for each of the Focus Areas as well as in the GPU narrative for each of the Focus Areas in order to incorporate, through the planning process and actually construct, the much needed park land throughout the City. | 120-83

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D. As good stewards of the City of Santa Ana and following best planning practices, strive to create a good balance of uses and benefits for the City and its citizens, now and in the future. | 120-84

E. Revise the Program EIR based on a new "preferred" project as well as incorporating the other comment items mentioned and recirculate for an additional 45-day public review. | 120-85

Thank you for the opportunity to provide comments to this GPU Program EIR and thank you for your commitment to make the City a better place for the future.

Respectfully Submitted,

***Diane Fradkin***

Diane Fradkin  
28-year Santa Ana Resident

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## 2. Response to Comments

### I20. Response to Comments from Diane Fradkin, dated 9/16/2020.

- I20-1 The City's current GP designates railroad ROWs as open space areas, and the GPU maintained that aspect. However, neither the City nor the Draft PEIR included this acreage in the open space calculations when considering areas that are available to the public for recreation. For instance, on page 5.15-6 of the Draft PEIR, it states: "There are several parcels in this [Grand Avenue/17th Street] focus area designated as open space; however, they are developed (e.g. railroad, concrete channel)."
- I20-2 This comment focuses on changing the District Center Land use to a repurposing/adaptive reuse land use designation in the 55 Freeway/Dyer Road focus area due to a concern with airport-generated noise. Airport noise impacts are discussed under Impact 5.12-3 of the Draft EIR. Noise-sensitive land uses that could be in areas that exceed the "Normally Acceptable" noise standards due to airport operations are shown in Figure 5.12-6. The GPU Noise Element Policies 1.1, 1.2, 1.4, 3.1, 3.2, and 3.3 would ensure that airplane noise affecting future noise-sensitive land uses is mitigated to acceptable levels. Proposed Noise Element Policy 3.1 does not support residential development within the JWA 65 dBA CNEL or greater noise contour. Per Policy 3.3, all residential land uses in the 60 dBA CNEL are required to be sufficiently mitigated so as not to exceed an interior standard of 45 dBA CNEL.
- I20-3 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision-makers for consideration.
- I20-4 See response to comment I20-3.
- I20-5 See response to comment I20-3.
- I20-6 See response to comment I20-3.
- I20-7 The commenter points out the population increase (as shown in Table 3-7) associated with the GPU and notes that this growth is unsustainable and should be reduced to a level that the current existing infrastructure can support. Environmental effects associated with the relocation or construction of new or expanded water, wastewater, stormwater, solid waste, electric power, and natural gas facilities are discussed in Impacts USS-5.18-1, 5.18-2, 5.18-3, 5.18-5, 5.18-6, and 5.18-7. All impacts were found to be less than significant.
- I20-8 The buildout projections and jobs-housing ratio due to development in accordance with the GPU are shown in Table 5.13-9 of the Draft PEIR. According to the table, Orange County COG projects the City's jobs-housing ratio to be 2.1 in 2045. Under the GPU, development based on the GPU's land use designations would result in a jobs-housing ratio of 1.5, which is lower than the City's existing ratio (2.0) and the ratio projected by Orange County COG (2.1). No ideal jobs-housing ratio is adopted in state, regional, or

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city policies. However, the Department of Finance provides a quantitative definition by estimating that a healthy jobs-housing balance is one new home built for every 1.5 jobs created. Therefore, a jobs-housing ratio of 1.5 would bring the City closer to a more equal distribution of employment and housing.

- I20-9 The commenter is concerned with the GPU more than doubling the number of multifamily homes over existing conditions, as shown in Table 3-9. The concern is that this kind of density increase cannot be supported by the current infrastructure. Environmental effects associated with the relocation or construction of new or expanded water, wastewater, stormwater, solid waste, electric power, and natural gas facilities are discussed in Impacts USS-5.18-1, 5.18-2, 5.18-3, 5.18-5, 5.18-6, and 5.18-7. All impacts were found to be less than significant.
- I20-10 The VMT analysis conducted for the GPU is based on the Orange County Transportation Authority's (OCTA) subregional traffic model and reflects pre-pandemic traffic patterns in Orange County. The long-term effects of the pandemic are speculative. Modeling for GHG emissions is consistent with the California Air Resources Board's (CARB) latest emission factor model forecasts for electric vehicle use. Additional regulations enacted consistent with the recent Executive Order N-79-20 will further reduce emissions.
- I20-11 See response to comment I20-3.
- I20-12 The commenter is asking for the updated Land Use Element and Open Space, Parks and Recreation Element for the public to review and comment on prior to the approval of the Draft PEIR. These updated elements were published on the City's website on September 29, 2020. The address for the website is: <https://www.santa-ana.org/general-plan/draft-documents>
- I20-13 See response to comment I20-3.
- I20-14 See response to comment I20-3.
- I20-15 See response to comment I20-3.
- I20-16 See response to comment I20-3.
- I20-17 This comment relates to additional intensity and density in all five focus areas and the concern that proposed development would result in significant impacts. The CEQA-related impacts associated with the growth proposed by the GPU have been analyzed throughout the Draft PEIR, and the significance of each impact was assessed accordingly. Chapter 6 details impacts that were found to be significant and unavoidable.

CEQA requires that the decision-making agency balance, as applicable, the economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks

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when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

I20-18 See response to comment I20-3.

I20-19 The commenter points out that Grand Avenue is not a three-lane street. The paragraph in the Draft PEIR has been changed as follows:

### *Grand Avenue / 17th Street*

This irregularly shaped area follows Grand Avenue from just north of 1st Street to the City boundary north of Fairhaven Avenue. It is broken into two parts by Interstate 5. ~~A mixed-use corridor with three lanes of traffic in each direction, Grand Avenue, a mixed-use corridor,~~ is characterized primarily by buildings dating from the postwar period and by large swaths of paved surface parking and other open space. The preliminary desktop survey suggests that this area has a low potential for built environment historical resources.

Changes are also included in Chapter 3 of this FEIR.

I20-20 Regarding Impact 5.4-1, the commenter requests that language be added to the document that states that each new infill project shall address and appropriately mitigate impacts to historic resources to a less than significant level. The commenter states that it is important to protect historic resources. The comment further states that the City's Historic Resources Committee needs to look at each infill project and provide findings to the developer.

Development projects, including infill projects, are required to comply with the Secretary of the Interior's Standards. The Cultural Resources section determines that with fulfillment of mitigation measures CUL-1 and CUL-2, future development consistent with the GPU would result in a less than significant impact to cultural resources. If cultural resources cannot be avoided, mitigation measure CUL-3 would require at a minimum that the affected historical resources are documented. With implementation of CUL-3, future development under the GPU would be reduced to the maximum extent feasible but would still be significant and unavoidable. Therefore, it is not possible to guarantee mitigation to "less than significant level" as the commenter requests. The Cultural Resources section determined that impacts to historic reasons are significant and unavoidable.

Future development projects consistent with the GPU would be required to comply with the California Environmental Quality Act (CEQA). The CEQA process includes multiple opportunities for public involvement, including involvement by the City's Historic Resources Committee, to review the project and provide comments in a public meeting (such as scoping meetings, if applicable) and submit comments during the public review

## 2. Response to Comments

period. In addition, the public, including the City's Historic Resources Committee, can provide comments during the Planning Commission hearing and the City Council hearing. Therefore, the CEQA process provides multiple opportunities for the City's Historic Resources Committee to provide input on infill projects.

- I20-21 Please refer to the General Response in Section 2.1.3, *Parks and Open Space*, for a discussion on park/recreation-related impacts.
- I20-22 See response to comment I20-3.
- I20-23 See Responses A4A-14 and I20-2.
- I20-24 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.
- I20-25 Please refer to Response I20-24.
- I20-26 Please refer to Response I20-24.
- I20-27 The commenter states that there is no mention of a specific JWA flight path over the Dyer/ 55 Fwy Area. However, this level of detail is not necessary to present the published JWA Airport noise contours (see Figure 5.12-6) to determine airport-related noise exposure.
- I20-28 The commenter states that there is no indication of railroad noise affecting the Grand Ave/17th Street area. This is incorrect. Please see Figure 5.12-3, which graphically displays transportation (including roadway and railroad) noise contours in this area. Furthermore, as discussed in the Draft PEIR, there is an established "quiet zone" at the at-grade crossing in this area. As stated on Page 5.12-13 of the Draft PEIR, "There are several crossings in Santa Ana that are designated 'quiet zones'—from 4th Street north to Santa Clara Avenue. In these locations, trains are not required to sound their warning whistle (though still may if the conductor deems it necessary for safety reasons)."
- I20-29 Since traffic noise was determined to be a significant, unavoidable impact of the proposed GPU, a project alternative designed to eliminate this significant impact was considered. Table 7.1, *Roadway Segments with Significant Traffic Noise Increases*, of the Draft PEIR lists the roadways that would experience significant noise impacts under the GPU. For these segments, the average daily trips associated with buildout of the current general plan were shown in the table. As summarized in the table, several segments would experience significant, unavoidable traffic noise impacts without the land use changes proposed under the GPU. Since significant traffic noise could not be avoided, further evaluation of this alternative was not deemed to be meaningful.
- I20-30 See response to comment I20-29.



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- I20-31 The commenter asks how the carryover of 201 lower-income units is divided into “very low” and “low” categories. The commenter asks why the information for the next 7-year period requirement as it related to the General Plan Update proposed density is not analyzed.

As stated in the 2014–2021 Housing Element for the City, Santa Ana’s housing-construction need represents the total construction need to accommodate the expected population and employment growth while accommodating a normal amount of vacancies and replacement units. This need is further divided into four household income categories defined by law; these categories are based on the 2010 Census County Median Family Income. Therefore, the carryover from the 2006–2014 RHNA identified that 111 units for the very low income category and 90 units for the low category, which totals to 201 units, would be carried over to the 2014–2021 RHNA allocation. As the Housing Element for the next 7-year cycle has not been released yet, it cannot be included in the General Plan Update, and therefore, the 2014–2021 Housing Element, which is the most current Housing Element for the City, is used in the General Plan .

- I20-32 The commenter asks for a comparison of the existing jobs-housing ratio for Santa Ana to the proposed GPU jobs-housing ratio.

Please refer to Table 5.13-7, *Population and Employment Projections for Santa Ana and Orange County*, on page 5.13-10 of the Draft PEIR, which shows the 2019 and 2045 jobs-housing ratios for the City of Santa Ana and Orange County.

- I20-33 The Draft PEIR has been changed, as shown below, to include “Mixed Use” and “Live/Work” existing land uses into existing residential land use acreage. “District Center” land uses were added into the land use acreages for the GPU.

The purpose of the GPU is to provide orderly growth in the City of Santa Ana through the distribution, location, balance, and extent of land uses. Under the 2045 buildout scenario, the GPU would change the land use designations of ~~581.4~~ 839.7 acres of existing nonresidential land uses to residential uses (see Table 5.13-10). The proposed land use map (see Figure 3-7) identifies land use designations for a variety of housing types and provides for additional residential opportunities in areas that currently do not allow residential uses.

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**Table 5.13-10 Existing and Proposed Land Use Designations**

Area	Existing Residential (Acres)	GPU Residential (Acres)	Increase (Acres)
Grand Avenue/17th Street	<del>28.9</del> <u>29.1</u>	<del>419.7</del> <u>143.4</u>	<del>90.8</del> <u>114.3</u>
55 Freeway/Dyer Road	<del>0</del> <u>18.7</u>	<del>0</del> <u>44.6</u>	<del>0</del> <u>25.9</u>
South Bristol Street	16.7	<del>85.7</del> <u>194.0</u>	<del>69.0</del> <u>177.3</u>
South Main Street	<del>455.7</del> <u>159.2</u>	264.0	<del>408.3</del> <u>104.8</u>
West Santa Ana Boulevard	<del>457.7</del> <u>158.3</u>	<del>476.9</del> <u>186.9</u>	<del>49.2</del> <u>28.6</u>
Balance of City	<del>6,647.9</del> <u>6,677.1</u>	<del>6,941.7</del> <u>7,065.9</u>	<del>293.8</del> <u>388.8</u>
<b>Total</b>			<del>584.4</del> <u>839.7</u>

Note: Existing residential acreage includes mixed use, Live/Work, multifamily residential, single-family residential, and mobile homes and trailer parks. Proposed GPU residential acreage includes the following land use designations: Corridor Residential, District Center, Urban Neighborhood, Low-Density Residential, Low- to Medium- Density Residential, and Medium-Density Residential.

- I20-34 The OC COG's 2045 population projection for the City of Santa Ana is estimated at 360,077. The commenter is requesting reducing the GPU's development density to match OC COG's projection. Chapter 7, *Alternatives to the General Plan Update*, considers an alternative with reduced development to match the RTP/SCS population projection of 352,941. This alternative was analyzed to assess whether it would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project. Due to the substantial reduction in housing opportunities associated with this alternative, it was found to be the least effective of all the alternatives considered in achieving the project objectives of the GPU.
- I20-35 See Response I20-34 regarding the proposed GPU's significant population impact. The commenter also suggests that this section be redrafted to reflect conditions on "how we live now" under COVID-19 conditions. The suggestion is made that the analysis considered working from home, reduced commuting, adaptive reuse of office buildings, etc. CEQA requires environmental review to objectively analyze the potential impacts of a project as proposed, and to compare environmental impacts to existing conditions. For an EIR, those existing conditions are typically defined as conditions at the time the Notice of Preparation (NOP) was issued. The NOP for the GPU was issued on February 20, 2020, prior to pandemic conditions in the City of Santa Ana. Moreover, the GPU process has been almost a 5-year process, initiated in late 2015. The duration and long-term effects of the pandemic are currently unknown. Revising the GPU for such conditions would be speculative and analyzing such a scenario for the Draft PEIR would also be completely speculative. CEQA does not require analysis of speculative conditions. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).)
- I20-36 The commenter states that the General Plan Update would require additional police officers based on the increase in density, and asks how many officers that would be as well as the cost.

## 2. Response to Comments

As indicated in the Draft PEIR, the Santa Ana Police Department does not apply a staffing ratio but instead evaluates performance and needs. The Santa Ana Police Department is relatively understaffed; however, one of the goals of the Santa Ana Police Department 2019–2024 Strategic Plan is to recruit more officers and professional staff. Although additional personnel would be required, staffing needs could vary greatly based on crime trends and City needs. Population growth would occur over time, as would the hiring of additional staff. Funds for additional police facilities and staff would come from grants, special revenue funds, and the City's general fund. Funding from property taxes, as a result of population growth, would be expected to grow roughly proportional to any increase in development. As the Santa Ana Police Department does not have a staffing ratio, the exact number of police officers (and cost) cannot be determined.

- I20-37 The commenter states that an additional intermediate school would be needed. The commenter also states that schools would need to be placed within close proximity to areas where the zoning designation would change from a non-residential designation to a residential designation.

As indicated in the DEIR, Tustin Unified School District is at or near capacity, but it is expected that all future development created by the General Plan Update would pay the maximum development fee in place at the time building permits are obtained. At the General Plan level of analysis, it is speculative and infeasible to evaluate project-specific environmental impacts associated with the specific construction of future school facilities as specific sites and time frames for development are unknown.

- I20-38 The commenter opines that library annex locations should be designated since the City is underserved by its existing libraries.

As stated in the Draft PEIR, the City is in the process of procuring a mobile library unit or bookmobile to better serve the population. Additionally, the public can access online resources, including eBooks and audiobooks. Funding would be required to provide the additional resources needed to meet the demand factors for the City; impact fees are assessed on new development to help pay for public infrastructure required to accommodate new development. As development occurs, property tax revenue should grow proportionally. At the General Plan level of analysis, it is speculative and infeasible to evaluate project-specific environmental impacts associated with the specific construction of future library facilities since specific sites and time frames for development are unknown.

- I20-39 Please refer to responses to comments A4-12, A4-13, and A4-14.

- I20-40 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.

## 2. Response to Comments

- I20-41 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.
- I20-42 The commenter asks for analysis which would verify that the General Plan Update would meet Policy 1.9 from the Land Use Element.
- Prior to development, the City, OCFA, and the Santa Ana Police Department review proposed projects to ensure the GPU would not exacerbate existing facilities and services. Additionally, proposed projects are required to pay impact fees, which would help offset impacts to facilities and services, including school and library facilities.
- I20-43 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.
- I20-44 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.
- I20-45 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.
- I20-46 See response to comment I20-3.
- I20-47 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.
- I20-48 Please refer to the general response regarding this issue in Section 2.1.3, *Parks and Open Space*.
- I20-49 The air quality (Section 5.2) and GHG (Section 5.7) analyses in the Draft PEIR evaluate the effects of the increase in VMT associated with an increase in density in the city and associated vehicle travel on roadways. Chapter 7, *Alternatives*, evaluated alternatives that generate more employment and less housing, including the No Project/Current General Plan Alternative and the 2020 RTP Population/Housing Consistency Alternative.
- I20-50 Please refer to the discussion under Impact 5.16-1. Impact 5.16-1 details proposed improvements to the transit, bicycle facilities, and pedestrian facilities. These are the circulation systems referred to in the statement the commenter points out. Furthermore, under the Complete Streets Act, general plans of California cities are required to include planning for complete streets—that is, streets that meet the needs of all users of the roadway, including pedestrians, bicyclists, users of public transit, motorists, children, the elderly, and the disabled. As such, the proposed Master Plan of Streets and Highways includes roadway reclassifications that represent changes to narrower vehicle rights-of-way and reduced vehicle lanes to accommodate bikeway and/or sidewalk improvements.

## 2. Response to Comments

- I20-51 The GPU Draft PEIR VMT analysis was conducted using forecasts obtained from OCTA's OCTAM regional countywide model, and Section 3.1 of the Traffic Impact Analysis Report in the Draft PEIR Appendix (see Appendix B of this FEIR) provides a detailed explanation of the VMT analysis methodology used in conjunction with these travel demand model forecasts.
- I20-52 The Draft PEIR has been updated as shown below with a definition of high-quality transit area and nonmotorized transportation. These changes are also shown in Chapter 3 of this FEIR.
- Furthermore, the GPU includes policies that promote the reduction of VMT. Policy 2.5 of the land use element encourages infill mixed-use development at all ranges of affordability to reduce VMT, and Policy 4.5 aims to concentrate development along high-quality transit corridors. A high-quality transit corridor is a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours. Policy 4.6 of the circulation element promotes reductions in automobile trips and VMT by encouraging transit use and nonmotorized transportation as alternatives to augmenting roadway capacity. Nonmotorized transportation includes all forms of travel that do not rely on an engine or motor for movement. This includes walking, bicycle, and small-wheeled transport (skates, skateboards, push scooters and hand carts).
- The discussion under Impact 5.16-1 details proposed improvements to the transit, bicycle facilities, and pedestrian facilities.
- I20-53 The Draft PEIR does show an increase in sewer generation associated with the GPU, as mentioned in this comment. Sewer generation numbers for the GPU as compared to existing conditions are shown in Table 5.18-3. The table shows an increase of 4.13 million gallons per day (mgd) compared to existing conditions. The detailed calculations shown in Appendix A of the *City of Santa Ana General Plan Update Infrastructure Technical Report for Hydrology, Sewer, Water, and Water Quality* shows sewer generation number for residential and commercial uses separately.
- I20-54 The City's Sewer Master Plan (SMP) and Capital Improvement Program (CIP) prioritize necessary projects as developments under the GPU come online. Additionally, projects within the city that go through the entitlement process would be required to perform a sewer monitoring study. After submittal and review of the study by City staff, if the sewer system was found to be deficient, the developer would be required to upsize the portion of the sewer pipe within the frontage of their property. Developers may also be eligible to enter into a Joint Cost-Sharing Agreement with the City to cover a portion of the cost for required upsizing that may be done by the City at a later date. If improvements are needed to deficient infrastructure downstream of the project sites, the developer may be required to participate and pay into the fair-share agreement currently employed by the

## 2. Response to Comments

City. This process would ensure that any new development pursuant to the GPU would not be a concern for older infrastructure that currently exists in the City.

- I20-55      The commenter is concerned with impacts associated with increased sewage generation in the Grand Avenue/17th Street focus area to a specific sewer line improvement project recommended by the SWP to address nearby deficiency areas. The specific improvement project relates to upgrading the sewer line that runs from Fairhaven Avenue to 17th Street, along Old Grand Street, Santa Clara Avenue, and Wright Street, as shown in Figure 5.18-2. The Grand Avenue/17th Street focus area would have no impact since it is not tributary to these deficient sewer lines, and the increased sewage generation would not be conveyed to the lines that have been recommended for improvements.
- I20-56      The Draft PEIR does show an increase in water demand associated with the GPU, as mentioned in this comment. Water demand numbers for the GPU as compared to existing conditions are shown in Table 5.18-12. The table shows an increase of 4.27 mgd compared to existing conditions. The detailed calculations shown in Appendix C of the *City of Santa Ana General Plan Update Infrastructure Technical Report for Hydrology, Sewer, Water, and Water Quality* shows sewer generation number for residential and commercial uses separately. A correction to Table 5.18-6 is included in Chapter 3 of this FEIR.
- I20-57      The commenter is concerned with impacts on aged water infrastructure due to the proposed residential densities. The Water Master Plan found that the distribution system was largely hydraulically sound, and improvement projects as a result of deteriorated or aged pipes are anticipated to constitute the majority of future water infrastructure projects. Through its planning and CIP mechanisms, the City would have adequate capacity for the proposed increases in water flows across the city. This has been confirmed with City staff. Furthermore, impact fees from new development would be used for maintenance and upgrade of water infrastructure.
- I20-58      This comment relates to water supply impacts due to the proposed residential densities. As described in Impact 5.18-4, under full GPU buildout, water demand would increase from approximately 31,151 acre-feet per year (AFY) to 38,101 AFY (a total of 6,950 AFY). The City's 2015 Urban Water Management Plan (UWMP) projected a 2040 total water demand of 40,036 AFY to 42,438 AFY (depending on climate conditions), which is greater than the total of 38,101 AFY associated with GPU implementation. The UWMP found that there is adequate water supply to accommodate the projected 2040 demand.

Furthermore, the 2018–2019 Orange County Water District (OCWD) Engineer's report provides data on groundwater usage across its service area, including the City of Santa Ana. Water demands are expected to increase 53,779 AFY by the year 2035. The proposed increase of 6,950 AFY under implementation of the Santa Ana GPU is well within the planned increase in water demands from OCWD projections. In addition, Metropolitan's 2015 UWMP stated that Metropolitan would be able to meet the demands of its member

## 2. Response to Comments

agencies, including the City of Santa Ana, through 2040. A 2014 Purchase Order between the City and Metropolitan further establishes adequate water supplies to meet current and future demands

- I20-59 Through its planning and CIP mechanisms, the City would create a schedule for project improvements and time infrastructure improvements in line with planned development to ensure projects are underway prior to new development coming online. Schedule and cost estimates are included in the 5-year CIP reports on an annual basis.
- I20-60 A correction to Table 5.18-13 is included in Chapter 3 of this FEIR.
- I20-61 Refer to the response to comment I21-58.
- I20-62 Policy 1.7 relates to increased impermeable areas at new development and redevelopment sites, both public and private. Any development that would decrease permeable surface areas compared to existing conditions would be subject to this policy. The policy, in addition to State and local regulations, would retain overall infiltration rates and flow rates to storm drains citywide in a manner that would not impact groundwater recharge or storm drain capacities (please refer to Impacts 5.9-2 and 5.18-5). A further GPU policy is not required to address this issue.
- I20-63 Even with the increase in solid waste generation associated with development pursuant to the GPU, the analysis presented under Impact 5.18-6 concludes that solid waste facilities would be able to accommodate project-generated solid waste. State and local solid waste regulations and GPU policies would further reduce the impact of solid waste on the environment. All development pursuant to the General Plan Update shall comply with Section 4.408 of the 2019 California Green Building Code Standards, which requires new development projects to submit and implement a construction waste management plan in order to reduce the amount of construction waste transported to landfills. Furthermore, all development pursuant to the General Plan Update shall store and collect recyclable materials in compliance with Assembly Bill 341. Green waste will be handled in accordance with Assembly Bill 1826, which requires recycling of organic matter by businesses generating such wastes in amounts over certain thresholds.
- I20-64 Even with the increase in electricity and natural gas demand pursuant to the GPU, the analysis presented under Impact 5.18-7 finds that Southern California Edison and SoCalGas have adequate supply to meet this demand at project buildout.

Furthermore, GPU policies support new development that meet or exceed standards for energy-efficient building design, support education programs to provide information on energy conservation, encourage the planting of native and diverse tree species to reduce heat island effect and energy consumption, and promote and encourage efficient use of energy and the conservation of available resources in the design, construction, maintenance, and operation of public facilities, infrastructure, and equipment. The

## 2. Response to Comments

policies also support citywide use of drought-tolerant landscape and development practices for wise water use and energy consumption, and the use of energy efficient building and maintenance practices as part of the development or rehabilitation of any public facility or capital improvement project.

In addition, any development pursuant to the proposed GPU would be required to comply with energy efficiency standards set forth by Title 24 of the California Administrative Code, and appliance efficiency regulations set forth by Title 20 of the California Administrative Code.

- I20-65      The General Plan EIR includes a programmatic evaluation of consistency of the General Plan with the South Coast AQMD's Air Quality Management Plan (AQMP). The current AQMP is the 2016 AQMP and the South Coast AQMD will release a new AQMP in 2022. The consistency analysis with the AQMP considers both changes in land use and density (Criterion 1) as well as whether or not emissions generated by the project contribute to the nonattainment designations of the SoCAB (Criterion 2). As identified in Section 5.2, the AQMP is based on projections in the Current General Plan and SCAG forecasts, and the GPU would exceed these forecasts because of the additional density accommodated. However, under Criterion 2, because the CEQA baseline is Existing Conditions and the City is anticipated to grow whether or not the General Plan Update is approved (see Chapter 7, "No Project/ Current General Plan Alternative") the alternative would reduce emissions but would not eliminate impacts related to the increase in emissions in the South Coast Air Basin.
- I20-66      Section 5.2, Impact 5.2-3 evaluates the potential increase in long-term emissions based on the future emissions rates (i.e., includes adopted regulations and turnover of vehicle fleets). The thresholds used to evaluate impacts are based on thresholds developed for a project-level analysis. As a result, programmatic projects, like the proposed General Plan Update, typically result in significant impacts under this criteria. VOC emissions are the largest increase compared to the existing land uses; based on the increase, the City could only accommodate a 1 percent increase in population (2,906 people) and employment growth (343 employees) before the South Coast AQMD significance threshold for VOC would be triggered. As a result, even no land use changes (i.e., the No Project/ Current General Plan) would generate a substantial increase in emissions compared to existing conditions that would trigger the South Coast AQMD threshold.
- I20-67      See response to Comment I20-66. The Draft PEIR conservatively identifies that any increase in toxic air contaminants (TACs) generated within the city would cumulatively contribute to health risk impacts in the South Coast Air Basin (SoCAB). The primary source of TACs in the SoCAB is diesel particulate matter (DPM), which is primarily associated with warehousing and industrial land uses. Health risk from DPM is influenced by the concentrations of DPM at sensitive receptors. Therefore, for this type of evaluation, project-specific information is needed to determine whether emissions from a



## 2. Response to Comments

project in the city exceed 10 in a million cancer risk. At this programmatic level of analysis, this information is speculative; therefore, the EIR conservatively calls impacts significant. For this impact to be less than significant, the GPU would need to plan for no additional growth in warehousing or industrial land uses in the City. Given the increase with e-commerce, this is not feasible. It should be noted that because this impact is based on nonresidential square footage for warehousing/industrial land uses associated with the General Plan Update, the change in residential density in the city does not significantly affect DPM and associated health risk impacts.

- I20-68      Comment I20-68 references page 6-2, which summarizes significant unavoidable adverse impacts of the GPU. The commenter states that the City needs to avoid impacts to cultural resources and that historic items should be retrieved for all projects and placed in the City's museum, if applicable. Additionally, the commenter states that efforts to preserve historic architecture need to be supervised by the Historic Resource Committee.

As discussed in Section 5.4, *Cultural Resources*, the General Plan Update would include a Historic Preservation Element and incorporates a number of policies that would preserve historic architecture and unique neighborhoods and structures and would ensure compatibility with existing historic contexts. Individual projects within the City would be required to comply with Secretary of Interior Standards for the Treatment of Historic Properties. Additionally, Policy 3.5 calls for collaboration with the Santa Ana Historical Preservation Society, community groups, and individuals to promote public and educational opportunities that highlight historic preservation. Policy 3.6 calls for collaboration with local and regional historic preservation groups to maintain a training program that promotes best practices in preservation techniques.

Through the implementation of mitigation measures and adoption of the Historic Preservation Element and other General Plan Update policies identified in Section 5.4, the proposed project minimizes impacts to historic resources to the maximum extent feasible.

- I20-69      The EIR for the General Plan Update considers the buildout horizon of the General Plan, which is 2045. Impacts of the proposed project are based on the ability to achieve a trajectory to the State's long-term GHG target under Executive Order S-03-05. Interim population/employment projections and city emissions are not considered in the Draft PEIR. The City of Santa Ana has prepared a Climate Action Plan (CAP) to address the Assembly Bill 32 target for year 2020, and Mitigation Measure GHG-1 requires the City to update the CAP to address the Senate Bill 32 target for year 2030 as well as the long-term goal under Executive Order S-03-05. See also response to Comment I20-10. The long-term effects of the pandemic are speculative.

- I20-70      Please refer to response to comment I20-29.

## 2. Response to Comments

- I20-71 Refer to Response I20-34. As noted in that response, even though the 2020 RTP/SCS Consistency alternative reduces the impact to population and housing to less than significant, due to the substantial reduction in housing opportunities associated with this alternative, it was found to be the least effective of all the alternatives considered in achieving the project objectives of the GPU.
- I20-72 Please refer to Response I20-35.
- I20-73 This comment is regarding a specific objective of the GPU and is not directly related to the Draft PEIR. No response is required.
- I20-74 This comment provides opinions regarding the GPU and recommended land uses and is not directly related to the Draft PEIR. No response is required.
- I20-75 This comment provides opinions regarding the GPU and recommended land uses and is not directly related to the Draft PEIR. No response is required.
- I20-76 Pursuant to SB 743 passed by the legislature in 2013 and the updated CEQA Guidelines adopted in December 2018, the vehicle miles traveled (VMT) analysis in the Draft PEIR complies with State law. The commenter is correct in stating that reducing travel lanes would result in more traffic congestion and auto delay. This is consistent with the legislature's intent in adopting SB 743, with the objective to reduce auto traffic and related emissions in an effort to reduce greenhouse gas emissions. The traffic study for the Draft PEIR evaluates VMT based on a per capita metric. Therefore, although overall VMT would increase due to a substantial increase in development, average miles per household generated by the GPU upon buildout would be reduced in comparison to existing conditions.
- I20-77 The Draft PEIR found that traffic noise and construction noise would be significant and unavoidable. Please refer to Response I20-29 for a discussion on a proposed alternative to reduce traffic noise. For construction noise, even the current General Plan would have a significant and unavoidable impact. Construction-related noise is a highly localized impact, and the severity of impacts depends on the equipment used, distance to nearby sensitive receptors, time of day, and overall duration of construction. However, 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.
- I20-78 See response to Comment I20-66. For air quality, a 1 percent increase in population and employment has the potential to trigger the South Coast AQMD VOC threshold. As a result, alternatives that would eliminate this impact are not feasible for air quality.
- The state has identified very stringent GHG emissions goals that require decarbonization of California's energy. GHG emissions at buildout are less than existing levels (see Table 5.7-6). The governor enacted Executive Order N-79-20, which directs the State to develop

## 2. Response to Comments

regulations to transition to a zero-emissions on-road and off-road economy and would further reduce emissions. However, because emissions associated with the proposed project are already decreasing from existing conditions, and emissions reductions need to come from both new development and existing land uses in the city in order to achieve the aggressive GHG reduction goals for the State, even “no growth” from existing conditions would trigger GHG emissions impacts.

See Response I20-77 for a discussion on alternatives as they relate to noise impacts.

- I20-79 The 2020 RTP/SCS consistency analysis is roughly based on the land use forecast used by SCAG for the latest RTP/SCS, Connect SoCal. Therefore, this alternative represents the latest RTP/SCS land use forecast.
- I20-80 Pursuant to CEQA, the Draft PEIR provides a reasonable range of alternatives to evaluate the potential to reduce or eliminate significant impacts of the proposed project and to meet the majority of the project’s objectives. It is unclear how the commenter would define the combined alternative suggested, but it is not required to comply with CEQA requirements nor to inform decision-makers.
- I20-81 See Response I20-80
- I20-82 See response to comment I20-35.
- I20-83 Comment noted. Please refer to Section 2.1.3, *Parks and Open Space*, including the supplemental policies and implementation actions that have been added to the GPU to address comments regarding the adequate provision and equitable distribution of recreational facilities to meet project demands.
- I20-84 Comment noted.
- I20-85 The “preferred” GPU is the result of an intensive five-year City process. Draft PEIR alternatives are prepared to give decision-makers information to consider options that have the potential to reduce environmental impacts. Please refer to Section 2.1.5, *Request to Recirculate Draft EIR*, regarding the request to recirculate the PEIR for another 45 days.

## 2. Response to Comments

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## 2. Response to Comments

Letter I21 – Mike Johnson (1 page[s])

I21

**From:** Mike Johnston <[mjohnston@recupero.net](mailto:mjohnston@recupero.net)>  
**Sent:** Friday, October 2, 2020 3:24 PM  
**To:** New General Plan <[NewGeneralPlan@santa-ana.org](mailto:NewGeneralPlan@santa-ana.org)>  
**Subject:** GPA Public Comment Period

Hi there,

I'm hoping you can help me with a question. I know the City extended the public comment period for the General Plan Amendment DPEIR to 10/6. Once the public comment period closes, when will the City make the comments submitted available to the public?

I21-1

Thanks in advance for your assistance,

MJ

--  
Mike "MJ" Johnston  
**Recupero & Associates, Inc.**  
31877 Del Obispo St., Suite 204  
San Juan Capistrano, CA 92675

## 2. Response to Comments

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## 2. Response to Comments

### **I21. Response to comments from Mike Johnson, dated 10/2/2020.**

- I21-1 All written comments received on the Draft PEIR are included in this FEIR, which will be posted on the City's website at the same time it is made available to the City's decision-makers and prior to the Planning Commission's public hearing on the proposed GPU.

## 2. Response to Comments

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## 2. Response to Comments

Letter I22 – Brenda Escalera (1 page[s])

I22

**From:** Brenda Escalera [REDACTED]  
**Sent:** Tuesday, October 06, 2020 4:48 PM  
**To:** New General Plan <[NewGeneralPlan@santa-ana.org](mailto:NewGeneralPlan@santa-ana.org)>; Carvajal, Verny <[VCarvajal@santa-ana.org](mailto:VCarvajal@santa-ana.org)>  
**Cc:** Leonel Flores [REDACTED]  
**Subject:** General plan

Hello,

My name is Brenda Escalera and I am a resident near the Madison Park area. I am calling to request that the city of Santa Ana delay the process for moving forward with the general plan to allow time for the community outreach and input. The city's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving the community input. Once again, I am calling to request that the city of Santa Ana delay the process for moving forward with the general plan.

I22-1

Thank you,  
Brenda Escalera

## 2. Response to Comments

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## 2. Response to Comments

### **I22. Response to comments from Brenda Escalera, dated 10/6/2020.**

I22-1 Please refer to General Responses 2.1.1, *General Plan Update Process: Community Outreach and Schedule*.

## 2. Response to Comments

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## 2. Response to Comments

Letter I23 – José Trinidad Castañeda (2 page[s])

I23

**From:** Jose Trinidad Castaneda <[jose@climateactioncampaign.org](mailto:jose@climateactioncampaign.org)>  
**Sent:** Tuesday, October 06, 2020 3:41 PM  
**To:** New General Plan <[NewGeneralPlan@santa-ana.org](mailto:NewGeneralPlan@santa-ana.org)>  
**Subject:** Public Comment re: Draft GPU PEIR

Below you will find brief comments regarding draft policy language in the Draft GPU.

Sincerely,  
Jose Trinidad Castaneda  
Orange County Climate Justice Organizer  
Climate Action Campaign

### Mobility Element

POLICY M-2.1 INTERSTATE FREEWAYS Support Caltrans and OCTA efforts to modernize and improve freeways by improving safety, capacity, convenience of access, and operational efficiencies, while addressing impacts to neighborhoods

- Suggested: Collaborate with Caltrans and OCTA to reduce freeway use and public funds spent on freeway improvements

POLICY M-3.2 NONMOTORIZED TRAVELWAY AMENITIES Enhance nonmotorized travelways with amenities such as landscaping, shade trees, lighting, benches, crosswalks, rest stops, bicycle parking, and support facilities that promote a pleasant and safe experience.

- Suggestion: Discontinue the use of palm trees for street trees

POLICY M-5.5 Tree preservation. Re-evaluate the City's street tree maintenance and preservation programs to ensure fiscal sustainability and aesthetically pleasing trees over the long term.

- Suggestion: Change to "ensure ecologically sustainable and climate-friendly native trees" to maintain consistency with POLICY CN-3.5 LANDSCAPING Encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.

### Conservation Element

POLICY CN-3.11 ENERGY-EFFICIENT TRANSPORTATION INFRASTRUCTURE Continue to support public and private infrastructure for public transportation such as bus routes, rail lines, and the OC Streetcar.

- Suggestion: **ADD** and Zero Emission Vehicle charging stations

**Suggestion: ADD** Policy CN-3.12 RENEWABLE ENERGY GENERATION - Support the transition to a Zero Carbon economy with a Community Choice Energy program, local energy generation, microgrids, and battery storage

Thank you,

## 2. Response to Comments

Jose Trinidad Castaneda

--

**Jose Trinidad Castaneda** (he/him)  
Orange County Climate & Energy Advocate & Organizer  
*Climate Action Campaign*  
[3900 Cleveland Ave, Suite 208](#)  
[San Diego, CA 92103](#)  
(619) 419-1222 ext. #708  
*Schedule a Meeting with me at [calendly.com/cleanenergyjose](https://calendly.com/cleanenergyjose)*



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*Our Mission is Simple: Stop the Climate Crisis*

## 2. Response to Comments

### **I23. Response to comments from José Trinidad Castañeda, dated 10/6/2020.**

- I23-1 This comment is regarding the proposed General Plan Update and does not provide a specific comment regarding the Draft PEIR. The comment will be forwarded to decision makers for consideration.

## 2. Response to Comments

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## 2. Response to Comments

Letter I24 – Leonel Flores (1 page[s])

I24

**From:** Leonel Flores <[mpnacorg@gmail.com](mailto:mpnacorg@gmail.com)>  
**Sent:** Tuesday, October 06, 2020 8:04 PM  
**To:** New General Plan <[NewGeneralPlan@santa-ana.org](mailto:NewGeneralPlan@santa-ana.org)>  
**Subject:** Public Comment

Hello,

My name is Leonel Flores and I am a lifelong resident of Santa Ana. I am writing to request that the city of Santa Ana delay the process for moving forward with the General Plan to allow more time for community outreach and input.

The city's community outreach efforts have been rushed and insufficient, and have been focused more on providing information rather than receiving community input. Outreach during the Covid-19 pandemic has not addressed technology and language access barriers for Santa Ana residents in the defined disadvantaged communities.

Environmental justice issues are not adequately reflected in the General Plan update, or the planning process, which is required by SB 1000. The 45-day public comment period and additional 20 days--on the 2500-page environmental impact report for the General Plan, which includes highly technical language--is insufficient to meaningfully engage Santa Ana communities under any circumstances, and particularly during the Covid-19 pandemic.

I appreciate your attention to this matter in order to ensure that the General Plan truly reflects the needs and values of all members of our communities.

Thank you,

--  
**Leonel Flores**  
**Community Organizer**  
**MPNA-GREEN**  
Pronouns - He/Him/His  
[mpnacorg@gmail.com](mailto:mpnacorg@gmail.com)  
<https://mpnagreen.org>  
[Instagram](#) | [Facebook](#)

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## 2. Response to Comments

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## 2. Response to Comments

### **I24. Response to comments from Leonel Flores, dated 10/6/2020.**

- I24-1 The original Draft PEIR 45-day public review period was extended by 20 additional days. Originally it closed on September 16, and it was extended until October 6. Please also refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for a discussion on EJ community outreach meetings conducted by the City. EJ outreach in July and August 2020 was conducted as virtual meetings as a result of the COVID-19 pandemic. Moreover, translation services were offered during the meetings. Furthermore, Section 2.1.2, *Environmental Justice*, includes an expanded discussion of how/where the General Plan Update complies with SB 1000 requirements.

## 2. Response to Comments

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## 2. Response to Comments

Letter I25 – Manuel Escamilla (4 page[s]).

I25

----- Forwarded message -----

From: **Manuel Escamilla** [REDACTED]  
Date: Tue, Oct 6, 2020 at 4:56 PM  
Subject: Santa Ana General Plan Update - DEIR Comments  
To: Verny Carvajal <[VCarvajal@santa-ana.org](mailto:VCarvajal@santa-ana.org)>

Hello Verny,

I hope you and the planning team are well. I appreciate the extra time that was given for public comment, I would not have been able to review anything without that extra time. Please see my attached comments regarding the General Plan DEIR.

I hope to be able to dive more into the details in time for the Planning Commission presentation. I know this has been many years in the making and you should be proud of the work.

Stay golden,

Manny

--

**Manuel J. Escamilla**

<https://www.escamillaforsantaana.org/>

Master of Urban and Regional Planning | Design and Development, 2018  
UCLA | Luskin School of Public Affairs | Department of Urban Planning  
Master of Library and Information Science | Archival Studies, 2014  
UCLA | Graduate School of Education | Department of Information Science  
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Podcast [Puro Policy Pari](#)

## 2. Response to Comments

### City of Santa Ana General Plan DEIR Comments

#### Section 1 - Executive Summary

**Table 1-1 Page 1-6 - South Main Street % of total appears to be calculated incorrectly:**

<b>South Main Street</b>	<b>312.2</b>	<b>—</b>
Industrial/Flex	29.0	9.3
Institutional	19.2	66.1
Low Density Residential	162.3	845.8
Urban Neighborhood	101.7	62.7

I25-1

#### **[Page 1-9] - 1.5.2. Reduced Intensity Alternative**

Why Reduced intensity areas 55 and dyer - South Bristol? - The other focus areas appear to have more opposition and local impacts than those two areas?

I25-2

#### **[Page 1-11] 1.7 Areas of controversy**

I believe that "the City of Santa Ana has no knowledge of expressed opposition to the project" is incorrect.

I25-3

#### **[Page 1-13] 5.2-1 Air quality Impact - AQ-1 & AQ-2**

Shouldn't these mitigation measures apply to non-discretionary projects as well? Since the entire point of this general plan update is to increase the number of by-right projects that conform with local standards?

I25-4

#### **5.2-4 & 5.2-5 Sensitive receptor exposure to substantial toxic air contaminants - AQ-3**

The language here appears to be incredibly weak as it relates to non-motor vehicle toxic substances. I would like to see specific language that mitigates residential exposure to known industrial carcinogens. Also why do these mitigation measures only apply to discretionary projects?

I25-5

#### **5.4 Cultural Resources - impact 5.4-1**

The language is a bit unclear as to whether the mitigation CUL-1 will be done on a project-by-project basis limited to already identified historic resources or to all 45+ year old impacted buildings?

I25-6

Additional Mitigation Measure (CUL-0?) should include a proactive City initiated Historical Resources Assessment by an independent 3rd party firm within the proposed focus areas. This baseline survey should identify potentially historic structures prior to development proposals.

## 2. Response to Comments

### 5.6-4 GEO-3

In the event of a fossil discovery consider the possibility of a local repository to serve as the basis of an Orange County Natural History Museum.

I25-7

### [Page 1-27] 5.10-2

It is my understanding that existing projects (built and proposed) were found to be inconsistent by the Airport Land Use Commission. How is it possible that similar projects in the same area are consistent?

I25-8

### 5.12-1 N-1

Can we get rid of the Sunday prohibition to allow for an extra day of construction and potentially faster build time? This seems like an outdated 'Sunday Law.'

I25-9

### Impact 5.12.-2

Potential mitigation of noise impacts through the installation of street trees.

I25-10

### Impact 5.12-4

Does the Airport Land Use Commission agree with this finding?

I25-11

### 5.13-2

I disagree with this finding, while the aggregate amount of housing units will be increased this simplification ignores known processes by which residents are displaced. Changes to the allowable density of existing residential neighborhoods will encourage the demolition of existing lower-density residential structures with renter populations. Unless new projects are specifically set aside for affordable housing, this newer construction will be geared towards the higher end of the market and remain out of reach of existing residents.

I25-12

UC Berkeley's Urban Displacement Project has found that there are three significant factors that predict the displacement of existing low-income communities. #1 is investment in transit projects, #2 a presence of historic building stock, and #3 adjacency to a downtown core. All three of these factors are at play in the West Santa Ana Blvd Corridor. Special attention should be paid here as it is one of the only areas in which proposed land use changes directly impact existing residential development.

Potential mitigation efforts would be the implementation of a 'Right-of-return' or 'Right-of-first-refusal' for existing residents that are displaced by the construction of new projects in the focus areas.

### [Page 1-32] 5.15-1 Recreation Impacts

The City's stated park policy is 2 acres per 1,000 residents. This proposed update would require the addition of at least 44.7 acres of additional park space.

I25-13

## 2. Response to Comments

### Impact 5.18-5 Storm Drainage Impacts

Existing stormwater drainage capacity is not enough to meet current needs. Please have the technical consultant try to walk/drive in the City during an intermediate level rain event.

I25-14

### Section 2 - Introduction

#### [Page 2-3] Table 2-1 - South Coast Air Quality Management District Comments

AQMD recommended a study of toxic exposure and we determined it is beyond the scope of this study. If not now, then when?

I25-15

#### [Page 2-17] Scoping Meeting Comment Summary

I have a general concern about the scope of outreach and comments being received. Santa Ana is 77% Latin/Hispanic origin, 12% Asian, and 9% Caucasian. However, the comments with last names provided include 63% with traditionally Caucasian last names, 36% with traditionally Latin/Hispanic last names, and 0% with traditionally Asian last names.

Further efforts must be done to comply with the requirements of SB 1000 to ensure that input from historically disadvantaged communities are included in the decision-making process.

I25-16

#### [Page 2-18] - Minor Typo

The City acknowledges the comments and concerns of adjacent cities related to the level of growth projected in the City of Santa Ana. The City will work closely with cities adjacent to General Plan Focus Areas when preparing the City of Santa Ana's Parks and Recreation Master Plan to ensure that the Dyer/55 Focus Area and other

I25-17

### Section 3 - Project Description

#### [Page 3-1] - Minor Typo - space in front of Culture

- **Culture.** The Santa Ana's community values efforts that celebrate our differences as a source of strength, preserve and build upon existing cultural resources, and nurture a citywide culture of empowered residents.

I25-18



## 2. Response to Comments

### **I25. Responses to comments from Manuel Escamilla, dated 10/6/2020.**

- I25-1 Please refer to the response to comment O13-15.
- I25-2 The 55 Freeway/Dyer and South Bristol Street focus areas were chosen for the Reduced Intensity Alternative since these two focus area accommodate approximately 65 percent of the housing-unit growth and 72 percent of the nonresidential use (by building square footage) of the growth projected for the combined focus areas under the GPU.
- I25-4 The CEQA Guidelines defines what constitutes a “project” under Section 15378. Projects that are ministerial typically are projects that do not have the potential to generate substantial increases in criteria air pollutants. An example of a ministerial project that would be permitted by right in the City would be accessory dwelling units (ADUs) on residentially zoned properties. Thus, modifying Mitigation Measure AQ-1 and AQ-2 to encompass every application that comes through the City would be onerous for the City and applicants, and they would not have a substantial effect on emissions in the city because these small ministerial projects are not the types of projects that have the potential to generate a substantial increase in air pollutant emissions. Furthermore, CEQA mitigation only applies to discretionary projects. Thus, Mitigation Measures AQ-1 and AQ-2 ensures that projects that may have potentially significant air quality impacts are adequately assessed and mitigated.
- I25-5 Projects that have the potential to generate toxic air contaminants (TACs) are projects that would require a Conditional Use Permit (CUP) and are not ministerial projects that would be permitted by right under the General Plan Update. Stationary sources of TACs are regulated by the South Coast Air Quality Management District (South Coast AQMD) and are not under the direct jurisdiction of the City of Santa Ana. Stationary source projects that generate industrial carcinogens are subject to South Coast AQMD new source review regulations and permit conditions imposed by South Coast AQMD to ensure that risks to sensitive receptors are mitigated below the South Coast AQMD standards. Mitigation Measure AQ-3 applies to projects that are not expressly covered by South Coast AQMD regulations but still have the potential to generate TACs. Mitigation Measure AQ-3 requires a health risk assessment (HRA) so that emissions generated at a project site are mitigated through best available control technologies (T-BACTs) to ensure that health risks at sensitive receptors are mitigated below the South Coast AQMD thresholds. As a result, Mitigation Measure AQ-3 would mitigate residential exposure to TACs below the South Coast AQMD thresholds.
- I25-6 This mitigation is related to any structure, 45 years or older, that could be impacted by development pursuant to the GPU. With reference to the mitigation measure proposed by the commenter, the City finds that conducting a Historical Resources Assessment (HRA) on a project-by-project basis for structures 45 years or older that may be affected by GPU development is sufficient to mitigate the impact of the GPU on identified historic

## 2. Response to Comments

resources. As stated in Mitigation Measure CUL-1 of the Draft PEIR, the HRA shall include an intensive level survey of the study area to identify and evaluate under federal, State, and local criteria significance historical resources that might be directly or indirectly affected by the proposed project; and an assessment of project impacts.

- I25-7      The commenter asks to consider a local repository to serve as the basis of an Orange County Natural History Museum in reference to Mitigation Measure GEO-3. The Mitigation Measure GEO-4 is more likely to be what the commenter is referencing. The mention of the Natural History Museum of Los Angeles County in Mitigation Measure GEO-4 was only a suggestion, and the Qualified Paleontologist has the discretion to choose any repository that conforms to the designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology.
- I25-8      The GPU is not contrary to ALUC's recommendations to limit residential uses within the 60 dBA CNEL noise contour or to prohibit residential uses within the 65 dBA CNEL contour. Noise Element Policy 3.1, Residential Development, states that residential development within the John Wayne Airport 65 dBA CNEL noise contour or greater is not supported. Noise Element Policy 3.3, Residential Mitigation, also requires all residential land uses in 60 dBA CNEL or 65 dBA CNEL noise contours to be sufficiently mitigated so as not to exceed an interior standard of 45 dBA CNEL. (Draft PEIR, p. 5.10-16.) Thus, the GPU's policies are consistent with ALUC's recommendations.
- I25-9      The commenter asks to get rid of "Sunday prohibition" of construction noise. Section 18-314 of the Municipal Code does not prohibit Sunday construction. Rather, it exempts construction noise on the listed days and hours from the provisions of the noise ordinance. Section 18-319 outlines the procedure for filing a variance if the owner or operator of a noise source so wishes.
- I25-10     The commenter states that mitigation of noise impacts through the installation of street trees should be considered. Trees and bushes are very poor noise barriers and provide very little attenuation as a result of shielding. Approximately 100 feet of dense foliage could provide up to 5 decibels of noise reduction. It is not feasible to install 100 feet of dense trees along the street; therefore, this potential measure is considered infeasible.
- I25-11     To our knowledge, the Airport Land Use Commission has not commented on the Draft PEIR.
- I25-12     The GPU would change 581 acres of existing nonresidential land use to residential uses, and furthermore, would not change any land use designations outside the five focus areas. The commenter's contention that implementation of the proposed GPU would affect market rates and ultimately increase housing prices and displace existing residents is speculative. An environmental impact that is speculative or unlikely to occur is not reasonably foreseeable. (State CEQA Guidelines, § 15064(d)(3).) When no accepted

## 2. Response to Comments

methodology exists to assess an environmental impact, the lead agency may properly conclude that the impact is too speculative to reliably evaluate and is therefore unknown.

However, the GPU would strive to develop mixed use and infill projects that would offer diverse housing options for residents of all income levels, as specified in Land Use Element Policies 1.6, 2.5, 2.10, and 4.5. Housing Element Policies 2.3, 2.4, 2.6, and 2.8 encourage rental housing for all income levels, facilitate diverse types of housing prices and sizes, require affordable housing units, and maximize affordable housing on Authority-owned properties.

- I25-13      It is unclear what the commenter is requesting. Table 5.15-4, *Existing and Proposed Parkland*, of the Draft PEIR details additional park space requirements associated with the buildout of the GPU.
- I25-14      As described under section 5.18.3.2, *Storm Drain Master Plan*, and Impact 5.18-5, the City's Master Plan of Drainage (MPD) recommended improvements for each regional watershed within the GPU's plan area to address existing stormwater drainage capacity issues. The projects recommended by the MPD are subsequently included in annual Capital Improvement Programs (CIP) based on priority. Furthermore, Orange County Public Works (OCPW) has developed a 7-Year Capital Improvement Plan that covers OCFCD drainage facilities for Fiscal Years 2019/2020 to 2025/2026. The City monitors its storm drain system for any segments that need immediate improvements and regularly updates its MPD to adequately plan for future drainage needs. OCPW also updates its CIP each year to ensure regional drainage facilities are functioning.
- I25-15      See response to I25-5. For projects that generate TACs, a project-level health risk assessment would be conducted at the time site-specific information is available.
- I25-16      Please refer to Section 2.1.1, *General Plan Update Process: Community Outreach and Schedule*, for an expanded discussion of the comprehensive community outreach efforts implemented by the City. Refer also to Section 2.1.2, *Environmental Justice*, for an expanded discussion of how/where the GPU complies with SB 1000 requirements.
- I25-18      The typo on page 3-1 has been addressed, as shown in Chapter 3 of this FEIR.

## 2. Response to Comments

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## 3. Revisions to the Draft PEIR

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### 3.1 INTRODUCTION

This section contains revisions to the Draft PEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of Draft PEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the Draft PEIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the Draft PEIR. Changes made to the Draft PEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

### 3.2 UPDATES AND CORRECTIONS TO DRAFT PEIR

This section provides overall corrections/updates/clarification to the Draft PEIR related to GPU refinements. The City of Santa Ana staff has reviewed this material and determined that none of it constitutes the type of significant new information that requires recirculation of the Draft PEIR for further public comment under CEQA Guidelines Section 15088.5.

#### 3.2.1 Clarifications to the Draft PEIR

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Page 1-6, Section 1.4.1, General Plan Update. The following changes have been made to the text of the Draft PEIR.

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#### 1.4.1 General Plan Update

The updated General Plan is organized into three sections: Services and Infrastructure (I), Natural Environment (II), and Built Environment (III). The proposed GPU addresses the ~~eight~~ seven topics required by state law as well as five optional topics. State law gives jurisdictions the discretion to incorporate optional topics and to address any of these topics in a single element or across multiple elements. The 12 proposed elements of the GPU will replace 16 existing elements. The GPU will incorporate the current 2014–2021 Housing Element, and no substantive changes are anticipated. The topic of housing will be addressed as a separate effort in late 2021 in accordance with State law. The topic of environmental justice will be incorporated throughout the GPU, with goals and policies incorporated into multiple elements. The 12 elements of the proposed GPU are:

### 3. Revisions to the Draft PEIR

#### **Mandatory Topics**

- Land Use Element
- Circulation Element
- Housing Element
- Open Space Element
- Conservation Element
- Safety Element
- Noise Element

#### **Optional Topics**

- Public Services Element
- Urban Design Element
- Community Element
- Economic Prosperity Element
- Historic Preservation Element

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Page 1-13, Section 1.8, Summary of Environmental Impacts, Mitigation Measures, and Levels of Significance After Mitigation.. The following changes have been made to the text of the Draft PEIR.

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### 3. Revisions to the Draft PEIR

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<b>5.2 AIR QUALITY</b>						
<p>AQ-1 Prior to discretionary approval by the City of Santa Ana for development projects subject to CEQA (California Environmental Quality Act) review (i.e., non-exempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City of Santa Ana 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 construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD's adopted thresholds of significance, the City of Santa Ana 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. Mitigation measures to reduce construction-related emissions could include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Require fugitive-dust control measures that exceed South Coast AQMD's Rule 403, such as: <ul style="list-style-type: none"> <li>Use of nontoxic soil stabilizers to reduce wind erosion.</li> <li>Apply water every four hours to active soil-disturbing activities.</li> <li>Tarp and/or maintain a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.</li> </ul> </li> <li>Use construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.</li> <li>Ensure that construction equipment is properly serviced and maintained to the manufacturer's standards.</li> <li>Limit nonessential idling of construction equipment to no more than five consecutive minutes.</li> </ul>	Prior to discretionary approval	Project Applicant and Construction Contractor	City of Santa Ana Building Safety Division	City of Santa Ana Building Safety Division		

### 3. Revisions to the Draft PEIR

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<ul style="list-style-type: none"> <li>Limit on-site vehicle travel speeds on unpaved roads to 15 miles per hour.</li> <li>Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area.</li> <li>Use 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.</li> </ul>						
<p>AQ-2 Prior to discretionary approval by the City of Santa Ana for development projects subject to CEQA (California Environmental Quality Act) review (i.e., non-exempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project operation phase-related air quality impacts to the City of Santa Ana for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the South Coast AQMD's adopted thresholds of significance, the City of Santa Ana shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.</li> <li>Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.</li> </ul>	Prior to the discretionary approval	Property Owner/ Developer	City of Santa Ana Building Safety Division	City of Santa Ana Building Safety Division		



### 3. Revisions to the Draft PEIR

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<ul style="list-style-type: none"> <li>Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 § 2485).</li> <li>Provide changing/shower facilities as specified in Section A5.106.4.3 of the CALGreen Code (Nonresidential Voluntary Measures).</li> <li>Provide bicycle parking facilities per Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code and Sec. 41-1307.1 of the Santa Ana Municipal Code and <u>Sec. 41-1307.1 of the Santa Ana Municipal Code</u>.</li> <li>Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per Section A5.106.5.1 of the CALGreen Code (Nonresidential Voluntary Measures).</li> <li>Provide facilities to support electric charging stations per Section A5.106.5.3 (Nonresidential Voluntary Measures) and Section A5.106.8.2 (Residential Voluntary Measures) of the CALGreen Code.</li> <li>Applicant-provided appliances (e.g., dishwashers, refrigerators, clothes washers, and dryers) shall be Energy Star-certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star-certified or equivalent appliances shall be verified by Building &amp; Safety during plan check.</li> <li>Applicants for future development projects along existing and planned transit routes shall coordinate with the City of Santa Ana and Orange County Transit Authority to ensure that bus pad and shelter improvements are incorporated, as appropriate.</li> </ul>						

### 3. Revisions to the Draft PEIR

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### 3. Revisions to the Draft PEIR

Page 3-30, Section 3.3.2.2, Updated Circulation Element. The following changes have been made to the text of the Draft PEIR pursuant to changes that have been made to the Circulation Element. Figures 3-8 and 3-9 have also been updated.

The *Master Plan of Streets and Highways (MPSH)* (Figure 3-8) details proposed street classifications to reflect buildout of the city's roadway system. The street classifications include Freeway, Major Arterial, Primary Arterial, Secondary Arterial, Divided Collector Arterial, and Collector Arterial. As part of the implementation of complete streets principles,<sup>21</sup> a series of modifications to the city's roadway network has been identified and includes both the reclassification of roadways and assignment of new MPSH roadway classifications to selected existing streets.

As illustrated in Figure 3-9, *Proposed Arterial Roadway Reclassifications*, a number of proposed roadway reclassifications, adoptions, and removals from the MPSH are as follows:

- Reclassified as Divided Collector Arterial:
  - Santa Clara Avenue ~~between Grand Avenue and SR-55 freeway~~ west of Tustin Avenue (currently Secondary Arterial)
  - Flower Street between Warner Avenue and 1st Street (currently Secondary Arterial)
  - Chestnut Avenue between Standard Avenue and eastern city limit (currently Secondary/Primary Arterial)
  - Raitt Street between Segerstrom Avenue and Santa Ana Boulevard (currently Secondary Arterial)
  - Civic Center Drive between Fairview Street and Bristol Street (currently Secondary Arterial)
  - Penn Way between I-5 on/off ramps and Washington Avenue (currently Secondary Arterial)
  - Santiago Street between ~~Washington Avenue~~ 15th Street and 6th Street (currently Secondary Arterial)
  - Standard Avenue between 6th Street and Warner Avenue (currently Secondary Arterial)
  - Santa Ana Boulevard between French Street and Santiago Street (currently Primary Arterial)
  - Santa Ana Boulevard between Raitt Street and Flower Street (currently Major Arterial)
  - Cambridge Street between Fairhaven Avenue and SR-22 freeway (currently ~~Secondary Arterial~~ Local Arterial)
  - Hazard Avenue between Euclid Street and Harbor Boulevard (currently Secondary Arterial)
  - Halladay Avenue between Warner Avenue and Dyer Road (currently Secondary Arterial)
  - McFadden Avenue between Harbor Boulevard and Grand Avenue (currently Secondary Arterial)
  - Broadway between 1st Street and 17th Street (currently Secondary Arterial)
  - 4th Street between French Street and Grand Avenue (currently Primary/Secondary Arterial)
  - Fairhaven Avenue from Grand Avenue to Tustin Avenue (currently Secondary Arterial)

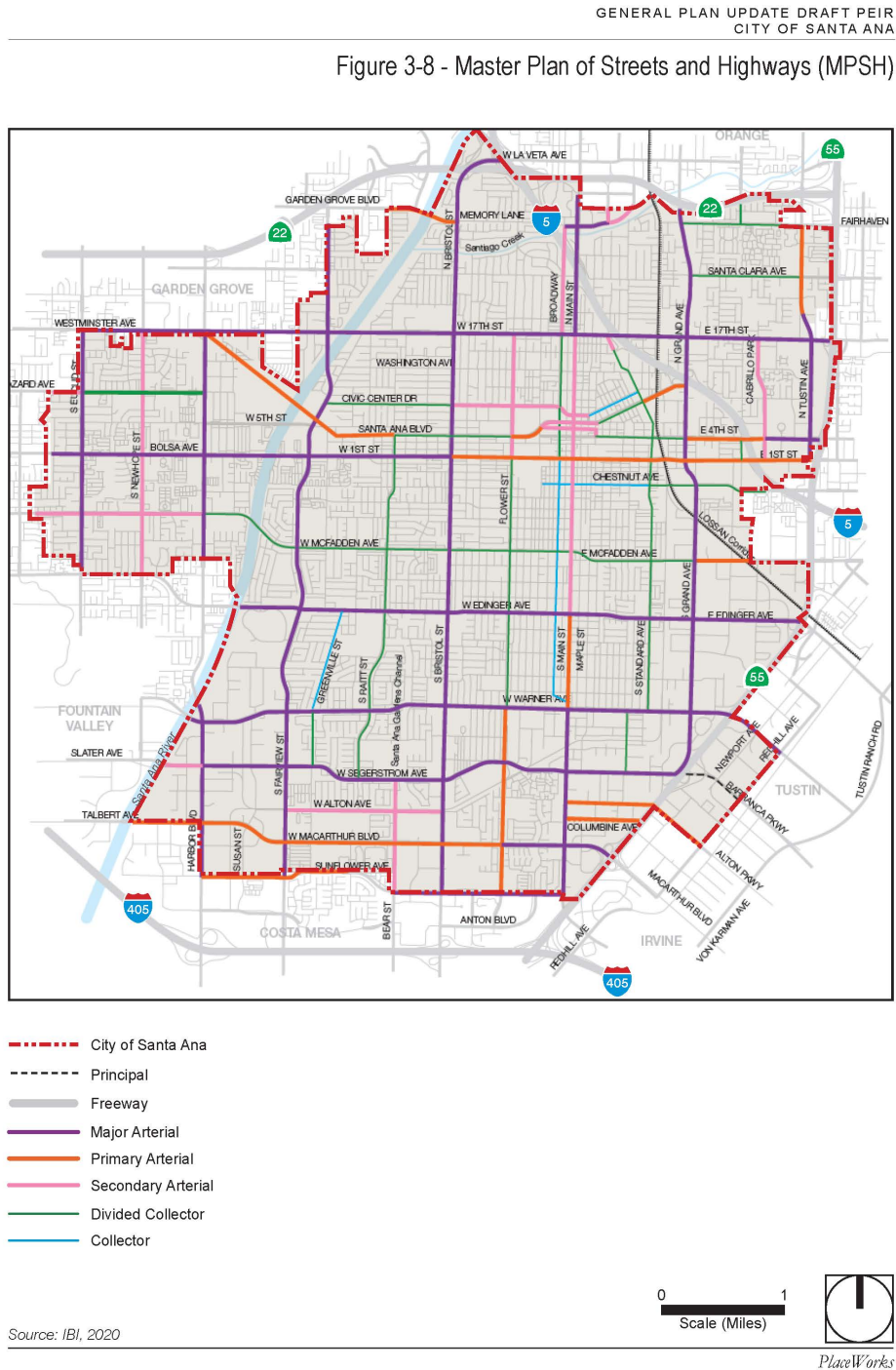
<sup>21</sup> Complete streets are transportation facilities that are planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility.

### 3. Revisions to the Draft PEIR

- Greenville Street between Edinger Avenue and Warner Avenue (currently Secondary Arterial)
- Reclassified as Primary Arterial:
  - Santa Ana Boulevard between Flower Street and Ross Street (currently a Major Arterial)
  - 1st Street between Bristol Street and Tustin Avenue (currently Major Arterial)
  - Tustin Avenue between 4<sup>th</sup> Street and the closest southern City limit (currently Major Arterial)
  - Cabrillo Park between 4<sup>th</sup> Street and 1<sup>st</sup> Street (currently Secondary Arterial)
  - MacArthur Boulevard from Hyland Avenue to the western City limit (currently Major Arterial)
- Reclassified as Secondary Arterial
  - Memory Lane from Lawson Way to Parker Street (currently Major Arterial)
  - Broadway from 17<sup>th</sup> Street to Santa Clara Avenue (currently Local Commercial)
  - Santa Ana Boulevard between French Street and Ross Street (currently Primary Arterial)
  - Segerstrom Avenue from Harbor Boulevard to the western City limit (currently Major Arterial)
  - North Mai Street from 17<sup>th</sup> Street to Washington Avenue (currently Major Arterial)
- ~~■ Reclassify as Collector Arterial:~~
  - ~~• Civic Center Drive between French Street and Santiago Street (currently a Secondary Arterial)~~
- Add the following to the MPSH as Principal Arterial
  - Dyer Road between 55 Freeway and Red Hill Avenue
- Add the following to the MPSH as Divided Collector Arterial:
  - Greenville Street between Segerstrom Avenue and Warner Avenue
  - Cambridge Street from Fairhaven Avenue to the northern City limit
- Add the following to the MPSH as Secondary Arterial
  - 5th Street from French Street to Ross Street
  - Lawson Way from Memory Lane to the northern City limit
  - French Street from 4th street to 5th street
  - 5th Street from Sullivan Street to Fairview Street
  - Mabury Street between 4th Street and 1st street
  - North Main Street from Washington Avenue to 10th Street
- Add the following to the MPSH as Primary Arterial:
  - Edinger Avenue from Newhope Street to the closest western City limit
  - Santa Ana Boulevard from Raitt Street to Westminster Avenue
  - Sunflower Avenue from Fairview Street to Harbor Blvd

### 3. Revisions to the Draft PEIR

**Figure 3-8 Master Plan of Streets and Highways**



### 3. Revisions to the Draft PEIR

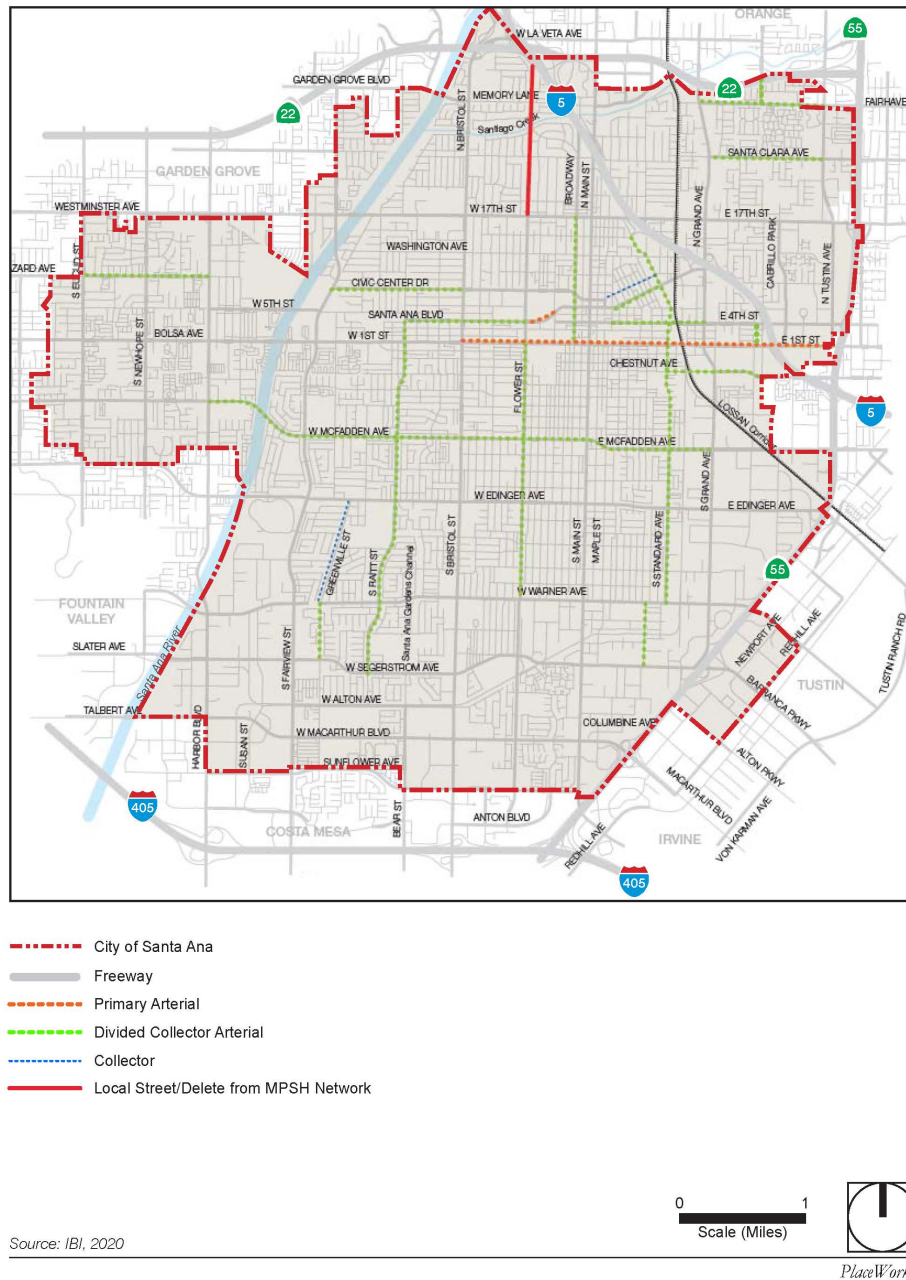
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**Figure 3-9 Proposed Arterial Roadway Reclassifications**

GENERAL PLAN UPDATE DRAFT PEIR  
CITY OF SANTA ANA

Figure 3-9 - Proposed Arterial Roadway Reclassifications



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- Add the following to the MPSH as Collector Streets:
  - ~~Greenville Street between Edinger Avenue and Warner Avenue~~
  - Civic Center Drive between Spurgeon Street and Santiago Street (currently Local Street)
  - Broadway from Anahurt Street to Main Street (currently Local Road)
- Remove the following from the MPSH
  - ~~Flower Street between 17th Street and its northern terminus~~
  - ~~Logan Street between Civic Center Drive and Santa Ana Boulevard~~
  - Memory Lane from the City Center Drive to SR-22
  - Wright Street from 14th Street to Fruit Street
  - 4th Street from French Street to Ross street
  - Washington Avenue from Broadway to Main Street
  - 10th street from Broadway to Main Street
  - Columbine Avenue from Main Street to 55 FWY
  - Halladay street from Dyer road to Alton pkwy

The majority of the proposed reclassifications aim to reduce existing rights-of-way for vehicular traffic lanes to make room for bicycle and pedestrian improvements. Landmark streets are also identified within or adjacent to the Santa Ana Downtown Historic District, which is listed on the National Register of Historic Places. Table 3-6 describes each type of street classification in Santa Ana.

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Page 5.2-40, Section 5.2.6, Mitigation Measures. The following changes have been made to the text of the Draft PEIR.

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#### Impact 5.2-3

AQ-2 Prior to discretionary approval by the City of Santa Ana for development projects subject to CEQA (California Environmental Quality Act) review (i.e., non-exempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project operation phase-related air quality impacts to the City of Santa Ana for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the South Coast AQMD's adopted thresholds of significance, the City of Santa Ana shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:

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- For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.
- Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 § 2485).
- Provide changing/shower facilities as specified in Section A5.106.4.3 of the CALGreen Code (Nonresidential Voluntary Measures).
- Provide bicycle parking facilities per Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code and Sec. 41-1307.1 of the Santa Ana Municipal Code.
- Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per Section A5.106.5.1 of the CALGreen Code (Nonresidential Voluntary Measures).
- Provide facilities to support electric charging stations per Section A5.106.5.3 (Nonresidential Voluntary Measures) and Section A5.106.8.2 (Residential Voluntary Measures) of the CALGreen Code.
- Applicant-provided appliances (e.g., dishwashers, refrigerators, clothes washers, and dryers) shall be Energy Star-certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star-certified or equivalent appliances shall be verified by Building & Safety during plan check.
- Applicants for future development projects along existing and planned transit routes shall coordinate with the City of Santa Ana and Orange County Transit Authority to ensure that bus pad and shelter improvements are incorporated, as appropriate.

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Page 5.3-18, Section 5.3.4.2, Impact Analysis. The following changes have been made to the text of the Draft PEIR.

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~~None of the parcels outside of the focus areas have a proposed land use change as part of this GPU. Nevertheless,~~ The Biological and Natural Resources Report found that, of the parcels outside of the focus areas without an open space land use designation, none have sensitive habitat, native habitat, or any condition under which a biological impact could occur if developed.

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Pages 5.3-20, Section 5.3.4.2, Impact Analysis. The following changes have been made to the text of the Draft PEIR.

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Parcels identified as riparian vegetation and oak woodland are associated with the Santiago Creek on the northern portion of the city (refer to Figure 5.3-1). These parcels are not in a focus area and there are no proposed land use changes to these parcels as part of the GPU. ~~None of the parcels outside of the focus areas have a proposed land use change as part of this GPU.~~ None of the focus areas contain riparian or oak woodland. Therefore, implementation of the GPU would have a less than significant impact on riparian or other sensitive natural communities.

---

Pages 5.16-1, Section 3.3, Transportation. The following changes have been made to the text of the Draft PEIR to update the reference to the Transportation Impact Study. Appendix B of this FEIR includes the updated study and replaces Appendix K of the Draft PEIR. Appendix B includes a memorandum that describes changes made to the Transportation Traffic Study. The changes made do not effect the analysis in the Draft PEIR.

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## 3.3 TRANSPORTATION

This section of the Draft Program Environmental Impact Report (PEIR) evaluates the potential for implementation of the City of Santa Ana General Plan Update (GPU) to result in transportation and traffic impacts in the City of Santa Ana and its sphere of influence (plan area). This section presents the existing transportation conditions in the plan area, including the roadway network, bicycle and pedestrian network, transit network, and current intersection and roadway segment operations. This section also discusses the methodology used to evaluate impacts. The analysis in this section is based in part on the following technical report:

- *Santa Ana General Plan Update Traffic Impact Study*, IBI, ~~July~~ October 2020

A complete copy of this study is in the technical appendices to this Draft PEIR (Volume III, Appendix K).

### 3.2.2 Changes to GPU Policies

The GPU policies were updated since the release of the Draft PEIR for public review. Changes made to GPU policies referred to within the body text of the Draft PEIR are shown in this section.

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Pages 3-17 and 3-18, Section 3.3.2, Description of the Project. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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#### **Mandatory Topics**

- Land Use Element
- ~~Circulation~~ Mobility Element
- Housing Element
- Open Space Element
- Conservation Element
- Safety Element
- Noise Element

#### **Optional Topics**

- Public Services Element
- Urban Design Element
- Community Element
- Economic Prosperity Element
- Historic Preservation Element

The proposed General Plan Update is comprehensive both in its geography and subject matter. It addresses the entire territory within the plan area’s boundary and the full spectrum of issues associated with management of the plan area. The General Plan Update also includes forecasts of long-term conditions and outlines development goals and policies; exhibits and diagrams; and the objectives, principles, standards, and plan proposals throughout its various elements. The GPU can be found online at <https://www.santa-ana.org/general-plan>. The General Plan Policy Framework can be accessed at <https://www.santa-ana.org/sites/default/files/pb/generalplan/documents/GeneralPlanPolicyFrameworkMaster.DRAFT.cmo2.pdf>.

Coordination and consistency are essential between the elements of the GPU, but in particular with the land use element. The ~~circulation~~ mobility element, which identifies proposed improvements to the transportation system, may impact surrounding land uses and future development. The urban design element sets forth policies and programs to improve the city’s design and urban form. The conservation element protects and maintains the city’s natural, cultural, and other resources, with a focus on preserving aesthetics and the environmental quality of the city.

Both the land use element and the ~~circulation~~ mobility element are described in more depth below. Focus areas and specific plan/special zoning areas are also described.

---

Page 3-30, Subsection 3.3.2.2, Updated Circulation Element. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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#### **3.2.2.1 UPDATED CIRCULATION MOBILITY ELEMENT**

The ~~circulation~~ mobility element update is integrally related to federal, state, and regional transportation programs as well as local plans and regulations. The City’s role in transportation planning has become increasingly important, because recent legislation in the areas of growth management, congestion management, and air quality require more active local coordination to meet regional objectives. Furthermore, the ~~circulation~~

### 3. Revisions to the Draft PEIR

mobility element update is intended to guide future development of the city's transportation system in a manner consistent with the updated land use element.

---

Page 3-36, Subsection 3.3.2.2, Updated Circulation Element. The Circulation Element has been renamed to the "Mobility Element" as part of the updates to the proposed General Plan Update policies.

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The ~~circulation~~ mobility element update incorporates the proposed Santa Ana-Garden Grove Fixed Guideway project, which will introduce new transit service to the city. Santa Ana is working with Garden Grove and Orange County Transit Authority to build a fixed guideway system called the OC Streetcar. Expected to begin operations in 2021, the OC Streetcar will link the Santa Ana Regional Transportation Center to a new multimodal hub at Harbor Boulevard/Westminster Avenue in Garden Grove (see Figure 3-10, *Master Plan of Transit*). OC Streetcar will serve historic downtown Santa Ana and Civic Center. Along its four-mile route, OC Streetcar will connect with 18 Orange County Transit Authority bus routes and increase transportation options along Santa Ana Boulevard, 4th Street, the Pacific Electric right-of-way, and Harbor Boulevard.

---

Page 5.1-14, Subsection 5.1.3.2, General Plan Update Policies. The Circulation Element has been renamed to the "Mobility Element" as part of the updates to the proposed General Plan Update policies, and the following policy has been revised as follows:

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#### **Circulation Mobility Element**

- **Policy 5.2 Rail Corridors.** Coordinate with rail service providers to improve and maintain the aesthetics of rail corridors, ~~and~~ reduce noise levels, and mitigate traffic conflicts and other environmental hazards.

---

Pages 5.1-16 and 5.1-17 through 5.1-19, Subsection 5.1.3.2, General Plan Update Policies. The following Urban Design policies have been revised as follows:

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#### **Urban Design Element**

- **Policy 1.4 Safety through Design.** Incorporate public safety ~~crime prevention~~ design features into private and public developments to prevent loitering, vandalism, and other undesirable activities.
- **Policy 2.2 Compatibility and Use with Setting.** Employ buffers and other urban design strategies to ~~Encourage~~ the compatibility of new development with the scale, bulk, and pattern of existing development.
- **Policy 2.7 Building and Strengthening Identity.** Collaborate with community and neighborhood stakeholders to strengthen and foster development of community identity and district character through complementary architecture, unique streetscapes, and programming.

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- **Policy 2.10 Greening the Built Environment.** Promote planting of shade trees and require, where feasible, preservation and site design that uses appropriate tree species to shade parking lots, streets, and other facilities with the goal of reducing the heat island effect.
- **Policy 3.6 Linear Park System.** Support open space improvements along roadways and non-vehicular paths, such as bike or multi use trails, to connect linear greenways leading to a network of parks and activity areas throughout the city.
- **Policy 7.6 Neighborhood Signage System.** Encourage the creation of a citywide signage system that identifies and promotes a sense of place for the city's various neighborhoods.

---

Page 5.2-21, Subsection 5.2.3.2, General Plan Update Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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The following are relevant policies of the Santa Ana General Plan Update, which may reduce air quality impacts.

#### **Circulation Mobility Element**

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Page 5.2-23, Subsection 5.2.3.2, General Plan Update Policies. The following Community Element policy has been revised as follows:

---

#### **Community Element**

- **Policy 3.2 Healthy Neighborhoods.** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating incompatible uses, ~~improving the built environment,~~ and maintaining building code standards.

---

Page 5.2-23, Subsection 5.2.3.2, General Plan Update Policies. The following Conservation Element policy has been revised as follows:

---

#### **Conservation Element**

- **Policy 1.5 Sensitive Receptor Decisions.** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.

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Page 5.2-25, Subsection 5.2.3.2, General Plan Update Policies. The following Safety Element policy has been revised as follows:

---

#### Safety Element

- **Policy 2.6 Existing Sensitive Uses.** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses, with priority given to discontinuing such uses within environmental justice area boundaries.

---

Page 5.2-27, Subsection 5.2.4.2, Impacts of the Environment on a Project. The following Community Element policy has been revised as follows:

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#### Community Element

- **Policy 3.2 Healthy Neighborhoods.** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating incompatible uses, improving the built environment, and maintaining building code standards.

---

Page 5.2-28, Subsection 5.2.4.2, Impacts of the Environment on a Project. The following Conservation Element and Safety Element policies have been revised as follows:

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#### Conservation Element

- **Policy 1.5 Sensitive Receptor Decisions.** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.

#### Safety Element

- **Policy 2.6 Existing Sensitive Uses.** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses, with priority given to discontinuing such uses within environmental justice area boundaries.

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Page 5.2-33, Impact 5.2-3. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

---

#### **General Plan Policies That May Reduce Air Quality Emissions**

Implementation of the General Plan Update policies could contribute to reducing criteria air pollutant emissions. Policy 1.1 of the conservation element would require compliance with State and federal AAQS to protect residents from the health effects of air pollution. In addition, the conservation and ~~circulation~~ mobility elements includes goals and policies that would aid in controlling emissions generated in the city. These policies focus on minimizing health and safety risks on sensitive receptors by controlling emissions from new development and reducing VMT by increasing public and active transit and through land use planning.

- **Conservation Element, Goal 1.** Protect air resources, improve regional and local air quality, and minimize the impacts of climate change. (Policies 1.1 through 1.14)
- ~~Circulation~~ Mobility **Element, Goal 1.** A comprehensive and multimodal circulation system that facilitates the safe and efficient movement of people, enhances commerce, and promotes a sustainable community. (Policies 1.7 and 1.8)
- ~~Circulation~~ Mobility **Element, Goal 4.** Coordinated transportation planning efforts with land use and design strategies that encourage sustainable development and achieve broader community goals. (Policies 4.1, 4.3, 4.5, 4.6 and 4.9)
- ~~Circulation~~ Mobility **Element, Goal 1.** A transportation system that is attractive, safe, and state-of-the-art and supports community, environmental, and conservation goals. (Policies 5.4 and 5.6)

---

Page 5.4-22, Subsection 5.4.3.2, General Plan Update Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

---

The following are relevant policies of the Santa Ana General Plan Update, which may contribute to reduce potential impacts to biological resources as a result of implementation.

#### **Circulation Mobility Element**

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Pages 5.4-22 and 5.4-23, Subsection 5.4.3.2, General Plan Update Policies. The following Community Element and Historic Preservation Element policies have been revised as follows:

---

#### **Community Element**

- **Policy 1.1 Access to Programs.** Provide and maintain access to recreational and cultural programs within walking distance of residential areas. Prioritize the improvement of access for residents living within environmental justice area boundaries, that are underserved or suffer from a lack access.



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- **Policy 1.11 Program Incentives.** Incentivize use of privately owned property to promote recreation, health, wellness, and art and culture programs.

#### Historic Preservation Element

- **Policy 1.4 Protecting Resources.** Support land use plans and development proposals that actively protect historic and cultural resources. Preservation tribal, archeological, and paleontological resources for their cultural importance to communities as well as their research and educational potential.

---

Pages 5.5-13 and 5.5-14, Subsection 5.5.3.2, General Plan Update Policies. The following Public Services Element and Urban Design Element policies have been revised as follows:

---

#### Public Services Element

- **Policy 1.7 Sustainable and Resilient Practices.** Require ~~Use sustainable and energy efficient building and maintenance practices as part of the development or rehabilitation of any public facility or capital improvement to incorporate site design and building practices that promote sustainability, energy efficiency, and resiliency.~~

#### Urban Design Element

- **Policy 2.10 Greening the Built Environment.** Promote planting of shade trees and require, where feasible, preservation and site design that uses appropriate tree species to shade parking lots, streets, and other facilities with the goal of reducing the heat island effect.

---

Page 5.6-19, Subsection 5.6.3.2, General Plan Update Policies. The following Public Services Element policy has been revised as follows:

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#### Public Services Element

- **Policy 3.8 Conservation Strategies.** ~~Implement~~ Promote cost effective conservation strategies and programs that increase water use efficiency.

---

Page 5.7-22, Subsection 5.7.3.2, General Plan Update Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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The following are relevant policies of the Santa Ana General Plan Update that may reduce potential GHG impacts.

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#### **Circulation ~~Mobility~~ Element**

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Page 5.7-23, Subsection 5.7.3.2, General Plan Update Policies. The following Community Element policy has been revised as follows:

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#### **Community Element**

- **Policy 3.2 Healthy Neighborhoods.** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating incompatible uses, improving the built environment, and maintaining building code standards.

---

Page 5.7-24, Subsection 5.7.3.2, General Plan Update Policies. The following Conservation Element policy has been revised as follows:

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#### **Conservation Element**

- **Policy 1.5 Sensitive Receptor Decisions.** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.

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Page 5.7-27, Subsection 5.7.3.2, General Plan Update Policies. The following Public Services Element policies have been revised as follows:

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#### **Public Services Element**

- **Policy 1.7 Sustainable and Resilient Practices.** ~~Use sustainable and energy efficient building and maintenance practices as part of~~ Require the development or rehabilitation of any public facility or capital improvement ~~to incorporate site design and building practices that promote sustainability, energy efficiency, and resiliency.~~
- **Policy 3.8 Conservation Strategies.** ~~Implement~~ Promote cost effective conservation strategies and programs that increase water use efficiency.

---

Page 5.7-28, Subsection 5.7.3.2, General Plan Update Policies. The following Safety Element and Urban Design policies have been revised as follows:

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#### **Safety Element**

- **Policy 2.6 Existing Sensitive Uses.** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material

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sites to existing nearby sensitive uses with priority given to discontinuing such uses within environmental justice area boundaries.

#### Urban Design Element

- **Policy 2.10 Greening the Built Environment.** Promote planting of shade trees and require, where feasible, preservation and site design that uses appropriate tree species to shade parking lots, streets, and other facilities with the goal of reducing the heat island effect.

Page 5.7-36 through 38, Impact 5.7-2. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

**Table 5.7-7 General Plan Update Consistency with SCAG’s “Connect SoCal” Regional Transportation Plan / Sustainable Communities Strategy**

SCAG Transportation—Sustainable Communities Strategy	Implementing Policies/Strategies	Consistency
<p><b>Focus Growth Near Destinations and Mobility Options.</b></p> <p>The Connect SoCal Plan aims to create dynamic, connected built environments that support multimodal mobility, reduce reliance on single-occupancy vehicles, and reduce GHG emissions is critical throughout the region. Implementation of SCAG’s recommended growth strategies will help Priority Growth Areas (PGAs) accommodate 64 percent of forecasted household growth and 74 percent of forecasted employment growth between 2016 and 2045.</p>	<p>Additional local policies to ensure growth near destinations and mobility options:</p> <ul style="list-style-type: none"> <li>• Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations</li> <li>• Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets</li> <li>• Plan for growth near transit investments and support implementation of first/last mile strategies</li> <li>• Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses</li> <li>• Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods</li> <li>• Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations)</li> <li>• Identify ways to “right size” parking requirements and promote alternative parking strategies (e.g. shared parking or smart parking)</li> </ul>	<p><b>Consistent:</b> The GPU includes policies that would focus growth near destinations and mobility options. Policies 4.1, 4.2, 4.3 and 4.5 of the <u>circulation mobility</u> element would encourage new development in areas along transit corridors and areas planned for high intensity development. Policy 3.3 of the conservation element and policies 1.6, 2.5, 2.10, and 4.5 of the land use element would promote mixed use and infill developments near focus areas, major travel corridors, and public transportation options. These policies aim to reduce reliance on single-occupancy vehicles and reduce VMT while accommodating new growth in the city.</p>
<p><b>Promote Diverse Housing Choices.</b></p> <p>The Connect SoCal Plan notes that priority must be placed on urban and suburban infill, in existing/planned service areas and, for unincorporated county growth, within the planning boundary known as “Spheres</p>	<p>Additional diverse housing strategies include:</p> <ul style="list-style-type: none"> <li>• Preserve and rehabilitate affordable housing and prevent displacement</li> <li>• Identify funding opportunities for new workforce and affordable housing development</li> </ul>	<p><b>Consistent:</b> The GPU would strive to develop mixed use and infill projects that would offer diverse housing options for residents of all income levels (land use element, policies 1.6, 2.5, 2.10, 4.5). These policies include designated</p>

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**Table 5.7-7 General Plan Update Consistency with SCAG’s “Connect SoCal” Regional Transportation Plan / Sustainable Communities Strategy**

SCAG Transportation—Sustainable Communities Strategy	Implementing Policies/Strategies	Consistency
of Influence” (SOI) where applicable and feasible. Growth at strategic nodes along key corridors, many of which are within HQTAs, will make transit a more convenient and viable option. In addition to new developments, production and preservation of permanent affordable housing to complement infill strategies is essential to achieving equitable outcomes.	<ul style="list-style-type: none"> <li>• Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply</li> <li>• Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of greenhouse gas emissions</li> </ul>	medium- to high-density residential areas in addition to mixed-use designated areas within focus areas, Downtown Santa Ana, and along major transit corridors. Furthermore, policy 3.1 of the conservation element, policy 1.7 of the land use element, and policies 1.6 and 5.4 of the urban design element all focus on supporting infrastructure for active and public transportation to provide mobility for residents and encourage alternative means of transit. These policies would cover improvements to active transportation connections and public transportation infrastructure for bus routes, rail lines, and streetcars.
<p><b>Support Implementation of Sustainability Policies.</b></p> <p>Connect SoCal’s conservation strategies consider the economic and ecological benefits of preserving natural areas and farmlands, while also maximizing their potential for GHG reduction. New housing and employment development is emphasized in PGAs such as Job Centers, Transit Priority Areas (TPAs), High Quality Transit Areas (HQTAs), and Neighborhood Mobility Areas (NMAs), and away from natural and farm lands on the edges of urban and suburban areas, to incentivize infill development and the concentration of varied land uses. This emphasis on concentrated, compact growth makes it easier to travel shorter distances, which reduces per-capita greenhouse gas emissions. In addition, natural areas and farmlands have the capacity to absorb and store atmospheric carbon dioxide, preventing additional contributions of GHG emissions.</p>	<p>Additional sustainable policies strategies include:</p> <ul style="list-style-type: none"> <li>• Pursue funding opportunities to support local sustainable development implementation projects that reduce greenhouse gas emissions</li> <li>• Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations</li> <li>• Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space</li> <li>• Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies</li> <li>• Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region</li> <li>• Continue to support long range planning efforts by local jurisdictions</li> <li>• Provide educational opportunities to local decisions makers and staff on new tools, best practices and policies related to implementing the Sustainable Communities Strategy</li> </ul>	<p><b>Consistent:</b> The GPU would implement policies that support sustainable practices for new developments and maintenance of the city. These policies would promote development of sustainable infrastructure for transportation (conservation element, policy 1.12), energy generation in public facilities (conservation element, policy 3.9), irrigation systems (conservation element, policy 4.4), and water facilities (public services element, policy 3.5). Policies from the <del>circulation</del> <u>mobility</u> element focus on sustainable practices in transportation (<del>circulation</del> <u>mobility</u> element, policies 1.7, 1.8, 4.9, 5.4, 5.6, and 5.9). Policies from the land use and urban design elements focus on encouraging sustainable land use strategies and practices, such as natural resource capture, sustainable electric power, and passive climate control (land use element, policies 4.3 and 4.4 and urban design element, policy 2.11). Policies 1.4, 3.3, 3.8, and 3.10 of the conservation element, policy 1.7 of the public services element, and policy 2.11 of the urban design element would all promote energy-efficient development patterns in building design, construction, and maintenance.</p>

Source: SCAG 2020.

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#### City of Santa Ana Climate Action Plan

Adopted by the City in December 2015, the CAP provides a comprehensive strategy for the reduction of GHG emissions to improve quality of life and promote economic prosperity throughout the city (Santa Ana 2015). Furthermore, the CAP provides measures to meet the goal of reducing community GHG emissions to a level 15 percent below 2008 emissions for 2020 and 30 percent below 2008 emissions by 2035 and reducing municipal emissions by 30 percent for 2020 and 40 percent by 2035. Cumulatively, the measures listed in the CAP are estimated to be 731,090 MTCO<sub>2</sub>e/year by 2035. While these measures are not enough to meet the City's goal of 800,000 MTCO<sub>2</sub>e/year, they serve as a foundation that can be built upon in later versions of the CAP to meet the 2035 goal. To ensure an effective and efficiency CAP, the City would modify measures based on their efficacy and add new measures based on future developments.

The GPU addresses improvements to transportation infrastructure and management to support alternate modes of transportation, including policies 3.4, 3.7, and 4.3 of the ~~circulation~~ mobility element and policies 1.8, 1.9, 1.10, 1.12, 1.14, and 3.11 of the conservation element. These policies would reduce impacts from transportation and would result in a reduction in VMT and GHG emissions in the City. In addition, policy 3.3 of the conservation element and policies 1.6, 2.5, 2.10, and 4.5 of the land use element would promote mixed use and infill developments near focus areas, major travel corridors, and public transportation options. These policies aim to reduce reliance on single-occupancy vehicles and reduce VMT while accommodating new growth in the City.

The GPU would also implement policies that support sustainable practices for new developments and maintenance of the city. These policies would promote development of sustainable infrastructure for transportation (conservation element, policy 1.12), energy generation in public facilities (conservation element, policy 3.9), irrigation systems (conservation element, policy 4.4), and water facilities (public services element, policies 3.5 and 3.12). Policies from the ~~circulation~~ mobility element focus on sustainable practices in transportation (~~circulation~~ mobility element, policies 1.7, 1.8, 4.9, 5.4, 5.6, and 5.9). Policies from the land use and urban design elements focus on encouraging sustainable land use strategies and practices, such as natural resource capture, sustainable electric power, and passive climate control (land use element, policies 4.3 and 4.4 and urban design element, policy 2.11). Policies 1.4, 3.3, 3.8, and 3.10 of the conservation element, policy 1.7 of the public services element, and policy 2.11 of the urban design element would all promote energy-efficient development patterns in building design, construction, and maintenance. These policies would encourage reduction in energy consumption as well as less reliance on nonrenewable energy and would support the development and use of renewable energy sources. Thus, implementation of the GPU would contribute to the reduction of GHG emissions throughout the city, as seen in Table 5.7-6, would not interfere with the goals and measures of the City's CAP, and no impact would occur.

***Level of Significance Before Mitigation:*** Because implementation of RR GHG-1 through RR GHG-7 and ~~Circulation~~ Mobility Policies 1.7, 1.8, 3.4, 3.7, 4.3, 4.9, 5.4, 5.6, and 5.9; Conservation Policies 1.4, 1.7, 1.8, 1.9, 1.10, 1.12, 1.14, 3.3, 3.8, 3.9, 3.10, 3.11, 4.4; Land Use Policies 1.6, 1.7, 2.5, 2.10, 4.3, 4.4, and 4.5; Open Space Policies 1.6, Public Services Policies 1.7, 3.5, and 3.12, Urban Design Policy 2.11 would contribute to the reduction of GHG emissions in the City, Impact 5.7-2 will be less than significant.

### 3. Revisions to the Draft PEIR

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Page 5.8-21, Subsection 5.8.3.2, General Plan Update Policies. The following Conservation Element policy has been revised as follows:

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#### Conservation Element

- **Policy 1.5 Sensitive Receptor Decisions.** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice boundaries.

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Page 5.8-22, Subsection 5.8.3.2, General Plan Update Policies. The following Public Services Element policies have been revised as follows:

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#### ~~Open Space~~ Public Services Element

- **Policy 2.1 Public Safety Agencies.** Collaborate with the Police Department and the Fire Authority to promote greater public safety ~~the implementation of crime prevention~~ through environmental design principals for all development projects.
- **Policy 2.7 Staffing Levels.** Maintain staffing levels for sworn peace officers, fire fighters, emergency medical responders, code enforcement, and civilian support staff to provide quality services and maintain an optimal response time citywide.

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Page 5.8-23, Subsection 5.8.3.2, General Plan Update Policies. The following Safety Element policies have been revised, and added, as follows:

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#### Safety Element

- **Policy 2.6 Existing Sensitive Uses.** Partner and collaborate with property owners, businesses, and community groups to develop strategies to protect and minimize risks from existing hazardous material sites to existing nearby sensitive uses, with priority given to discontinuing such uses within environmental justice area boundaries.
- **Policy 4.1 Structures Above 200 Feet.** For development projects that include structures higher than 200 feet above existing grade, the City shall inform the Airport Land Use Commission (ALUC) and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration.
- **Policy 4.2 Federal Aviation Regulation Part 77.** Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces unless found consistent by the ALUC. Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of

### 3. Revisions to the Draft PEIR

Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

- **Policy 4.3 Light, Glare, and Other Interference.** Minimize hazards to aeronautical operations by ensuring land uses do not emit excessive glare, light, steam, smoke, dust, or electronic interference in compliance with FAA regulations and the John Wayne Airport Environs Land Use Plan.
- **Policy 4.4 Heliport/Helistop Approval and Requirements.** Approve the development of a heliport or helistop only if it complies with the Airport Environs Land Use Plan for heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval impose or recommended by the FAA, by Orange County Airport Land Use Commission, by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.
- **Policy 4.5 Referral to ALUC.** Prior to the amendment of the City's general plan or a specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Airport Land Use Commission (ALUC), and pursuant to Public Utilities Code Section 21676, the City shall first refer the proposed action to the ALUC.
- **Policy 4.6 Deed Disclosure Notice.** Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the John Wayne Airport.

Pages 5.8-27 and 5.7-28, Impact 5.8-1 and Impact 5.8-2. The following Safety Element policies have been added to the analyses, as follows:

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**Impact 5.8.1: Project construction and operations would involve the transport, use, and/or disposal of hazardous materials. [Thresholds H-1, H-2, and H-3]**

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*Level of Significance Before Mitigation:* With the implementation of RRs HAZ-1 through HAZ-5, Conservation Policy 1.5, Economic Prosperity Policies 2.3 and 2.5, Land Use Policies 1.5 and 3.7 through 3.9, Open Space Policy 2.3, and Safety Policies 2.1 through 2.6 and Policies 4.1 through 4.6, Impact 5.8-1 would be less than significant.

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**Impact 5.8-2: The plan area includes 555 sites included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 that could create a significant hazard to the public or the environment. [Threshold H-4]**

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*Level of Significance Before Mitigation:* With the implementation of RRs HAZ-1 through HAZ-5, Conservation Policy 1.5, Economic Prosperity Policies 2.3 and 2.5, Land Use Policies 3.7 through 3.9, Open Space Policy 2.3, and Safety Policies 2.1 through 2.6 and Policies 4.1 through 4.6, Impact 5.8-2 would be less than significant.

### 3. Revisions to the Draft PEIR

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Page 5.10-11, Subsection 5.10.3.2, General Plan Update Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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#### **Circulation Mobility Element**

- **Policies 1.1 through 5.9.** Refer to Volume II, Appendix B for full list.

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Page 5.10-11, Subsection 5.10.3.2, General Plan Update Policies. The following Safety Element policies have been added, as follows:

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- **Policy 4.1 Structures Above 200 Feet.** For development projects that include structures higher than 200 feet above existing grade, the City shall inform the Airport Land Use Commission (ALUC) and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration.
- **Policy 4.2 Federal Aviation Regulation Part 77.** Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces unless found consistent by the ALUC. Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.
- **Policy 4.3 Light, Glare, and Other Interference.** Minimize hazards to aeronautical operations by ensuring land uses do not emit excessive glare, light, steam, smoke, dust, or electronic interference in compliance with FAA regulations and the John Wayne Airport Environs Land Use Plan.
- **Policy 4.4 Heliport/Helistop Approval and Requirements.** Approve the development of a heliport or helistop only if it complies with the Airport Environs Land Use Plan for heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval impose or recommended by the FAA, by Orange County Airport Land Use Commission, by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.
- **Policy 4.5 Referral to ALUC.** Prior to the amendment of the City’s general plan or a specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Airport Land Use Commission (ALUC), and pursuant to Public Utilities Code Section 21676, the City shall first refer the proposed action to the ALUC.
- **Policy 4.6 Deed Disclosure Notice.** Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the John Wayne Airport.



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Page 5.10-12, Subsection 5.10.3.2, General Plan Update Policies. The following Urban Design Element policy has been revised, as follows:

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#### Urban Design Element

- **Policy 2.7 Building and Strengthening Identity.** Collaborate with community stakeholders to strengthen and foster development of community and neighborhood identity and district character through complementary architecture, unique streetscapes, and programming.

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Page 5.10-12, Subsection 5.10.3.2, General Plan Update Policies. The following Community Element policy has been revised, as follows:

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#### Community Element

- **Policy 3.2 Healthy Neighborhoods.** Continue to support the creation of healthy neighborhoods by addressing public safety, mitigating incompatible uses, improving the built environment, and maintaining building code standards.

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Page 5.10-13, Subsection 5.10.3.2, General Plan Update Policies. The following Conservation Element policy has been revised, as follows:

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#### Conservation Element

- **Policy 1.5 Sensitive Receptor Decisions.** Consider potential impacts of stationary and non-stationary emission sources on existing and proposed sensitive uses and opportunities to minimize health and safety risks. Mitigate or apply special considerations and regulations on the siting of facilities that might significantly increase pollution near sensitive receptors within environmental justice area boundaries.

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Page 5.10-14, Subsection 5.10.3.2, General Plan Update Policies. The following Open Space Element policy has been revised, as follows:

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#### Open Space Element

- **Policy 3.2 Linking Development.** Promote alternative modes of transportation and active lifestyles through pedestrian and bicycle linkages to ~~bicycle and pedestrian linkages and amenities throughout new and existing development, greenway corridors, and open spaces. to promote use of alternative modes of transportation and active lifestyles.~~

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Page 5.10-18, Impact 5.10-1. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

#### **Impact 5.10-1: Implementation of the General Plan Update would not divide an established community. [Threshold LU-1]**

Furthermore, the GPU evolved to concentrate development in new areas to take advantage of mass transit and provide mixed-use opportunities, and the ~~circulation~~ mobility element doesn’t introduce any new roadways that would bisect existing communities or neighborhoods. Also, the reclassifications of numerous roadways (see Figure 3.9, *Proposed Arterial Roadway Reclassifications*) to create complete streets with sidewalk and bike path improvements would serve to make existing neighborhoods more cohesive.

Pages 5.10-21 through 5.10-25, Impact 5.10-3. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

#### **Impact 5.10-3: Implementation of the General Plan Update would be consistent with the goals of the Southern California Association of Governments’ RTP/SCS. [Threshold LU-2]**

**Table 5.10-1 2020–2045 RTP/SCS Consistency Analysis.**

RTP/SCS Goal	Consistency Analysis	Relevant General Plan Update Policies
<b>RTP/SCS G1:</b> Encourage regional economic prosperity and global competitiveness	<b>Consistent:</b> The General Plan Update promotes economic growth and diversity within the city. The Economic Prosperity Element of the General Plan Update includes policies related to improving Santa Ana’s economy and its role within the region.	<ul style="list-style-type: none"> <li>• Policies 1.1 through 1.10 foster a dynamic local economy that provides and creates employment opportunities for all residents in the city.</li> <li>• Policies 2.1 through 2.11 maintain and enhance the diversity and regional significance of the city’s economic base.</li> <li>• Policies 3.1 through 3.11 promote a business-friendly environment where businesses thrive and build on Santa Ana’s strengths and opportunities.</li> <li>• Policies 4.1 through 4.6 promote strategies that create an economic development mindset integrated throughout city hall.</li> </ul>
<b>RTP/SCS G2:</b> Improve mobility, accessibility, reliability, and travel safety for people and goods	<b>Consistent:</b> The <del>circulation</del> mobility element contains policies that provide guidance on improving connectivity for people and goods. The transportation networks in the city would be designed, developed, and maintained to meet the local and regional transportation needs and to maximize efficient mobility and accessibility. Various regional and local plans and programs would be used to guide development and maintenance of transportation networks in the city, including but not limited to:	<ul style="list-style-type: none"> <li>• Policies 1.1 through 1.11 foster a comprehensive and multimodal circulation system that facilitates the safe and efficient movement of people and enhances commerce.</li> <li>• Policies 2.1 through 2.9 promote an integrated system of travelways that connect the city to the region, employment centers, and key destinations.</li> <li>• Policies 3.1 through 3.9 foster a safe, balanced, and integrated system of travelways for nonmotorized modes of transportation.</li> </ul>

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**Table 5.10-1 2020–2045 RTP/SCS Consistency Analysis.**

RTP/SCS Goal	Consistency Analysis	Relevant General Plan Update Policies
	<ul style="list-style-type: none"> <li>• Santa Ana Vehicle Miles Traveled Analysis Guidelines</li> <li>• OCTA Master Plan of Arterial Highways and Congestion Management Program</li> <li>• Caltrans Traffic Impact Studies Guidelines</li> <li>• Caltrans Highway Capacity Manual</li> <li>• SCAG's 2020 – 2045 RTP/SCS</li> </ul> <p>Moreover, according to California Government Code, the City is required to coordinate its <del>circulation</del> <u>mobility</u> element with regional transportation plans, including the RTP/SCS. The proposed <del>circulation</del> <u>mobility</u> element is designed to be a comprehensive guide to transportation management strategies that address the capacity of long-term infrastructure. Refer to Section 5.17, <i>Transportation</i>, which addresses local and regional transportation, traffic, circulation, and mobility in more detail.</p> <p>Furthermore, the <del>circulation</del> <u>mobility</u> element establishes policies that address improving travel safety such as emergency access, first/last mile connectivity, and bike and pedestrian safety. All modes of public and commercial transit throughout the city would be required to follow safety standards set forth by state, regional, and local regulatory documents. Roadways for motorists must follow safety standards established for the local and regional plans mentioned above. The city's Safe Mobility Plan also promotes safe travel for people and goods.</p>	<ul style="list-style-type: none"> <li>• Policies 5.1 through 5.9 support a transportation system that is safe and supports community, environmental, and conservation goals.</li> </ul>
<b>RTP/SCS G3:</b> Enhance the preservation, security, and resilience of the regional transportation system.	<p><b>Consistent:</b> Improvements to the existing transportation network must be assessed with some level of traffic analysis in order to determine how proposed developments would impact existing traffic capacities, and to determine the needs for improving future traffic capacities. This is ensured through the permitting process and development review established by the City.</p> <p>Furthermore, the public services and <del>circulation</del> <u>mobility</u> elements of the proposed General Plan Update would encourage regional coordination of transportation issues, as well as provide guidance and policies that help preserve and ensure a resilient regional transportation system.</p>	<ul style="list-style-type: none"> <li>• Policy 1.10 of the <del>circulation</del> <u>mobility</u> element relates to collaboration between federal, state, SCAG, OCTA, rail authorities, and other agencies to fund and improve the regional transportation system.</li> <li>• Policies 1.1, 1.2, and 1.10 of the public services element promote quality and efficient facilities that are adequately funded, accessible, safe, and strategically located.</li> </ul>

### 3. Revisions to the Draft PEIR

**Table 5.10-1 2020–2045 RTP/SCS Consistency Analysis.**

RTP/SCS Goal	Consistency Analysis	Relevant General Plan Update Policies
<b>RTP/SCS G4:</b> Increase person and goods movement and travel choices within the transportation system.	<b>Consistent:</b> Under the Complete Streets Act, general plans of California cities are required to include planning for complete streets: that is, streets that meet the needs of all users of the roadway, including pedestrians, bicyclists, users of public transit, motorists, children, the elderly, and the disabled. The proposed GPU would support the Complete Streets Act as well as the City's Active Transportation Plan, the Central Santa Ana Complete Streets Plan, and the Downtown Santa Ana Complete Streets Plan. Furthermore, the <del>circulation</del> <u>mobility</u> , urban design, conservation, open space, and land use elements promote travel choices within the transportation system.	<ul style="list-style-type: none"> <li>• Policies 1.1 through 1.11 of the <del>circulation</del> <u>mobility</u> element provide for a comprehensive and multimodal circulation system that facilitates the safe movement of people and promotes a sustainable community.</li> <li>• Policies 2.1 through 2.9 of the <del>circulation</del> <u>mobility</u> element promote an integrated system of travelways comprising of freeways, community rail, the OC street car, transit corridors, and a network of truck routes.</li> <li>• Policies 3.1 through 3.9 of the <del>circulation</del> <u>mobility</u> element foster a safe, balanced, and integrated network of travelways for nonmotorized modes of transportation.</li> <li>• Policies 4.1 through 4.9 of the <del>circulation</del> <u>mobility</u> element support a coordinated transportation planning effort with land use and design strategies that encourage sustainable development and multimodal transportation choices.</li> <li>• Policies 1.5, 1.6, 3.3 and 5.4 of the urban design element encourage pedestrian connections, active-transportation friendly environments, and non-motorized forms of travel.</li> <li>• Policies 1.6, 1.8, 1.9, 1.12, 3.3, and 3.11 of the conservation element promote mixed-use, pedestrian friendly, transit oriented development that encourage alternate modes of transportation and an energy-efficient transportation infrastructure.</li> <li>• Policies 1.4, 1.5, 3.2, and 3.4 of the open space element establish multimodal access to park facilities, and enhance bicycle and pedestrian linkages.</li> <li>• Policies 1.6, 1.7, 2.5, 3.6, 4.2, and 4.5 of the land use element encourage transit oriented development, active transportation infrastructure, and concentrated development of high quality transit corridors to reduce vehicle miles traveled.</li> </ul>

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**Table 5.10-1 2020–2045 RTP/SCS Consistency Analysis.**

RTP/SCS Goal	Consistency Analysis	Relevant General Plan Update Policies
<b>RTP/SCS G5:</b> Reduce greenhouse gas emissions and improve air quality.	<p><b>Consistent:</b> Implementation of the General Plan Update would introduce policies and actions that address the importance of protecting the health of residents and the environment by improving air quality, reducing greenhouse gas emissions, and encouraging active transportation.</p> <p>The GPU would encourage active transportation, such as bicycling and walking, through policies throughout the GPU elements. Additionally, as shown in Figure 5.16-4, <i>Bikeway Plan</i>, the city would be served by future bicycle routes.</p>	<ul style="list-style-type: none"> <li>Refer to all policies associated with RTP/SCS G4.</li> <li>Policies 5.4, 5.6, and 5.9 of the <u>circulation mobility</u> element foster the implementation of green streets, clean fuels and vehicles, and street trees.</li> <li>Policies 1.1, 1.2, 1.3, 1.4, 1.5, 1.0, 1.11, 1.13, 1.14, and 2.3 of the conservation element relate to coordinating air quality planning efforts to meet state and federal ambient air quality standards, considering the goals of the Climate Action Plan in all major decision on land use and public infrastructure investment, and investing in low to zero emission vehicles. These policies also promote development that meets or exceeds standards for energy-efficient building design, and the consideration of sensitive of potential emission sources on sensitive uses.</li> </ul>
<b>RTP/SCS G6:</b> Support healthy and equitable communities.	<p><b>Consistent:</b> The community, land use, and public services elements of the GPU encourage healthy lifestyles, a planning process that ensures that health impacts are considered, and policies and practices that improve the health of residents. The policies also affirm and support a socially and economically diverse community with equitable distribution of resources.</p>	<ul style="list-style-type: none"> <li>Policies 3.1 through 3.7 of the community element promote the health and wellness of all Santa Ana residents. Policies 1.3 and 1.4 encourage inclusive and affordable cultural programs and equitable recreational spaces.</li> <li>Policies 1.1, 1.2, 1.3, 1.5, 1.7, 4.6, and 4.7 of the land use element support diverse development that improve living conditions and promote a healthy, equitable environment.</li> <li>Policies 2.3, 2.4, 2.6, and 2.8 of the housing element encourage rental housing for all income levels, facilitate diverse types of housing prices and sizes, require affordable housing units, and maximize affordable housing on Authority-owned properties.</li> <li>Policy 1.2 of the public services element ensures public services and facilities reflect changing population needs and are equitably distributed.</li> <li>Policy 3.3 of the economic prosperity element promotes sustainable and equitable availability of commercial land uses.</li> </ul>

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**Table 5.10-1 2020–2045 RTP/SCS Consistency Analysis.**

RTP/SCS Goal	Consistency Analysis	Relevant General Plan Update Policies
<b>RTP/SCS G7:</b> Adapt to a changing climate and support an integrated regional development pattern and transportation network.	<b>Consistent:</b> The goal of the GPU's safety element is to eliminate and minimize risks associated with natural and man-made hazards, including climate change. By assessing and preparing for levels of risk, the city can endure the range of safety hazards and adapt to changes over time. The city also values land use decisions that benefit future generations, plans for the impacts of climate change, and incorporates sustainable design practices at all level of the planning process. Additionally, open spaces are used for climate change mitigation and adaption.	<ul style="list-style-type: none"> <li>• Policies 1.2 through 1.6 of the safety element protect life and minimize property damage and social and economic disruptions caused by climate change.</li> </ul>
<b>RTP/SCS G8:</b> Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	<b>Consistent:</b> Where feasible and consistent with city policy and guidelines, the City improves roadways, enhances intersections, and uses technology to maximize the efficient use of roads. The City's Traffic Management Center is the focal point of traffic signal control and information management through its advanced traffic management system (ATMS). This system is the integration of various intelligent transportation systems such as traffic signal systems, the closed circuit television system, loop-based and video-detection data collection, and the Integrated Traveler Information System. The ATMS allows traffic engineers to collect and monitor real-time traffic conditions, manage traffic flow, and provide an appropriate response in a timely manner.	<ul style="list-style-type: none"> <li>• Policies 1.3 of the <del>circulation</del> mobility element promotes the use of technology to efficiently move people and vehicles and manage motor vehicle speeds.</li> </ul>
<b>RTP/SCS G9:</b> Encourage development of diverse housing types in areas that are supported by multiple transportation options.	<b>Consistent:</b> All five focus areas that will experience new growth and development under the GPU meet RTP/SCS Goal 9. The intent of the GPU development in the South Main Street focus area is to transition an auto-dominated corridor into a transit- and pedestrian-friendly corridor through infill development. The Grand Avenue / 17th Street focus area will foster the development of an urban mixed-use corridor connecting into the city's downtown and transit core. For the West Santa Ana Boulevard focus area, the intent is to transition a group of auto-oriented neighborhoods, businesses, and institutions into a series of transit-oriented neighborhoods that support and benefit from future streetcar stops. Furthermore, the 55 Freeway / Dyer Road focus area will transition from a portion of the city that is almost exclusively professional office to one that supports a range of commercial, industrial/flex, and mixed-use development. The intent is to create opportunities for an urban lifestyle with easy access to Downtown Santa Ana, multiple transit options, and the new investments and amenities in adjacent communities. The South Bristol Street focus area	<ul style="list-style-type: none"> <li>• Policy 2.4 of the housing element facilitates diverse types, prices, and sizes of housing, including single-family homes, apartments, townhomes, mixed/multiuse housing, transit-oriented housing, multigenerational housing, and live-work opportunities.</li> <li>• Policies 1.5, 1.6, 2.5, 2.10, 3.6, 4.6, and 4.7 of the land use element support diverse residential mixed-use development adjacent to high quality transit.</li> <li>• Policies 1.6 and 3.3 of the conservation element promote development that is mixed use, pedestrian friendly, and transit oriented.</li> </ul>

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**Table 5.10-1 2020–2045 RTP/SCS Consistency Analysis.**

RTP/SCS Goal	Consistency Analysis	Relevant General Plan Update Policies
	<p>represents Santa Ana's southern gateway and is a part of the South Coast Metro area. Between Sunflower and Alton Avenues, the District Center land use designation will create opportunities to transform auto-oriented shopping plazas to walkable, bike-friendly, and transit-friendly urban villages.</p> <p>Furthermore, the land use, conservation, and housing elements of the GPU include policies that support diverse housing types and areas supported by multimodal transportation.</p>	
<b>RTP/SCS G10:</b> Promote conservation of natural and agricultural lands and restoration of habitats.	<p><b>Consistent:</b> The city does not contain any agricultural lands but does promote the conservation of natural lands and restoration of habitats. The purpose of the open space element is to retain lands that provide value in the form of biodiversity and wildlife conservation. Furthermore, the conservation element identifies the community's natural resources and communicates the benefits for retention, enhancement, and development of these reserves to improve quality of life and the environment as a whole.</p>	<ul style="list-style-type: none"> <li>• Policy 2.1 through 2.4 of the conservation element preserve and enhance Santa Ana's natural and environmental resources while maintaining a balance between recreation, habitat restoration, and scenic resources.</li> <li>• Policy 3.6 of the open space element promotes naturalizing the Santa Ana River and exploring opportunities to reintroduce natural habitat along the Santa Ana River to provide natural habitat and educational and recreational opportunities.</li> </ul>

Page 5.10-26, Impact 5.10-4. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

**Impact 5.10-4: Implementation of the General Plan Update would be consistent with the OCTA Congestion Management Plan. [Threshold LU-2]**

In a highly developed urban city, managing traffic congestion along roadways and maintaining an efficient system are essential. Where feasible and consistent with city policy and guidelines, the City would improve roadways, enhance intersections, and use technology to maximize the efficient use of roads. Managing congestion also involves the development of nonmotorized forms of transportation to encourage a shift in the way people get around Santa Ana. In areas with constrained rights-of-way, encouraging alternative forms of travel is essential. Therefore, policy 1.7 of the ~~circulation~~ mobility element promotes the proactive mitigation of the impacts of potential congestion from the transportation network on residents and business. Policy 1.9 ensures the street network is consistent with standards set in the OCTA Congestion Management Program. Furthermore, policy 1.10 of the conservation element supports investing in improvements to the City's transportation management system, including projects or programs that improve traffic flow and reduce traffic congestion.

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***Level of Significance Before Mitigation:*** With the implementation of RR LU-1, RR LU-2, ~~Circulation~~ Mobility Policies 1.7 and 1.9, and Conservation Policy 1.10, Impact 5.10-6 would be less than significant.

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Page 5.12-28, Subsection 5.12.3.2, General Plan Update Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies, and the following policy had been revised as follows:

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#### **Circulation Mobility Element**

- **Policy CE-5.2. Rail Corridors:** Coordinate with rail service providers to improve and maintain the aesthetics of rail corridors, ~~and~~ reduce noise levels, and mitigate traffic conflicts and other environmental hazards.

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Page 5.12-28, Subsection 5.12.3.2, General Plan Update Policies. The following Safety Element policy has been added as follows:

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#### **Safety Element**

- **Policy 4.6 Deed Disclosure Notice.** Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the John Wayne Airport.

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Page 5.12-30, Impact 5.12-2 The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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**Impact 5.12-2: Buildout of the plan area would cause a substantial traffic noise increase on local roadways and could locate sensitive receptors in areas that exceed established noise standards. [Threshold N-1]**

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Buildout of the GPU would result in an increase in traffic along local roadways proximate to existing sensitive receptors. Figures 5.12-7 through 5.12-10 illustrate the modeled roadways and future 2045 noise contours for 60 dBA CNEL, 65 dBA CNEL, and 70 dBA CNEL. The complete distances to the 70, 65, and 60 dBA CNEL noise contours for roadway segments in the City are included in Appendix J-b. Table 5.12-10 shows the estimated traffic noise increase along study roadway segments. The traffic noise increase is the difference between the projected future noise level and the existing noise level. As shown in Table 5.12-10, significant traffic noise increases are estimated along several of the study roadway segments from implementation of the GPU. Of the roadway segments with significant traffic noise increases, Warner Avenue – Grand Avenue to Red Hill Avenue is in the 55 Freeway / Dyer Road focus area. Along several roadway segments, a decrease in traffic noise levels is anticipated from implementation of the GPU. Noise element policies 1.2, 1.3, 1.4, and 2.1, and ~~circulation~~ mobility element policies ~~CEM~~-1.7, ~~CEM~~-1.8, and ~~CEM~~-4.8 would help minimize and mitigate traffic noise impacts. However, traffic noise increases on the roadway segments shown in bold in Table 5.12-10 are conservatively considered to remain significant.



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Page 5.12-45, Impact 5.12-2 The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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**Impact 5.12-2: Buildout of the plan area would cause a substantial traffic noise increase on local roadways and could locate sensitive receptors in areas that exceed established noise standards. [Threshold N-1]**

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In addition, future noise-sensitive land uses could be in areas that exceed the “Normally Acceptable” noise standards due to airport operations (see Figure 5.12-6 for airport noise contours) and due to railroad activity. Table 5.12-11 contains the calculated distances to the 65 dBA Ldn/CNEL contours from future railroad noise. The railroad noise contours are displayed graphically in Figures 5.12-7 through 5.12-10. The same methodology that was used to estimate existing railroad noise contours was used for future railroad activity. Though implementation of the proposed General Plan would not cause a direct increase in rail activity, future residential development could be placed within areas that would expose sensitive receptors to noise levels exceeding established standards. RR-NOI-1 and noise element policies 1.1, 1.2, 1.4, 2.1, 3.1, 3.2, and 3.3, and ~~circulation~~ mobility element policies ~~CEM~~-4.8 and ~~CEM~~-5.2 would ensure that airplane and railroad noise affecting future noise-sensitive land uses is mitigated to acceptable levels.

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Pages 5.14-10 and 5.14-27, Subsections 5.14.1.3 and 5.14.2.3 The following Public Services Element policies have been revised as follows:

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#### Public Services Element

- **Policy 2.1 Public Safety Agencies.** Collaborate with the Police Department and the Fire Authority to promote greater public safety ~~the implementation of crime prevention~~ through environmental design principles for all development projects.
- **Policy 2.7 Staffing Levels.** Maintain staffing levels for sworn peace officers, fire fighters, emergency medical responders, code enforcement, and civilian support staff to provide quality services and maintain an optimal response time citywide.

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Pages 5.15-11 and 5.15-12, Subsection 5.15.3.2, GPU Policies. The following Community Element policies have been revised as follows:

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#### Community Element

- **Policy 1.1 Access to Programs.** Provide and maintain access to recreational and cultural programs within walking distance of residential areas. Prioritize the improvement of access for residents living within environmental justice area boundaries that are underserved or suffer from a lack of access.
- **Policy 1.11 Program Incentives.** Incentivize use of privately owned property to promote recreation, health, wellness, and art and culture programs.

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Page 5.15-13, Subsection 5.15.3.2, GPU Policies. The following Open Space Element policy has been revised as follows:

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#### Open Space Element

**Goal 1: Provide a safe, accessible, sustainable, and diverse park and facility system with recreational opportunities accessible to all residents.**

- **Policy 1.1 Park Master Plan.** Create and maintain a Santa Ana parks master plan that incorporates data on need, demographics, and health outcomes.
- **Policy 1.2 Parks and Recreation Network.** Establish a comprehensive and integrated network of parks, open space, and recreational facilities that maintains and provides a variety of active and passive recreational opportunities that meets the needs of all Santa Ana residents, regardless of age, ability, or income.
- **Policy 1.3 Park Standard.** Achieve a minimum citywide park ratio park standard of two acres per 1,000 residents in the City. For new residential development in Focus Areas, prioritize the creation and dedication of new public parkland over the collection of impact fees.
- **Policy 1.4 Park Connectivity.** Establish and enhance options for residents to access existing and new park facilities through safe walking, bicycling, and transit routes.

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Page 5.15-14, Subsection 5.15.3.2, GPU Policies. The following Open Space Element policy has been revised as follows:

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#### Open Space Element

- **Policy 3.2 Linking Development.** Promote alternative modes of transportation and active lifestyles through pedestrian and bicycle linkages to bicycle and pedestrian linkages and amenities throughout new and existing development, greenway corridors, and open spaces. to promote use of alternative modes of transportation and active lifestyles.

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Page 5.15-15, Subsection 5.15.3.2, GPU Policies. The following Urban Design Element policy has been revised as follows:

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#### Urban Design Element

- **Policy 3.6 Linear Park System.** Support open space improvements along roadways and non-vehicular paths, such as bike or multi-use trails, to connect linear greenways leading to a network of parks and activity areas throughout the city.

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Page 5.15-15, Subsection 5.15.3.2, GPU Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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#### **Circulation ~~Mobility~~ Element**

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Page 5.16-21, Subsection 5.16.3.2, General Plan Policies. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies, and the following policy has been revised:

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#### **Circulation ~~Mobility~~ Element**

- **Policy 3.9 Neighborhood Traffic.** Develop innovative strategies to calm neighborhood traffic, increase safety, and eliminate collisions, while also maintaining access for emergency response.

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Page 5.16-23, Subsection 5.16.3.2, General Plan Policies. The following Open Space Element policy has been revised as follows:

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#### **Open Space Element**

- **Policy 3.2 Linking Development.** Promote alternative modes of transportation and active lifestyles through pedestrian and bicycle linkages to bicycle and pedestrian linkages and amenities throughout new and existing development, greenway corridors, and open spaces. to promote use of alternative modes of transportation and active lifestyles.

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Pages 5.16-24 through 5.16-33, Impact 5.16-1. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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**Impact 5.16-1: The General Plan Update is consistent with adopted programs, plans, and policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Threshold T-1]**

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#### **Roadways**

The proposed ~~circulation mobility~~ element is consistent with the planning goals established by OCTA in their LRTP, and the City worked with OCTA to ensure that local or regional improvements that benefit Santa Ana are included in the latest LRTP, adopted in 2017.

The proposed GPU ~~circulation mobility~~ element includes reclassification of several arterial roadways, as shown in Figure 3-9, *Proposed Arterial Roadway Reclassifications*. The subject roadways are also listed in Section 3.3.2.2, *Updated ~~Circulation Mobility~~ Element*. These changes are proposed to the City’s Master Plan of Street and Highway (see Figure 3-8) and would require an amendment to OCTA’s Master Plan of Arterial Highways to achieve

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consistency with that plan. Consistency between the MPSH and MPAH is essential to maintain a functional regional network and to receive funding for Measure M street improvement projects.

#### Transit

Transit in the city consists of OCTA bus service, Southern California Regional Rail commuter and passenger rail service, and Amtrak passenger rail. Due to its central location, grid pattern, and high ridership potential, Santa Ana's role as a transit hub continues to increase.

The GPU incorporates policies related to supporting transit facilities in the plan area. These include prioritizing multimodal systems, supporting first/last mile connectivity to transit, implementing additional complete streets improvements when it fits the context of the community, and supporting the improvement of transit opportunity corridors. Policies that promote a transit system that serves as a functional alternative to commuting by car are:

- **~~Circulation~~ Mobility Element**
  - Policy 1.2 Balanced Multimodal Network.
  - Policy 2.2 Transit Service.
  - Policy 2.4 Commuter Rail.
  - Policy 2.5 OC Streetcar.
  - Policy 2.6 Transit Corridors.
  - Policy 2.7 Regional Mobility Access.
  - Policy 3.4 Regional Coordination.
  - Policy 3.6 Transit Connectivity.
  - Policy 4.1 Intense Development Areas.
  - Policy 4.2 Project Review.
  - Policy 4.6 Roadway Capacity Alternatives.

#### Bicycle Facilities

Future bicycle facilities are a mixture of Class I, Class II, Class III, and Class IV facilities. Future bicycle facilities are shown on Figure 5.16-4, *Master Plan of Bikeways*.

The GPU incorporates policies related to supporting bicycle facilities in the plan area. These include prioritizing multimodal systems, maintaining a network of complete streets to provide mobility opportunities for all users, implementing additional complete streets improvements when it fits the context of the community, developing and maintaining local and regional bicycle networks, and promoting bicycle safety when infrastructure improvements are made. Policies that promote a bicycle system that serves as a functional alternative to commuting by car are:

- **~~Circulation~~ Mobility Element**
  - Policy 1.2 Balanced Multimodal Network.

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- Policy 1.6 Complete Streets.
- Policy 3.1 Nonmotorized Travelway Network.
- Policy 3.2 Nonmotorized Travelway Amenities.
- Policy 3.5 Education and Encouragement.
- Policy 3.7 Complete Streets Design.
- Policy 4.1 Intense Development Areas.
- Policy 4.2 Project Review.
- Policy 4.6 Roadway Capacity Alternatives.

#### *Safe Routes to School*

The City is creating a citywide “Safe Routes to School” initiative for every school in Santa Ana. This initiative establishes safe routes to school, proposes specific capital improvements to the streetscapes to improve safety, and contains various programs for education and enforcement of existing traffic laws to improve pedestrian and bicycling safety. A Safe Routes to School plan is being developed to implement the ~~circulation~~ mobility element.

#### *Expanded Bicycle Lanes*

The City is aggressively expanding its existing bikeway network by adding Class 1, 2, 3, and 4 routes throughout the city. This effort is intended to implement the City’s complete street policies and City Council directives to make Santa Ana a more bicycle- and pedestrian-friendly community.

#### **Pedestrian**

The ~~circulation~~ mobility element includes potential pedestrian opportunity zones (see Figure 5.16-5, *Pedestrian Opportunity Zones*), areas that currently have high pedestrian activity and areas that have the potential for it once land use densities and/or street and pedestrian improvements are made.

The GPU incorporates policies related to supporting pedestrian traffic in the plan area. These include promoting the development of mixed-use, pedestrian-friendly areas clustered around activity centers; encouraging community interaction through the development and enhancement of plazas, open space, people places, and pedestrian connections with the public realm; and enhancing streets to facilitate safe walking through community participatory design. Policies that promote a bicycle and transit system that serves as a functional alternative to commuting by car are:

#### ■ **Circulation Mobility Element**

- Policy 1.2 Balanced Multimodal Network.
- Policy 1.6 Complete Streets.
- Policy 3.1 Nonmotorized Travelway Network.
- Policy 3.2 Nonmotorized Travelway Amenities.
- Policy 3.5 Education and Encouragement.

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- Policy 3.7 Complete Streets Design.
- Policy 4.1 Intense Development Areas.
- Policy 4.2 Project Review.
- Policy 4.6 Roadway Capacity Alternatives.

Page 5.16-35, Impact 5.16-2. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

**Impact 5.16-2: General Plan Update implementation would result in a reduction of vehicle miles traveled per service population (VMT/SP) in comparison to existing City conditions, and would achieve a VMT/SP at least 15 percent lower than the countywide VMT/SP. [Threshold T-2]**

The Future Year (2045) With Project (implementation of the GPU) scenario was based on the Future Year (2045) No Project scenario, with modifications to both the transportation network and socioeconomic data. Reclassifications to some roadways are proposed to facilitate the implementation of complete streets throughout the city, as described in Section 3.3.2.2, *Updated ~~Circulation~~ Mobility Element*, of Chapter 3, *Project Description*, and shown in Figure 3-9, *Proposed Arterial Roadway Reclassifications*. These reclassifications are considered in this scenario in addition to the proposed GPU land use buildout.

Table 5.16-3 shows that the projected city’s VMT/SP upon buildout of the GPU in 2045 is 20.3, which is less than the defined threshold of 15 percent below existing county VMT/SP (22.0). The impact of the land use plan, therefore, would be less than significant.

**Table 5.16-3 Projected VMT Summary – Land Use Plan**

Metric	2045 – With Project City Total VMT	2045 – with project City Total Service Population	2045 – With Project City VMT/SP	2020 – No Project County VMT/SP	VMT Threshold 15% below 2020 – No Project County VMT/SP	Impact
VMT/SP	11,518,959	566,616	20.3	25.9	22.0	No

Source: IBI 2020.

Furthermore, the GPU includes policies that promote the reduction of VMT. Policy 2.5 of the land use element encourages infill mixed-use development at all ranges of affordability to reduce VMT, and Policy 4.5 aims to concentrate development along high-quality transit corridors. Policy 4.6 of the ~~circulation~~ mobility element promotes reductions in automobile trips and VMT by encouraging transit use and nonmotorized transportation as alternatives to augmenting roadway capacity.

**Level of Significance Before Mitigation:** With the implementation of Land Use Policies 2.5 and 4.5 and ~~Circulation~~ Mobility Policy 4.6, Impact 5.16-2 will be less than significant.

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Pages 5.16-35 and 5.16-36, Impact 5.16-3. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

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**Impact 5.16-3: Circulation improvements associated with future development that would be accommodated by the General Plan Update would be designed to adequately address potentially hazardous conditions (sharp curves, etc.), potential conflicting uses, and emergency access. [Thresholds T-3 and T-4]**

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Buildout of the GPU would involve the alteration, intensification, and redistribution of land uses in the city. The GPU includes circulation network improvements that would be subject to review and future consideration by the City’s Public Works engineering staff. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would have to be made in accordance with the City’s circulation plan and roadway design guidelines and meet design guidelines of the California Manual of Uniform Traffic Control Devices. In addition, the ~~circulation~~ mobility element includes policies to improve the safety of all users of the transportation system in the city—Policy 1.7 Proactive Mitigation, Policy 3.9 Neighborhood Traffic, Policy 5.7 Infrastructure Condition, and Policy 5.8 Traffic Safety (see Section 5.16.3). Implementation of the GPU would not result in hazardous conditions, create conflicting uses, or cause a detriment to emergency vehicle access.

***Level of Significance Before Mitigation:*** With the implementation of RR T-2 and ~~Circulation~~ Mobility Policies 1.7, 3.9, 5.7, and 5.8, Impact 5.16-3 will be less than significant.

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Page 5.17-8, Subsection 5.16.3.2, General Plan Policies. The following Historic Preservation Element policy has been revised as follows:

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#### Historic Preservation Element

- **Policy 1.4 Protecting Resources.** Support land use plans and development proposals that actively protect historic and cultural resources. Preserve tribal, archaeological, and paleontological resources for their cultural importance to communities as well as their research and educational potential.

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Pages 5.18-34 and 5.18-62, Subsection 5.18.2.3 and Subsection 5.18.5.3, Regulatory Requirements and General Plan Update policies. The following Public Services Element policies have been revised as follows:

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#### Public Services Element

- **Policy 1.7. Sustainable and Resilient Practices.** ~~Require Use sustainable and energy efficient building and maintenance practices as part of the development or rehabilitation of any public facility or capital improvement to incorporate site design and building practices that promote sustainability, energy efficiency, and resiliency.~~

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- **Policy 3.8. Conservation Strategies:** ~~Implement~~ Promote cost-effective conservation strategies and programs that increase water use efficiency.

Page 7-5, Section 7.2.1, Alternative Circulation Element – Roadway Classifications. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

#### **Alternative Circulation Mobility Element – Roadway Classifications**

The proposed ~~Circulation~~ Mobility Element as included in the GPU evolved over a long process and coordination with the Orange County Transportation Authority (OCTA). During this process, alternative packages of arterial roadway classifications were considered that involved roadways included in OCTA’s Master Plan of Arterial Highways (MPAH). The majority of reclassifications proposed were identified for bicycle facility safety improvements in the City’s Safe Mobility Santa Ana (SMSA) Plan prepared in 2016. Most of the reclassifications identified were for roadways where bicycle and pedestrian safety improvements would require roadway reconfiguration and a reduction in the number of existing or planned travel lanes. Many of the SMSA recommendations across the City have already been, or are in the process of being, implemented along arterial roadways without reducing the number of lanes.

Page 7-11, Section 7.3, Alternatives Selected for Further Analysis. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

**Table 7-2 Project Alternatives Description**

Alternative Description	Environmental Reasons Considered
<b>Proposed Project</b> The GPU is the comprehensive update of the Santa Ana General Plan. As detailed in Chapter 3, <i>Project Description</i> , land use changes in the proposed GPU focus on five areas within Santa Ana that offer opportunities for enhanced growth and flexibility and are suited to assist in achieving the core vision established for the GPU. These focus areas are: <ul style="list-style-type: none"> <li>• South Main Street</li> <li>• Grand Avenue/17th Street</li> <li>• West Santa Ana Boulevard</li> <li>• 55 Freeway/Dyer Road</li> <li>• South Bristol Street</li> </ul>	N/A
<b>No Project/Current General Plan Alternative</b> The buildout for the Current GP includes the full entitlement of the specific plan and special zoning areas. The current GP focuses more on employment growth in the focus areas instead of housing growth.	Required by CEQA



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**Table 7-2 Project Alternatives Description**

Alternative Description	Environmental Reasons Considered
<p><b>Reduced Intensity Alternative</b></p> <p>Development potential for the two focus areas with the greatest growth capacity under the GPU is reduced under this alternative to approximately 50 percent of the maximum densities allowed by their respective land use designations for both housing units and non-residential building square footage. The combined reduction for the 55 Freeway /Dyer Rd. and South Bristol Street focus areas under this alternative would be 5,383 housing units and 4.3 MSF. There would be no changes to any other proposed land use or to the <u>Circulation Mobility</u> Element under the Reduced Intensity Alternative in comparison to the proposed GPU. All other assumptions remain the same as for the proposed GPU.</p>	<p>Potential to reduce significant impacts related to:</p> <ul style="list-style-type: none"> <li>• Air Quality</li> <li>• Greenhouse Gas Emissions</li> <li>• Noise</li> <li>• Population and Housing</li> </ul>
<p><b>2020 RTP/SCS Consistency Alternative</b></p> <p>To achieve the lower projections reflected in the RTP/SCS, this alternative would substantially reduce the growth that would be accommodated within the focus areas under the GPU. Instead of a total additional 23,955 housing units and approximately 15.7 MSF within the focus areas, new growth within the focus areas would total 6,380 housing units and approximately 3.7 MSF non-residential uses (reducing the growth by over 70 percent for both housing and nonresidential building SF relative to the GPU for focus areas). New development would primarily take place through pipeline projects that are already approved within the Specific Plan and Special Zoning Districts. The total estimated buildout of these projects, however, could not be completely accommodated. As shown in Table 7-6, this alternative, therefore, distributes anticipated development through the focus areas and the approved Specific Plans/Special Zoning areas. For purposes of this alternative, it is assumed that a development cap would be used to limit total growth to the projections shown. Existing development entitlements would not be reduced, but development would be monitored and capped at the levels shown. The market would drive the precise location and timing of projects until the maximum cap was reached.</p>	<p>Potential to reduce significant impacts related to:</p> <ul style="list-style-type: none"> <li>• Population and Housing</li> <li>• Air quality</li> <li>• Greenhouse Gas Emissions</li> <li>• Noise</li> </ul>
<p>Notes: MSF = Millions square feet. RTP/SCS = Southern California Association of Government's Regional Transportation Plan and Sustainable Communities Strategy.</p>	

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Pages 7-18 through 7-24, Section 7.3.2, Environmental Impact Comparison. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
<b>Aesthetics</b>	<p>Under this Alternative fewer housing units and more non-residential square footage would be developed in the focus areas compared to the GPU. Land use designations and ultimate buildout outside of the focus areas would be the same as for the GPU. Overall, within the focus areas, the No Project alternative would be characterized by lower density and a reduced visual scale in comparison to the GPU. A discussion of the maximum densities and heights each of the five focus areas is provided below:</p> <ul style="list-style-type: none"> <li>• <b>Grand Avenue/17th Street.</b> The current General Plan allows density up to 1.0 FAR in General Commercial and Professional and Administrative Office designations (and up to 1.15 FAR is allowed in the Orange County Register site) and 7 du/acre in Low Density Residential designation and heights generally up to 35 feet above grade (not taking into account Specific Development districts within the focus area).</li> <li>• <b>55 Freeway/Dyer Road.</b> The current General Plan allows density up to 1.7 FAR in District Center designation and heights generally up to 35 feet above grade (not taking into account Specific Development districts within the focus area).</li> <li>• <b>South Bristol Street.</b> The current General Plan allows density up to 1.0 FAR in District Center and General Commercial designations and 15 du/acre in Medium Density Residential and heights generally up to 35 feet above grade (not taking into account Specific Development districts within the focus area).</li> <li>• <b>South Main Street.</b> The current General Plan allows density up to 1.0 FAR in the District Center and General Commercial designations and 7 du/acre in Low Density Residential designation and heights generally up to 35 feet above grade</li> </ul>	<p>In comparison to the proposed GPU, this alternative would only modify land uses within the 55 Freeway/Dyer Road and South Bristol Street focus areas. Housing units and non-residential building space would both be reduced by approximately 30-35 percent relative to the GPU land uses for these two focus areas. Design guidelines and amenity requirements would be assumed not to change in comparison to the GPU. Similarly, the <u>Circulation Mobility</u> Element and associated roadway classification, bike, pedestrian and mass transit improvements and policies would be the same as for the GPU. The visual impact of this alternative, therefore, would be limited to two focus areas and would be expected to reduce both the overall footprint of development and building heights within these two areas (by approximately 30 percent relative to the GPU). Light and glare impact within the 55 Freeway /Dyer and South Bristol Street focus areas could also be expected to be reduced to some degree. Overall, however, the aesthetics impacts Citywide would be similar to the proposed GPU.</p>	<p>Overall, this Alternative would substantially reduce development capacity, particularly for housing, relative to the proposed GPU. Citywide it would result in a 73 percent reduction in housing units at buildout, and an approximate 14 percent reduction in non-residential building space. As shown in Table 7-6, this alternative assumes that densities would be reduced throughout the City, including previously approved Specific Plan and Special Districts. Development intensity would be reduced within all the focus areas as well, resulting in a 27 percent reduction in allowed housing units in the focus areas and an approximate 2.5 percent reduction in non-residential uses. In comparison to the GPU this alternative, and visual character, would be much less residential. Approximately 17,500 fewer housing units would be built in the combined focus areas in comparison to the GPU. The approximate 6,300 new units that would be accommodated would be expected to be in lower profile buildings. The change in non-residential space would not be as great, but would be substantially different for some areas in comparison to the GPU. Approximately 3.5 M SF less would be accommodated within the South Bristol Street focus area. This would limit the vision for this area as a new District Center and Urban Neighborhood. This Alternative, however, would increase building square footage in the South Main Street and West Santa Ana Boulevard focus areas. Therefore, impacts to visual appearance would be reduced compared to the GPU.</p> <p>It is difficult to categorize the relative aesthetic impact of this alternative in comparison to the GPU. Development would be substantially reduced but also very different. It would dramatically reduce residential units Citywide (by 31,515 units) in comparison to the GPU and slightly increase non-residential space (approximately 2,000 SF) in comparison to the GPU. The limited new development in focus areas (and in comparison to the current General Plan) would limit opportunities and available funding to support some major amenities that would benefit aesthetics. Overall, for purposes of this Draft PEIR the relative impact of this alternative has been determined to be similar. In</p>

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**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
	<p>(not taking into account Specific Development districts and within the focus area).</p> <ul style="list-style-type: none"> <li><b>West Santa Ana Boulevard.</b> The current General Plan allows density up to 1.5 FAR in the Urban Neighborhood designation and 15 du/acre in the Medium Density Residential designation and heights generally up to 35 feet above grade (not taking into account Specific Development districts within the focus area).</li> </ul> <p>The GPU introduces new policies that would protect neighborhood character and landmarks as well as enhance new public spaces. In comparison to the current General Plan, the updated <del>Circulation</del> <b>Circulation Mobility</b> Element in the GPU reclassifies several arterials to provide new pedestrian and bikeway improvements. These improvements, along with implementing required design guidelines are expected to enhance the livability and character of several communities. Since this alternative would reduce building intensity and heights in the focus areas, it would be anticipated to reduce light and glare impacts. Overall, aesthetic impacts for the No Project alternative would be considered less than aesthetic impacts for the GPU.</p>		<p>reality the character would be substantially different, and not necessarily result in an impact 'less' or 'greater' than the proposed GPU.</p>
	<b>LT</b>	<b>S</b>	<b>S</b>
<b>Agriculture Resources</b>	<p>The City is a highly urbanized area with its entire area nearly built out. Furthermore, according to the California Resource Agency's Department of Conservation, the City does not have any significant agricultural resources. Therefore, no impacts to farmland would occur under the proposed project and no further analysis is required in the DEIR. The has land designated or zoned for agricultural use but these lands constitute a very small percentage of the area of Santa Ana and are located mainly in the outskirts of the City in the north and northeast and outside the focus areas. Furthermore, the City does not have any land designated or zoned for forestland, timberland, or timberland</p>	<p>This alternative, similar to the No Project/Current General Plan alternative and the GPU, would have less than significant impacts to agricultural resources.</p>	<p>This alternative, similar to the No Project/Current General Plan alternative and the GPU, would have less than significant impacts to agricultural resources.</p>

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**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
	production. There would be no impacts from this alternative on agriculture, similar to the GPU.		
	<b>S</b>	<b>S</b>	<b>S</b>
<b>Air Quality</b>	<p>In comparison to the GPU, the No Project alternative is characterized by 1) More employment and 2) less housing development in the City.</p> <ul style="list-style-type: none"> <li>The current General Plan is the basis for the SCAG growth model and therefore would not exceed the SCAG forecasts; however, as with the GPU, the substantial growth projected at buildout would exceed South Coast AQMD's AQMP regional significance thresholds, resulting in a significant, unavoidable impact.</li> <li>Due to a substantial increase in employment (approximately an additional 12,000 in comparison to GPU buildout) as well as more dispersed housing in comparison to the proposed GPU, this alternative may increase vehicle miles traveled, and related traffic air quality emissions. However, the GPU contains policies that would encourage mixed use and infill development near focus areas and major travel corridors and would ultimately reduce VMT within the City.</li> <li>Housing growth and a larger nonresidential building footprint could also result in exposing a greater number of sensitive receptors to pollutants concentrations from construction activity and other sources.</li> </ul> <p>The land uses that have the potential to create objectionable odors would remain the same, causing a similar impact as existing conditions.</p>	<p>This alternative would reduce housing development and non-residential development projects within two focus areas of the City, resulting in fewer residents (by approximately 4 percent) and employees (by approximately 5.5 percent) compared to the GPU.</p> <ul style="list-style-type: none"> <li>Decreasing the residential and nonresidential development footprint would decrease pollutants produced during construction and would decrease the amount energy used in homes and businesses.</li> <li>This alternative would reduce vehicle miles traveled, and related traffic air quality emissions.</li> <li>Decreased development footprint in the City may reduce exposure of sensitive receptors to pollutant concentrations.</li> <li>The land uses that have the potential to create objectionable odors would remain the same, causing a similar impact as existing conditions.</li> </ul> <p>Although this alternative reduces impacts, the reduction would not eliminate a significant impact of the GPU.</p>	<p>This alternative would limit new development in the City to reflect consistency with the 2020 RTP/SCS projections. It would substantially reduce housing units and population, and moderately increase non-residential uses and employees.</p> <ul style="list-style-type: none"> <li>Decreasing the residential development footprint would decrease pollutants produced during construction and would decrease the amount energy used in homes.</li> <li>Fewer people living in the City would generate fewer vehicle trips and reduce transportation emissions, reducing air quality impacts.</li> <li>The land uses that have the potential to create objectionable odors would remain the same, causing a similar impact as existing conditions.</li> </ul> <p>Although this alternative would reduce Air Quality s impacts it would not result in a significant impact of the GPU.</p>
	<b>GT</b>	<b>LT</b> (impact would remain significant)	<b>LT</b> (impact, however, would remain significant)

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**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
<b>Biological Resources</b>	In comparison to the GPU, the No Project alternative would be similarly characterized by infill development in a relatively built out City. Whereas the GPU does include the development of more housing units, the No Project alternative includes more non-residential square footage, and housing units that are less densely developed and occupy larger lots. Therefore, it is anticipated that the resulting disturbance of land and biological resources would be similar. Furthermore, the open space and park areas would remain under the No Project alternative as well as the GPU. Therefore, impacts to biological resources would be similar	This alternative reduces housing units and non-residential square footage in the 55 Freeway/Dyer Road and South Bristol Street focus areas. All other assumptions remain the same. The reduced development in two focus areas could result in a reduction of land disturbance, but alternatively, could result in lower profile development with larger building footprints. Overall disturbance would likely be similar to the proposed GPU. Moreover, the two subject focus areas are not characterized by native vegetation or sensitive habitat or species. The impact to biological resources would be similar to the proposed GPU.	This alternative would substantially reduce housing development in the City and moderately reduce non-residential development. As with the proposed GPU, sensitive resources (such as Santiago Creek) would be protected. The reduction in land development and related land disturbance, however, could be expected to reduce the potential to impact biological resources.
	<b>S</b>	<b>S</b>	<b>LT</b>
<b>Cultural Resources</b>	In comparison to the GPU, the No Project alternative would result in a moderate increase to non-residential building square footage, and fewer housing units. With the exception of focus areas, however, land use designations and development potential would be the same as for the GPU. The potential to impact archaeological resources would be similar. As with the GPU, cultural resource impacts to historical resources would remain significant and unavoidable even with the implementation of the 1997 GP Land Use Element EIR mitigation measures.	This alternative would result in less growth in the 55 Freeway/Dyer Road and South Bristol Street focus areas with all other assumptions remaining the same. Therefore, this alternative would have a slightly less impact on land disturbance and subsequently on cultural resources.	The substantial reduction in development under the RTP/SCS alternative would reduce land disturbance and be expected to reduce the potential to impact cultural resources, including archaeological and historical resources. Potential impacts to historical resource, however, would remain significant.
	<b>S</b>	<b>LT</b> (potential impact to historical resources, however, would remain significant)	<b>LT</b> (potential impact to historical resources, however, would remain significant)
<b>Energy</b>	This alternative would result in an increase of approximately 2.6 M SF of nonresidential building square feet (approximately 3.5 percent increase in comparison to GPU) and a substantial reduction in allowable residential units compared to the GPU (13,195 fewer units). This alternative would reduce housing energy use and increase non-residential building use in	This alternative reduces new housing development and other non-residential development in two focus areas: 55 Freeway /Dyer Road and South Bristol Street. This alternative would therefore, reduce housing and non-residential building	This alternative limits new development in the City to reflect consistency with the 2020 RTP/SCS projections. This alternative would result in a substantial reduction in residential units and a slight increase in nonresidential building square footage in the city. As a result, this alternative would reduce vehicle miles traveled and related energy use. This alternative would decrease energy

### 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
	comparison to the GPU. It may reduce vehicle miles traveled and related fuel use. The No Project alternative would not include GPU policies to support the state's transition to a carbon neutral economy. Overall, this alternative would increase energy in some areas and decrease other energy needs. Overall energy impacts would be considered similar to the GPU.	energy use. Additionally, this alternative may decrease vehicle miles traveled, and related fuel use. Overall this alternative would decrease energy impacts relative to the GPU; and as with the GPU, would be less than significant.	use compared to the GPU, and as with the GPU, would be less than significant.
	<b>S</b>	<b>LT</b>	<b>LT</b>
<b>Geology and Soils</b>	Similar to the GPU, the No Project alternative would be similarly characterized by infill development in a relatively built out City. In comparison to the GPU, the No Project alternative would result in a moderate increase in non-residential building square footage, and fewer housing units. With the exception of focus areas, however, land use designations and development potential would be the same as for the GPU. Whereas the GPU does include the development of more housing, the No Project alternative includes more non-residential square footage and housing units that are less densely developed and occupy larger lots. Therefore, it is anticipated that the resulting disturbance of land would be similar. Exposure of new development to geological and soils hazards, including seismic shaking, landslides, erosion, liquefaction, and land subsidence, would be similar to the GPU. And as with the GPU, geotechnical and soils hazards would be mitigated to less than significant with implementation of existing regulatory measures, including compliance with the California Building Codes and National Pollutant Discharge Elimination System (NPDES) requirements and best management practices. Furthermore, as with the GPU, paleontological resource impacts would be mitigated to less than significant per the adopted mitigation in the 1997 GP Land Use Element EIR.	This alternative reduces new housing development and other non-residential development in two focus areas: 55 Freeway /Dyer Road and South Bristol Street. It would be expected to reduce potential geotechnical hazards associated with development in these focus areas also expose fewer residents and employees. As with the GPU, this alternative would comply with the same regulations summarized under the No Project/Current General Plan alternative. Impacts would be slightly less than the GPU.	The substantial reduction in development potential under the RTP/SCS alternative would reduce land disturbance and related, potential geotechnical hazards. Fewer residents and employees would be exposed to geotechnical and soils-related hazards. As with the GPU, this alternative would comply with the same regulations summarized under the No Project/Current General Plan alternative. Impacts would be slightly less than the GPU.
	<b>S</b>	<b>LT</b>	<b>LT</b>

### 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
<b>Green-house Gas Emissions</b>	START HERE Development within the City would comply with existing GHG regulations, CARB's Scoping Plan, and the City's Climate Action Plan adopted in December 2015. The increase in employment as well as more dispersed housing in comparison to the GPU would increase vehicle miles traveled and related GHG emissions in comparison to the GPU. This alternative, however, reduces the total housing units by approximately 13,000 units, which would reduce GHG emissions. In comparison to the No Project alternative, however, the GPU contains policies that would encourage mixed use and infill development near focus areas and major travel corridors and would ultimately reduce VMT within the City. Overall GHG emissions would likely be greater under the No Project Alternative, and as with the proposed project would be significant and unavoidable.	This alternative reduces new housing development and other non-residential development in two focus areas: 55 Freeway /Dyer Road and South Bristol Street. It would result in fewer residents and employees in comparison to the GPU. This alternative would reduce VMT in comparison to the GPU as well as reduce GHG emissions generated by building energy use. Overall, this alternative would reduce GHG impacts relative to the GPU, but the GHG impact would remain significant and unavoidable.	This alternative would limit new development in the City to reflect consistency with the 2020 RTP/SCS projections. It would substantially reduce housing units and population, and moderately increase non-residential uses and employees. It would reduce VMT generated GHG emissions as well as building energy emissions. It would decrease GHG emissions compared to the GPU, but the GHG impact would remain significant and unavoidable.
	<b>GT</b>	<b>LT (impact would remain significant)</b>	<b>LT (impact would remain significant)</b>
<b>Hazards and Hazardous Materials</b>	As with the GPU, the transport, use and storage of hazardous materials would be mitigated by comprehensive regulations. Similarly, airport-related safety hazards would be mitigated by compliance with regulations and the County's Airport Land Use Commission.  The overall hazards impacts would therefore be similar to the GPU, and as with the GPU, would be less than significant.	As with the GPU, the transport, use and storage of hazardous materials would be mitigated by comprehensive regulations. Similarly, airport-related safety hazards would be mitigated by compliance with regulations and the County's Airport Land Use Commission.  The overall hazards impacts would therefore be similar to the GPU, and as with the GPU, would be less than significant.	As with the GPU, the transport, use and storage of hazardous materials would be mitigated by comprehensive regulations. Similarly, airport-related safety hazards would be mitigated by compliance with regulations and the County's Airport Land Use Commission.  The overall hazards impacts would therefore be similar to the GPU, and as with the GPU, would be less than significant.
	<b>S</b>	<b>S</b>	<b>S</b>



### 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
<b>Hydrology and Water Quality</b>	<p>In comparison to the GPU, the No Project alternative would be similarly characterized by infill development in a relatively built out City. Therefore, impacts to hydrology and water quality would be minimal. Furthermore, the open space and park areas would remain under the No Project alternative.</p> <p>As with the GPU, development under the current General Plan would be subject to the myriad of regulations that control potential flooding and water quality impacts. These include NPDES, which regulates discharges into waters of the United States and mandates MS4 permits (regulating municipal storm sewer systems) and Storm Water Pollution Prevention Plans (SWPPPs) requiring implementation of best management practices for potential surface water and water quality impacts related to project construction. Additionally, the No Project alternative would be subject to flood hazard development reviews in compliance with Chapter 7 (Floodplain Management Regulations) of the City's municipal code. Hydrology impacts, therefore, would be similar to the GPU.</p>	<p>The reduced intensity alternative is a reduced version of the GPU. It would reduce new housing development and other non-residential development in two focus areas: 55 Freeway /Dyer Road and South Bristol Street. These areas are already developed and decreasing the intensity of development in these areas would not be expected to measurably alter pervious area and related stormwater runoff. As with the GPU, this alternative would comply with the same regulations summarized under the No Project/Current Impacts would be similar to the GPU.</p>	<p>The substantial reduction in development potential under the RTP/SCS alternative would reduce land disturbance and potentially preserve more existing pervious land area, thereby decreasing stormwater flows relative to the GPU. This reduction, however, would likely be minimal and not change the overall level of the hydrology and water quality impact in comparison to the GPU. The 2020 RTP Consistency alternative would comply with the regulations as summarized under the No Project/Current General Plan alternative. These regulations would mitigate the hydrology and water quality impact to less than significant. Impacts would be similar to the GPU.</p>
	<b>S</b>	<b>S</b>	<b>S</b>
<b>Land Use and Planning</b>	<p>As with the GPU, the No Project alternative would divide established communities and comply with the Airport Environs Land Use Plan (AELUP).</p> <p>The No Project alternative, however, lacks policies (and related land use changes) that promote the goals of SCAG's 2020-2045 RTP/SCS such as:</p> <ul style="list-style-type: none"> <li>• Encouraging the development of diverse housing types in areas that are supported by multiple transportation options.</li> <li>• Supporting healthy and equitable communities.</li> <li>• Increasing person and goods movement and travel choices within the transportation system.</li> <li>• Reduce greenhouse gas emissions and improve air quality.</li> <li>• Adapt to a changing climate and support an integrated regional development pattern and transportation network.</li> </ul>	<p>As with the GPU, the No Project alternative would divide established communities and would comply with the Airport Environs Land Use Plan (AELUP).</p> <p>This alternative reduces new housing development and other non-residential development in two focus areas: 55 Freeway /Dyer Road and South Bristol Street. Under the GPU, these focus areas were designed to introduce higher intensity urban development and take advantage of their locations relative to mass transit improvements and service and existing opportunities to integrate and expand other major activity areas (South Coast Metro).</p>	<p>As with the GPU, the No Project alternative would divide established communities and would comply with the Airport Environs Land Use Plan (AELUP).</p> <p>Although developed to be consistent with the RTP/SCS population and housing projections (to eliminate the significant population impact of the GPU), this alternative, coincidentally would not be nearly as effective as the proposed GPU in achieving the regional RTP/SCS goals and objectives (as described under the No Project alternative). It would not provide the opportunities to optimize multi-modal transportation and new mixed-use, urban communities. Overall, this alternative would increase land use and planning impacts.</p>

### 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
	The GPU evolved to concentrate development in new areas to take advantage of mass transit and provide for mixed- use opportunities. Furthermore, the updated <u>circulation mobility</u> element aimed at creating complete streets across the City to promote multi-modal transportation and decrease VMT. Therefore, the No Project alternative would have a greater impact to land use and planning.	The substantial reduction in opportunities for these areas would not as effectively meet the City's land use objectives of the regional RTP/SCS goals. Overall, this alternative would increase land use and planning impacts.	
	<b>GT</b>	<b>GT</b>	<b>GT</b>
<b>Mineral Resources</b>	Given that the entire City does not have mineral resource sectors and no active or inactive mines, implementation of the No Project alternative, similar to the GPU, would not cause a loss of availability of known mineral resources. Overall, the impact to mineral resources would be similar to the GPU and would be less than significant.	This alternative, similar to the No Project/Current General Plan alternative and the GPU, would have less than significant impacts to mineral resources.	This alternative, similar to the No Project/Current General Plan alternative and the GPU, would have less than significant impacts to mineral resources.
	<b>S</b>	<b>S</b>	<b>S</b>
<b>Noise</b>	The No Project alternative would result in a substantial increase in employment as well as more dispersed housing in comparison to the GPU. Approximately 13,000 fewer housing units would be constructed. Therefore, this alternative may increase vehicle miles traveled, and related traffic noise impacts. The higher anticipated building square footage under the No Project alternative would result in more construction activity, but the construction activity would be more spread out. Construction-related noise is a highly localized impact and the severity of impacts depends on the equipment used, distance to nearby sensitive receptors, time of day, and overall duration of construction. Impacts would be similar to the GPU. As with the GPU, both construction and traffic noise impacts would be significant and unavoidable.	The reduction of both housing units and jobs would reduce both construction noise and traffic-related impacts for the Reduced Intensity alternative. Although these impacts would be decreased, particularly in the 55 Freeway/Dyer Road and South Bristol Street focus areas, it is not anticipated that impacts would be reduced to less than significant, and these impacts would remain significant and unavoidable.	This alternative limits new development in the City to reflect consistency with the 2020 RTP/SCS projections. This alternative would result in a substantial reduction in residents and a slight increase in employees in the City, which would reduce both construction noise and traffic-related impacts. Although these impacts would be decreased, it is not anticipated that impacts could be reduced to less than significant, and these impacts would remain significant and unavoidable.
	<b>S</b>	<b>LT (construction and traffic noise, however, would remain significant)</b>	<b>LT (construction and traffic noise, however, would remain significant)</b>

### 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
<b>Population and Housing</b>	The No Project alternative would result in an 11 percent decrease in population at buildout in comparison to the GPU. However, like the GPU, the population and household projections for the No Project alternative exceed the Orange County regional council of governments (COG) and the 2020/2045 RTP/SCS projections and would result in a significant and unavoidable impact.	The reduced intensity would reduce new housing development and other non-residential development in two focus areas: 55 Freeway /Dyer Road and South Bristol Street. This alternative would reduce population by 5,383 persons and housing units by 19,825 units in comparison to the GPU. The resultant population and housing 2045 projections would still substantially exceed the Orange County COG and 2020/2045 RTP/SCS projections for the City. Therefore, population growth would be substantial and similar to the GPU and would be significant and unavoidable.	This alternative reduces population growth in the City so that the 2045 population is less than the population projected by the Orange County COG and the 2020-2045 RTP/SCS. The Orange County COG projects a 2045 population of 360,077 for the City while the 2020-2045 RTP/SCS projects a population of 360,100. Therefore, population and housing impacts associated with this alternative is less than the GPU. Additionally, this impact reduces a significant and unavoidable impact to less than significant.
	<b>LT (the population impact would remain significant)</b>	<b>LT (the population impact would remain significant)</b>	<b>LT (eliminates a significant and unavoidable impact)</b>
<b>Public Services</b>	Relative to the GPU, the No Project alternative would result in an approximate 7 percent increase in employment opportunities and an 11 percent decrease in residents citywide. Since employment centers generate fewer calls for police and fire services than residential uses and do not directly generate increased school or library needs, public service impacts would be reduced under the No Project alternative relative to the GPU.	This alternative would reduce development capacity in the 55 Fwy/Dyer Road and South Bristol Street focus areas. The land use change would result in a 5,383 reduction in housing units and a population reduction of 19,825 Citywide. Public service demands, therefore, would be reduced, although not substantially, relative to the proposed GPU.	In comparison to the GPU, this alternative would reduce population by 18% percent and would result in a very slight increase in employment (1 percent) citywide. Since employment centers generate fewer calls for police and fire services and do not directly generate increased school or library needs this alternative would reduce service demands and overall impacts relative to the GPU.
	<b>LT</b>	<b>LT</b>	<b>LT</b>
<b>Recreation</b>	The No Project alternative would reduce the resident population by 11 percent compared to the GPU which would reduce the open space and recreational facility demand relative to the GPU. Overall, similar to the GPU, impacts of this alternative to recreation would be less than significant.	This alternative would substantially reduce development within the 55 Freeway /Dyer and South Bristol St. focus area relative to the GPU. Combined, housing units within these two areas would be reduced 5,383 units, resulting in an overall City population decrease of approximately 5 percent	This alternative would reduce population by 18 percent and would result in a decrease in demand on existing parks and a decreased need for new parks compared to the GPU. The reduced housing units and related recreation facility demand would be distributed through all the focus areas and several of the Specific Plan areas under this alternative.

### 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
		compared to the GPU. This alternative would particularly reduce recreation demand within the respective focus areas. Overall the recreation impact would be less than the GPU.	
	<b>LT</b>	<b>LT</b>	<b>LT</b>
<b>Transportation and Traffic</b>	As detailed in the Traffic Impact Study, the Vehicle Miles Traveled (VMT) for the 2045 No Project scenario for the City is 12,163,794 (with a VMT/SP of 22.8). The VMT for the City in 2045 with the implementation of the GPU is 1,518,959 (with a VMT/SP of 20.3). Several factors would result in a greater VMT impact for the No Project alternative in comparison to the GPU. The No Project alternative has more non-residential square footage and lower density residential uses. In comparison, the GPU was developed to optimize multi-modal transportation and introduces higher density residential and mixed-use land uses proximate to mass transit opportunities. In addition to land use changes, numerous new policies facilitate reduced auto trips and improved alternative transportation improvements. The VMT for the No Project alternative would increase impacts relative to the GPU. It would result in a VMT/SP of 22.8 compared to 20.3 for the GPU. Since 22.8 exceeds the significance threshold of 22.0 adopted by the City, it would result in a significant new impact.	In comparison to the GPU, this alternative would reduce housing and non-residential uses in the South Bristol Street and 55 Freeway/Dyer Road focus areas and result in a decrease in the VMT/SP.	Because this alternative would reduce population by approximately 18 percent and result in a slight increase in employment (1 percent) in comparison to the GPU, it would be expected to reduce total VMT. Although total VMT would be reduced, this alternative would be expected to increase VMT/SP the metric used to determine the significance of transportation impacts. The reduction in housing would reduce opportunities in areas under adopted Specific Plans and focus areas that have been planned to maximize multi-modal opportunities, thereby reducing VMT/SP. VMT/SP would be greater than the proposed GPU, thereby increasing transportation impacts relative to the proposed GPU. If the VMT/SP exceeded 20.3, it would introduce a new significant impact. Without extensive modeling, it is unknown the actual VMT/SP that would result. Unlike the No Project alternative, however, this alternative would be assumed to include the new transportation-related policies in the GPU and the updated <u>Circulation-Mobility</u> Element that would serve to reduce VMT/SP.
	<b>GT</b> (introduces a new significant impact in comparison to the GPU)	<b>LT</b>	<b>GT</b>
<b>Tribal Cultural Resources</b>	In comparison to the GPU, the No Project alternative would be characterized by less dense residential development on larger lots and increased non-residential square footage. However, the GPU introduces more housing units in the focus areas resulting in similar land disturbance overall and thus a similar potential to impact tribal cultural resources. The 1997 GP Land Use Element EIR does not include a discussion of tribal cultural resources, but any development pursuant to the No Project alternative that would require a General Plan amendment would need to abide	This alternative would result in less growth in the 55 Freeway/Dyer Road and South Bristol Street focus areas with all other assumptions remaining the same. Therefore, this alternative would have a slightly less impact on land disturbance and subsequently on tribal cultural resources.	This alternative includes a growth cap on development in the City compared to the GPU. Less development would equate to less land disturbance and slightly decreased impacts to tribal cultural resources.

## 3. Revisions to the Draft PEIR

**Table 7-7 Environmental Impact Comparison**

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
	by the regulatory requirements of AB 52 and the cultural resources mitigation measures in the 1997 GP Land Use Element EIR. As with the GPU, tribal cultural resource impacts would be mitigated to less than significant.		
	<b>S</b>	<b>LT</b>	<b>LT</b>
<b>Utilities and Service Systems</b>	<p>Relative to the GPU, the No Project alternative would include increase non-residential square footage and decrease dwelling units citywide. Since residential use is associated with a higher water demand, and higher sewage generation the No Project alternative would result in an overall decrease of approximately 38% in demand for these services compared to the GPU.</p> <p>Additionally, the No Project alternative would generate 4.5 million pounds per day of solid waste at buildout, which is 43% more than the GPU since non-residential use generates more solid waste than residential use. This additional waste generation could still be accommodated by the existing landfills.</p> <p>Furthermore, this alternative would result in a minimal increase to electricity use and a 3% decrease in natural gas use compared to the GPU.</p> <p>Since the No Project alternative would decrease water demand, wastewater generation, and natural gas consumption and would increase solid waste generation. Impacts of this alternative are less than the GPU.</p>	This alternative would reduce population and jobs by approximately 5 percent in comparison to the GPU. It would therefore, reduce utility impacts, although not substantially, relative to the proposed project.	This alternative would reduce housing by 27 percent, non-residential square footage by approximately 1 percent. Therefore water demand, wastewater generation, solid waste generation, and electricity and natural gas demands would all be less for this alternative.
	<b>LT</b>	<b>LT</b>	<b>LT</b>

3. Revisions to the Draft PEIR

Table 7-7 Environmental Impact Comparison

Impact	No Project/Current General Plan Alternative	Reduced Intensity Alternative	2020 RTP Consistency Alternative
Wildfire	The nearest Fire Hazard Safety Zone to the City is about 3.8 miles at the southern tip of the Peters Canyon Regional Park. Therefore, the City is not in or near state responsibility areas or lands classified as very high fire hazard severity zones. Additionally, no area within the City is a Wildland-Urban Interface. Therefore, this alternative, like the GPU, would have no impacts	This alternative, similar to the No Project/Current General Plan alternative and the GPU, would have less than significant impacts from wildfires.	This alternative, similar to the No Project/Current General Plan alternative and the GPU, would have less than significant impacts from wildfires.
	S	S	S

### 3. Revisions to the Draft PEIR

Page 9-2, Chapter 9, Growth-Inducing Impacts of the Proposed Project. The Circulation Element has been renamed to the “Mobility Element” as part of the updates to the proposed General Plan Update policies.

- Buildout of roadways in the City per roadway classifications in the proposed GPU ~~Circulation~~ Mobility Element would increase roadway capacity in some areas to maintain adequate levels of service and would also improve roadways with multimodal amenities and features to promote pedestrian, bicycle, and transit use. This would allow for more efficient multimodal transportation network throughout the City and would promote the development of land near these enhanced roadways. Proposed roadway classifications and their impacts are described in Section 5.16, *Transportation and Traffic*.

#### 3.2.3 Changes to GPU Buildout Methodology

Minor changes were made to the buildout methodology shown in Appendix B-b, *Santa Ana General Plan Buildout Methodology*, of the Draft PEIR. The changes do not affect any buildout numbers cited in the Draft PEIR or used in the environmental analysis. Appendix F, *Changes Made to the Santa Ana General Plan Buildout Methodology*, of the FEIR will replace Appendix B-b of the Draft PEIR. Appendix F includes tracked changes for easy reference.

### 3.3 DRAFT PEIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the Draft PEIR.

Pages 1-6 and 1-7, Section 1.4.1, General Plan Update. The following changes are made in response to Comment O13-15, from Adolfo Sierra, Interim President, Madison Park Neighborhood Association.

**Table 1-1 Proposed Land Use Designations and Statistics**

Land Use Designation	Acres	% of Total
<b>Grand Avenue/17th Street</b>	<b>171.5</b>	<b>—</b>
District Center	23.7	13.8
General Commercial	19.9	11.6
Industrial/Flex	7.1	4.1
Open Space	1.1	0.6
Urban Neighborhood	119.7	69.8
<b>55 Freeway/Dyer Road</b>	<b>354.5</b>	<b>—</b>
District Center	158.0	44.6
General Commercial	68.0	19.2
Industrial/Flex	127.4	35.9
Open Space	1.1	0.3
<b>South Bristol Street</b>	<b>199.9</b>	<b>—</b>
District Center	108.3	54.2
Open Space	6.0	3.0
Urban Neighborhood	85.7	42.9

### 3. Revisions to the Draft PEIR

**Table 1-1 Proposed Land Use Designations and Statistics**

Land Use Designation	Acres	% of Total
<b>South Main Street</b>	<b>312.2</b>	<b>—</b>
Industrial/Flex	29.0	9.3
Institutional	19.2	<del>66.1</del> 6.1
Low Density Residential	162.3	<del>845.8</del> 52.0
Urban Neighborhood	101.7	<del>62.7</del> 32.6
<b>West Santa Ana Boulevard</b>	<b>481.6</b>	<b>—</b>
Corridor Residential	10.0	2.1
General Commercial	21.5	4.5
Industrial/Flex	87.9	18.3
Institutional	45.5	9.4
Low Density Residential	108.1	22.4
Low-Medium Density Residential	6.8	1.4
Medium Density Residential	27.0	5.6
Open Space	133.6	27.7
Professional and Administrative Office	6.2	1.3
Urban Neighborhood	35.0	7.3
<b>Balance of City</b>	<b>11,598.8</b>	<b>—</b>
District Center	124.2	1.1
General Commercial	424.2	3.7
Industrial	2,159.6	18.6
Institutional	886.7	7.6
Low Density Residential	6,173.3	53.2
Low-Medium Density Residential	429.0	3.7
Medium Density Residential	335.3	2.9
One Broadway Plaza District Center	4.1	0.0
Open Space	793.8	6.8
Professional and Administrative Office	260.4	2.2
Urban Neighborhood	4.1	0.0
Not Specified	4.1	0.0
<b>Total</b>	<b>13,118.5</b>	<b>100%</b>

Source: Figures aggregated and projected by PlaceWorks, 2020.



## 3. Revisions to the Draft PEIR

Page 1-22, Table 1.4, Summary of Environmental Impacts, Mitigation Measures, and Levels of Significance After Mitigation. The following changes are made in response to Comment O1-3, from Joyce Stanfield Perry, Juaneño Band of Mission Indians.

**Table 1-4 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
<b>Impact 5.4-2:</b> Development in accordance with the General Plan Update could impact archaeological resources	Potentially significant	<p>CUL-4 For projects with ground disturbance—e.g., grading, excavation, trenching, boring, or demolition that extend below the current grade—prior to issuance of any permits required to conduct ground-disturbing activities, the City shall require an Archaeological Resources Assessment be conducted under the supervision of an archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards in either prehistoric or historic archaeology.</p> <p>Assessments shall include a California Historical Resources Information System records search at the South Central Coastal Information Center and of the Sacred Land Files maintained by the Native American Heritage Commission. The records searches will determine if the proposed project area has been previously surveyed for archaeological resources, identify and characterize the results of previous cultural resource surveys, and disclose any cultural resources that have been recorded and/or evaluated. If unpaved surfaces are present within the project area, and the entire project area has not been previously surveyed within the past 10 years, a Phase I pedestrian survey shall be undertaken in proposed project areas to locate any surface cultural materials that may be present.</p>	Less than significant
		<p>CUL-5 If potentially significant archaeological resources are identified, and impacts cannot be avoided, a Phase II Testing and Evaluation investigation shall be performed by an archaeologist who meets the Secretary of the Interior's Standards to determine significance prior to any ground-disturbing activities. If resources are determined significant or unique through Phase II testing, and site avoidance is not possible, appropriate site-specific mitigation measures shall be undertaken. These might include a Phase III data recovery program implemented by a qualified archaeologist and performed in accordance with the Office of Historical Preservation's "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format" (OHP 1990) and "Guidelines for Archaeological Research Designs" (OHP 1991).</p>	
		<p>CUL-6 If the archaeological assessment did not identify archaeological resources but found the area to be highly sensitive for archaeological resources, a qualified archaeologist and a Native American monitor approved by a California Native American Tribe identified by the Native American Heritage Commission as culturally affiliated with the project</p>	

### 3. Revisions to the Draft PEIR

**Table 1-4 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><u>area</u> shall monitor all ground-disturbing construction and pre-construction activities in areas <del>with previously undisturbed soil</del> of high sensitivity. The archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. <u>The Native American monitor shall be invited to participate in this training.</u> In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the resources are evaluated for significance by an archaeologist who meets the Secretary's Standards. <del>and This will include tribal consultation and coordination with the Native American monitor shall be conducted</del> in the case of a <u>prehistoric archaeological resource</u> or tribal resource. If the discovery proves to be significant, the long-term disposition of any collected materials should be determined in consultation with the affiliated tribe(s), where relevant; this could include curation with a recognized scientific or educational repository, transfer to the tribe, or respectful reinternment in an area designated by the tribe.</p> <p>CUL-7 If an Archaeological Resources Assessment does not identify potentially significant archaeological resources but the site has moderate sensitivity for archaeological resources (Mitigation Measure CUL-4), an archaeologist who meets the Secretary's Standards shall be retained on call. The archaeologist shall inform all construction personnel prior to construction activities about the proper procedures in the event of an archaeological discovery. The pre-construction training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the on-call archaeologist is contacted. The resource shall be evaluated for significance and tribal consultation shall be conducted, in the case of a tribal resource. If the discovery proves to be significant, the long-term disposition of any collected materials should be determined in consultation with the affiliated tribe(s), where relevant.</p>	

## 3. Revisions to the Draft PEIR

Page 1-25, Table 1.4, Summary of Environmental Impacts, Mitigation Measures, and Levels of Significance After Mitigation. The following text is added in response to Comment O13-13, from Adolfo Sierra, Interim President, Madison Park Neighborhood Association.

**Table 1-4 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
<b>Impact 5.7-1:</b> Implementation of the proposed General Plan Update would result in a decrease in GHG emissions in horizon year 2045 from existing baseline but may not meet the long-term GHG reduction goal under Executive Order S-03-05.	Potentially significant	<p>GHG-1 The City of Santa Ana shall update the Climate Action Plan (CAP) every five years to ensure the City is monitoring the plan's progress toward achieving the City's greenhouse gas (GHG) reduction target and to require amendment if the plan is not achieving the specified level. The update shall consider a trajectory consistent with the GHG emissions reduction goal established under Executive Order S-03-05 for year 2050 and the latest applicable statewide legislative GHG emission reduction that may be in effect at the time of the CAP update (e.g., Senate Bill 32 for year 2030). The CAP update shall include the following:</p> <ul style="list-style-type: none"> <li>■ GHG inventories of existing and forecast year GHG levels.</li> <li>■ Tools and strategies for reducing GHG emissions to ensure a trajectory with the long-term GHG reduction goal of Executive Order S-03-05.</li> <li>■ Plan implementation guidance that includes, at minimum, the following components consistent with the proposed CAP: <ul style="list-style-type: none"> <li>▪ Administration and Staffing</li> <li>▪ Finance and Budgeting</li> <li>▪ Timelines for Measure Implementation</li> <li>▪ Community Outreach and Education</li> <li>▪ Monitoring, Reporting, and Adaptive Management</li> <li>▪ Tracking Tools</li> </ul> </li> </ul> <p><u>Furthermore, the following measures will be considered when the City updates the Climate Action Plan:</u></p> <ul style="list-style-type: none"> <li>■ <u>Measures to protect the most vulnerable populations</u></li> </ul>	Significant and unavoidable

### 3. Revisions to the Draft PEIR

**Table 1-4 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"> <li>■ <u>Measure to increase carbon sinks</u></li> <li>■ <u>Standards for electric vehicle parking</u></li> <li>■ <u>Standards for construction projects</u></li> </ul>	

Pages 3-1, Section 3.2, Statement of Objectives. The following changes are made in response to Comment I25-18, from Manuel Escamilla.

- **Health.** The people of Santa Ana value a physical environment that encourages healthy lifestyles, a planning process that ensures that health impacts are considered, and a community that actively pursues policies and practices that improve the health of our residents.
- **Equity.** Residents value taking all necessary steps to ensure equitable outcomes, expanding access to the tools and resources that residents need, and balancing competing interests in an open and democratic manner.
- **Sustainability.** Santa Ana values land use decisions that benefit future generations, plans for the impacts of climate change, and incorporates sustainable design practices at all levels of the planning process.
- **-Culture.** The Santa Ana's community values efforts that celebrate our differences as a source of strength, preserve and build upon existing cultural resources, and nurture a citywide culture of empowered residents.
- **Education.** Santa Ana values the creation of lifelong learners, the importance of opening up educational opportunities to all residents, and investing in educational programs that advance residents' economic well-being.

### 3. Revisions to the Draft PEIR

Pages 3-36, Section 3.3.2, Description of the Project. The following changes are made in response to Comment A17-20, from the Orange County Transportation Authority.

The circulation element update incorporates the proposed Santa Ana-Garden Grove Fixed Guideway project, which will introduce new transit service to the city. Santa Ana is working with Garden Grove and Orange County Transit Authority to build a fixed guideway system called the OC Streetcar. Expected to begin operations in ~~2022~~ 2024, the OC Streetcar will link the Santa Ana Regional Transportation Center to a new multimodal hub at Harbor Boulevard/Westminster Avenue in Garden Grove (see Figure 3-10, *Master Plan of Transit*). OC Streetcar will serve historic downtown Santa Ana and Civic Center. Along its four-mile route, OC Streetcar will connect with 18 Orange County Transit Authority bus routes and increase transportation options along Santa Ana Boulevard, 4th Street, the Pacific Electric right-of-way, and Harbor Boulevard.

Pages 3-29, Section 3.3.2.1, Updated Land Use Element. The following changes are made in response to Comment O13-15, from Adolfo Sierra, Interim President, Madison Park Neighborhood Association.

**Table 3-5 Proposed Land Use Designations and Statistics**

Land Use Designation	Acres	% of Total
<b>Grand Avenue/17th Street</b>	<b>171.5</b>	<b>100%</b>
District Center	23.7	13.8
General Commercial	19.9	11.6
Industrial/Flex	7.1	4.1
Open Space	1.1	0.6
Urban Neighborhood	119.7	69.8
<b>55 Freeway/Dyer Road</b>	<b>354.5</b>	<b>100%</b>
District Center	158.0	44.6
General Commercial	68.0	19.2
Industrial/Flex	127.4	35.9
Open Space	1.1	0.3
<b>South Bristol Street</b>	<b>199.9</b>	<b>100%</b>
District Center	108.3	54.2
Open Space	6.0	3.0
Urban Neighborhood	85.7	42.9
<b>South Main Street</b>	<b>312.2</b>	<b>100%</b>
Industrial/Flex	29.0	9.3
Institutional	19.2	<del>66.4</del> 6.1
Low Density Residential	162.3	<del>845.8</del> 52.0
Urban Neighborhood	101.7	<del>62.7</del> 32.6
<b>West Santa Ana Boulevard</b>	<b>481.6</b>	<b>100%</b>
Corridor Residential	10.0	2.1
General Commercial	21.5	4.5
Industrial/Flex	87.9	18.3
Institutional	45.5	9.4
Low Density Residential	108.1	22.4
Low-Medium Density Residential	6.8	1.4
Medium Density Residential	27.0	5.6
Open Space	133.6	27.7
Professional and Administrative Office	6.2	1.3

### 3. Revisions to the Draft PEIR

**Table 3-5 Proposed Land Use Designations and Statistics**

Land Use Designation	Acres	% of Total
Urban Neighborhood	35.0	7.3
<b>Balance of City</b>	<b>11,598.8</b>	<b>100%</b>
District Center	124.2	1.1
General Commercial	424.2	3.7
Industrial	2,159.6	18.6
Institutional	886.7	7.6
Low Density Residential	6,173.3	53.2
Low-Medium Density Residential	429.0	3.7
Medium Density Residential	335.3	2.9
One Broadway Plaza District Center	4.1	0.0
Open Space	793.8	6.8
Professional and Administrative Office	260.4	2.2
Urban Neighborhood	4.1	0.0
Not Specified	4.1	0.0
<b>TOTAL</b>	<b>13,118.5</b>	<b>—</b>

Source: Figures aggregated and projected by PlaceWorks, 2020.

Pages 5.2-16, Section 5.2.1, Existing Conditions. The following text is updated in response to Comment O13-8, from Aldolfo Sierra, Interim President, Madison Park Neighborhood Association.

Some land uses are considered more sensitive to air pollution 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. Land uses identified in environmental justice areas on CalEnviroScreen 3.0 may be disproportionately affected by and vulnerable to poor air quality. Figure CD-3 of the General Plan Update identify environmental justice areas within the City.

Pages 5.2-28, Section 5.2.4.2, Impacts of the Environment on a Project. The following text is updated in response to Comment O13-4, from Aldolfo Sierra, Interim President, Madison Park Neighborhood Association.

- **Policy LU-3.11 Air Pollution Buffers.** Promote landscaping and other buffers to separate existing sensitive uses from rail lines, heavy industrial facilities, and other emissions sources. As feasible, apply more substantial buffers within environmental justice area boundaries.
- **Policy LU-3.12 Indoor Air Quality.** Require new sensitive land uses proposed in areas with high levels of localized air pollution to achieve good indoor air quality through landscaping, ventilation systems, or other measures.

### 3. Revisions to the Draft PEIR

Page 5.4-18, Section 5.4.1.2, Existing Conditions. The following text is updated in response to Comment I20-19, from Diane Fradkin.

#### *Grand Avenue / 17th Street*

This irregularly shaped area follows Grand Avenue from just north of 1st Street to the City boundary north of Fairhaven Avenue. It is broken into two parts by Interstate 5. ~~A mixed-use corridor with three lanes of traffic in each direction, Grand Avenue, a mixed-use corridor,~~ is characterized primarily by buildings dating from the postwar period and by large swaths of paved surface parking and other open space. The preliminary desktop survey suggests that this area has a low potential for built environment historical resources.

Page 5.4-30, Section 5.4.6, Mitigation Measures. The following changes are made in response to Comment O1-3, from Joyce Stanfield Perry, Juaneño Band of Mission Indians.

CUL-6      If the archaeological assessment did not identify archaeological resources but found the area to be highly sensitive for archaeological resources, a qualified archaeologist and a Native American monitor approved by a California Native American Tribe identified by the Native American Heritage Commission as culturally affiliated with the project area shall monitor all ground-disturbing construction and pre-construction activities in areas ~~with previously undisturbed soil~~ of high sensitivity. The archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. The Native American monitor shall be invited to participate in this training. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the resources are evaluated for significance by an archaeologist who meets the Secretary's Standards. ~~and This will include tribal consultation and coordination with the Native American monitor shall be conducted~~ in the case of a prehistoric archaeological resource or tribal resource. If the discovery proves to be significant, the long-term disposition of any collected materials should be determined in consultation with the affiliated tribe(s), where relevant; this could include curation with a recognized scientific or educational repository, transfer to the tribe, or respectful reinternment in an area designated by the tribe.

### 3. Revisions to the Draft PEIR

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Page 5.7-39, Section 5.7.7, Mitigation Measures. The following text is added in response to Comment O13-13, from Adolfo Sierra, Interim President, Madison Park Neighborhood Association.

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#### 5.7.7 Mitigation Measures

##### Impact 5.7-1

GHG-1 The City of Santa Ana shall update the Climate Action Plan (CAP) every five years to ensure the City is monitoring the plan's progress toward achieving the City's greenhouse gas (GHG) reduction target and to require amendment if the plan is not achieving the specified level. The update shall consider a trajectory consistent with the GHG emissions reduction goal established under Executive Order S-03-05 for year 2050 and the latest applicable statewide legislative GHG emission reduction that may be in effect at the time of the CAP update (e.g., Senate Bill 32 for year 2030). The CAP update shall include the following:

- GHG inventories of existing and forecast year GHG levels.
- Tools and strategies for reducing GHG emissions to ensure a trajectory with the long-term GHG reduction goal of Executive Order S-03-05.
- Plan implementation guidance that includes, at minimum, the following components consistent with the proposed CAP:
  - Administration and Staffing
  - Finance and Budgeting
  - Timelines for Measure Implementation
  - Community Outreach and Education
  - Monitoring, Reporting, and Adaptive Management
  - Tracking Tools

Furthermore, the following measures will be considered when the City updates the Climate Action Plan:

- Measures to protect the most vulnerable populations
- Measure to increase carbon sinks
- Standards for electric vehicle parking
- Standards for construction projects



## 3. Revisions to the Draft PEIR

Page 5.8-7, Section 5.8.1.1, Regulatory Background. The following text is added in response to Comment A5-2, from Orange County Public Works.

The OCHCA is charged with the responsibility of conducting compliance inspections of regulated facilities in Orange County. Regulated facilities are those that handle hazardous materials, generate or treat hazardous waste, and/or operate an underground storage tank. Non-petroleum USTs receive oversight from OCHCA through the Orange County UST Program (OCUST). All new installations of underground storage tanks require an inspection, along with the removal of the old tanks under strict chain-of-custody protocol.

Page 5.8-23 to 5.8-25, Table 5.8-5, Hazardous Materials Sites in the Plan Area: Open Cases. The following entries are added in response to Comment A5-2, from Orange County Public Works.

**Table 5.8-5 Hazardous Materials Sites in the Plan Area: Open Cases**

Site Name	Address	Type Of Site	Cleanup Status
<b>Plan Area</b>			
1300 Normandy Partners	1300 E. Normandy Pl.	Cleanup Program Site	Open – Inactive
7-Eleven Store #18167	1020 S. Bristol St.	LUST	Open – Site Assessment
Aeromil Engineering Co., Inc.	2344 Pullman St.	LUST	Open – Remediation
Aluminum Precision Products	2621 S. Susan St.	Cleanup Program Site	Open – Inactive
AMR Combs Fuel Farm	19301 Campus Dr.	LUST	Open – Remediation
Archies Texaco	4502 Westminster Ave.	LUST	Open – Site Assessment
ARCO #1047	2646 W. 1st St.	LUST	Open - Remediation
ARCO #3085	3361 S. Bristol St.	LUST	Open - Remediation
ARCO #5147	2245 S. Main St.	LUST	Open – Eligible for Closure
ARCO #6071	3414 S. Main St.	LUST	Open - Remediation
Barlen Enterprises Industrial Park	1410 E. St. Gertrude Pl.	Cleanup Program Site	Open – Assessment & Interim Remedial Action
Behr Process Corporation	3001 S. Yale St.	Cleanup Program Site	Open - Remediation
Bell Industries	1831 Ritchey St.	Cleanup Program Site	Open - Remediation
BFM Energy Products Corp.	2040 E. Dyer Rd.	Cleanup Program Site	Open - Remediation
Bristol Fiberlite Industries	401 E. Goetz Ave.	LUST	Open – Eligible for Closure
Cabrillo Park Shopping Center – Aztec Cleaners	1730 E. 17 <sup>th</sup> St.	Voluntary Cleanup Program	Open
Cherry Aerospace	1224 E. Warner Ave.	Cleanup Program Site	Open - Remediation
Chevron #9-1825	2261 N. Fairview St.	LUST	Open – Verification Monitoring
Circuit One	2103 S. Grand Ave.	Cleanup Program Site	Open – Remediation
CTC Global Facility	3901 S. Main St.	Cleanup Program Site	Open – Site Assessment
Diceon Electronics (Former)/Elexsys International Corp.	2215 S. Standard Ave.	Cleanup Program Site	Open – Site Assessment
Dyer Business Park	3107 Kilson Dr.	Cleanup Program Site	Open – Site Assessment
E-Z Serve #100841	2409 W. Edinger Ave.	LUST	Open – Verification Monitoring
Eco Gasoline	1131 S. Main St.	LUST	Open - Remediation

### 3. Revisions to the Draft PEIR

**Table 5.8-5 Hazardous Materials Sites in the Plan Area: Open Cases**

Site Name	Address	Type Of Site	Cleanup Status
El Modena Flood Channel Investigation	Esplanade Ave. & Fairhaven Ave.	Cleanup Program Site	Open – Site Assessment
Embee Plating	2144 S. Hathaway St.	Cleanup Program Site	Open - Remediation
Empire Auto	110 E. Dyer Rd.	Voluntary Cleanup Program	Open
Former Alcoa Composites/Tre Astech Facility	3030 S. Red Hill Ave.	Cleanup Program Site	Open - Remediation
Former Industrial Property	201 E. Stevens Ave.	Cleanup Program Site	Open – Site Assessment
Former Los Amigos Dry Cleaner	1312 W. Edinger Ave.	Cleanup Program Site	Open – Verification Monitoring
Former Unocal 76 SS #5247 (AKA Crevier BMW)	1500 Auto Mall Rd. (Formerly 2031 E. Edinger)	LUST	Open – Site Assessment
G & M Oil #24	3301 S. Bristol St.	LUST	Open – Verification Monitoring
Gallade Chemical Inc	1230 E. St. Gertrude Pl.	Cleanup Program Site	Open - Remediation
GE Plastics	1831 E. Carnegie Ave.	Cleanup Program Site	Open - Remediation
Guadalajara Tires	2501 Westminster	LUST	Open - Remediation
Gulf Station (Chevron #35-2689)	1606 S. Standard Ave.	LUST	Open – Assessment & Interim Remedial Action
Halladay Properties	3035 Halladay	Cleanup Program Site	Open – Site Assessment
Holchem Service Chemical Co.	1341 Maywood Ave., East	Cleanup Program Site	Open - Remediation
Humble Oil Station 7-8869	1440 Broadway	LUST	Open – Site Assessment
Isaac Main Plaza/Metro CW	1801 S. Main St.	LUST	Open – Verification Monitoring
Isaac, Inc. (Village Pnt & Bdy)	1734 W. 1st St.	LUST	Open – Eligible for Closure
ITT Cannon	666 E. Dyer Rd.	Cleanup Program Site	Open - Remediation
JMA Trust	3320 S. Yale St.	Cleanup Program Site	Open – Site Assessment
Key Cleaners	3033 S. Bristol St.	Cleanup Program Site	Open – Site Assessment
L&N Costume Services	1602 E. Edinger Ave.	Cleanup Program Site	Open – Site Assessment
Llyod Pest Control Upgradient VOC Plume	566 E. Dyer Rd.	Cleanup Program Site	Open - Inactive
Martin Aviation (Fuel Farm)	19331 S. Airport Way	LUST	Open - Remediation
Mobil #18-HCN	1351 E. Dyer Rd.	LUST	Open – Eligible for Closure
Newport Hydraulics	1716 S. Santa Fe St.	LUST	Open - Inactive
OCWD – South Basin	Hotel Terrace Dr.	Project	Open – Site Assessment
Orange County Fire Station #33	18992 Ike Jones Rd.	Cleanup Program Site	Open – Site Assessment
Orange County South Basin		Complex Site Cleanup Program Facility	
Orco Tools and Equipment	2100 Ritchey St.	LUST	Open - Remediation
SA Recycling	2002 W. 5th St.	Cleanup Program Site	Open – Eligible for Closure
Safety-Kleen	2120 S Yale St.	LUST	Open – Site Assessment
Santa Ana Tower F.A.A.	18990 Ike Jones Rd.	Cleanup Program Site	Open – Site Assessment
Shell #510 Former	510 N. Bristol St.	LUST	Open – Site Assessment
Shell Station #1202 (Former)	1202 E. Edinger Ave.	LUST	Open - Remediation
South Coast Auction	2202 S. Main St.	LUST	Open – Verification Monitoring
South Coast Business Center	3400-3500 Warner Ave.	Cleanup Program Site	Open - Remediation
SPS Technologies	2701 S. Harbor	Cleanup Program Site	Open - Remediation

## 3. Revisions to the Draft PEIR

**Table 5.8-5 Hazardous Materials Sites in the Plan Area: Open Cases**

Site Name	Address	Type Of Site	Cleanup Status
Thrifty Oil #008	704 N. Bristol St.	LUST	Open - Remediation
Thrifty Oil #015	2016 W. 17th St.	LUST	Open - Remediation
Thrifty Oil #150	1539 S. Standard Ave.	LUST	Open - Remediation
Thrifty Oil #376	801 N. Bristol St.	LUST	Open – Eligible for Closure
Troy Computer	2322 Pullman St.	Cleanup Program Site	Open - Site Assessment
Ultramar, Inc. Station #750	1501 S. Broadway	LUST	Open - Site Assessment
Universal Circuits	1720-1800 Newport Circle, East	Cleanup Program Site	Open - Site Assessment
Unocal #5356	1913 W. Edinger Ave.	LUST	Open – Verification Monitoring
Unocal #5422	1502 E. Edinger Ave.	LUST	Open - Remediation
Unocal #7470	114 S. Bristol St.	LUST	Open - Remediation
US Divers	3323 W. Warner Ave.	Cleanup Program Site	Open - Inactive
Waste Oil UST	3323 W. Warner Ave.	Cleanup Program Site	Open - Inactive
Wells Fargo Bank	2301 S. Main St.	LUST	Open – Site Assessment
West Coast Plating, Former	2525 S. Birch St.	Cleanup Program Site	Open – Inactive

Source: SWRCB 2020 and OCHCA 2020a and 2020b.

Page 5.8-30, Section 5.8.6, References. The following text is added in response to Comment A5-2, from Orange County Public Works.

Orange County Health Care Agency (OCHCA) 2020a, October 1 (accessed). Industrial Cleanup Program Cases Listed by City.

<https://www.ochealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=21840>.

———. 2020b, October 1 (accessed). Non-Petroleum UST Cases Listed by City.

<https://www.ochealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=21842>.

Page 5.12-26, Section 5.12.3.2, General Plan Update Policy. The following changes are made in response to Comment A4A-14, from City of Tustin/Shute, Mihaly and Weinberger.

### Noise Element

The noise element aims to establish measures that address current and future noise problems. The proposed GPU includes goals and policies intended to avoid or reduce noise-related impacts. In most cases, no one goal or policy itself is expected to completely avoid or reduce an identified potential environmental impact. However, the collective, cumulative mitigating benefits of the policies listed below are intended to reduce noise-related impacts. Specific goals and policies are discussed in Section 5.12.4, *Environmental Impacts*, to demonstrate how the policy would avoid or reduce the impact.

### 3. Revisions to the Draft PEIR

**Goal 1:** Ensure that existing and future land uses are compatible with current and projected local and regional noise conditions.

- **Policy 1.1. Noise Standards:** Utilize established Citywide Noise Standards and guidelines to inform land use decisions and guide noise management strategies.
- **Policy 1.2. Sound Design (Noise Element)–Encourage** Require functional ~~and attractive~~ designs to mitigate excessive noise levels to the City’s acceptable interior and exterior noise limits (e.g., through the use of noise barriers, setbacks, sound-rated building materials, or other methods). In designing such mitigation, encourage attractive designs.

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Page 5.12-45, Section 5.12.4.2, Environmental Impacts. The following changes are made in response to Comment A3-5, from Metrolink.

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In addition, future noise-sensitive land uses could be in areas that exceed the “Normally Acceptable” noise standards due to airport operations (see Figure 5.12-6 for airport noise contours) and due to railroad activity. Table 5.12-11 contains the calculated distances to the 65 dBA Ldn/CNEL contours from future railroad noise. The railroad noise contours are displayed graphically in Figures 5.12-7 through 5.12-10. The same methodology that was used to estimate existing railroad noise contours was used for future railroad activity. Though implementation of the proposed General Plan would not cause a direct increase in rail activity, future residential development could be placed within areas that would expose sensitive receptors to noise levels exceeding established standards. RR-NOI-1 and noise element policies 1.1, 1.2, 1.4, 2.1, 3.1, 3.2, and 3.3, and circulation element policies CE-4.8 and CE-5.2 would ensure that airplane and railroad noise affecting future noise-sensitive land uses is mitigated to acceptable levels. Furthermore, all future residential development projects or noise-sensitive land uses that are adjacent to SCRRA or other rail lines shall provide disclosure information to tenants or residents of potential noise issues.

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Page 5.13-4, Section 5.13.4, Environmental Impacts. The following changes are made in response to Comment I20-33, from Diane Furtado Fradkin.

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The purpose of the GPU is to provide orderly growth in the City of Santa Ana through the distribution, location, balance, and extent of land uses. Under the 2045 buildout scenario, the GPU would change the land use designations of ~~581.4~~ 839.7 acres of existing nonresidential land uses to residential uses (see Table 5.13-10). The proposed land use map (see Figure 3-7) identifies land use designations for a variety of housing types and provides for additional residential opportunities in areas that currently do not allow residential uses.

## 3. Revisions to the Draft PEIR

**Table 5.13-10 Existing and Proposed Land Use Designations**

Area	Existing Residential (Acres)	GPU Residential (Acres)	Increase (Acres)
Grand Avenue/17th Street	28.9 <u>29.1</u>	419.7 <u>143.4</u>	90.8 <u>114.3</u>
55 Freeway/Dyer Road	0 <u>18.7</u>	0 <u>44.6</u>	0 <u>25.9</u>
South Bristol Street	16.7	85.7 <u>194.0</u>	69.0 <u>177.3</u>
South Main Street	455.7 <u>159.2</u>	264.0	408.3 <u>104.8</u>
West Santa Ana Boulevard	457.7 <u>158.3</u>	476.9 <u>186.9</u>	49.2 <u>28.6</u>
Balance of City	6,647.9 <u>6,677.1</u>	6,941.7 <u>7,065.9</u>	293.8 <u>388.8</u>
<b>Total</b>			<b>584.1 <u>839.7</u></b>

Note: Existing residential acreage includes mixed use, Live/Work, multifamily residential, single-family residential, and mobile homes and trailer parks.  
Proposed GPU residential acreage includes the following land use designations: Corridor Residential, District Center, Urban Neighborhood, Low-Density Residential, Low- to Medium- Density Residential, and Medium-Density Residential.

Page 5.16-4, Section 5.16.1.1, Regulatory Background. The following text is added in response to Comment A7-7, from the Orange County Transportation Authority.

*Orange County Measure M*

Measure M (also called OC Go) was approved by Orange County voters in 1990. Measure M is the half-cent sales tax for transportation improvements first approved by Orange County voters in 1990 and renewed by voters for a 30-year extension in 2006 (Measure M2). The combined measures raise the sales tax in Orange County by one-half cent through 2041 to help alleviate traffic congestion. The measure raises the sales tax by one-half cent for 50 years (to 2041) for projects and programs that alleviate traffic congestion. To be eligible for Measure M2 funds, a general plan circulation element must be consistent with Measure M requirements. The element must contain a growth management program that includes LOS standards, monitoring program, development phasing with circulation improvements, and impact fees.

Key parts of the growth management program—including the standard for traffic circulation as LOS D—are incorporated into the circulation element. To achieve this standard, the City requires that new development pay its fair share of the street improvement costs associated with proposed projects, including improvements for regional traffic mitigation. A local jurisdiction must satisfy the following requirements:

- Comply with the conditions and requirements of the Orange County Congestion Management Program (CMP).
- Establish a policy which requires new development to pay its fair share of transportation related improvements associated with their new development.
- Adopt a General Plan Circulation Element consistent with the MPAH.

### 3. Revisions to the Draft PEIR

- Adopt and update a Capital Improvement Program (CIP).
- Participate in Traffic Forums.
- Adopt and maintain a Local Signal Synchronization Plan (LSSP).
- Adopt and update biennially a Pavement Management Plan (PMP).
- Adopt and provide an annual Expenditure Report to OCTA.
- Provide OCTA with a Project Final Report within six months following completion of a project funded with Net Revenues.
- Agree to expend Net Revenues received through M2 within three years of receipt.
- Satisfy Maintenance of Effort (MOE) requirements.
- Agree that Net Revenues shall not be used to supplant developer funding.
- Consider, as part of the eligible jurisdiction's General Plan, land use and planning strategies that accommodate transit and non-motorized transportation.

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Page 5.16-7, Section 5.16.1, Environmental Setting. The following changes are made in response to Comment A7-16, from the Orange County Transportation Authority.

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#### *Santa Ana Municipal Code*

The Santa Ana Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the GPU and proposed development projects. The following provisions focus on transportation and traffic:

- **Chapter 36, Traffic:** Provisions of this chapter define traffic regulations including regulations for pedestrians and bikeway traffic. The chapter also includes standards for traffic control devices and an article on transportation management (Article XIII). The intent of Article XIII is to meet the requirements of:
  - Government Code Section 65089 (b)(3), which requires development of a trip reduction and travel demand element as part of the congestion management program, and Government Code Section 65089.3(b), which requires adoption and implementation of a trip reduction and travel demand ordinance.
  - ~~The Orange County Revised Traffic Improvement and Growth Management Ordinance (approved as Measure M by the voters of Orange County in the general election of November 6, 1990) requirement for the adoption of a~~

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~~transportation system management ordinance or alternative mitigation to reduce single occupancy automobile travel.~~

- **Chapter 33: Streets, Sidewalks and Public Works.** This chapter establishes regulations and procedures for the construction, repair, and reconstruction of streets and alleys.

Page 5.16-8, Section 5.16.1.2, Existing Conditions. The following changes are made in response to Comment A7-17, from the Orange County Transportation Authority.

**Table 5.16-1 Street Classifications in Santa Ana**

Street Classification	Description
Major Arterial	A street with six travel lanes and a center median. Typically includes bus transit, pedestrian sidewalks, and bicycle lanes. Example: Bristol Street.
Primary Arterial	Typically a roadway with four travel lanes and a center median. Typically includes pedestrian sidewalks and may include bus transit services and bicycle lanes. Example: 4th Street east of Grand Avenue.
Secondary Arterial	A roadway with four travel lanes and no center median. Typically provides sidewalks and may include bus transit and bicycle lanes. <del>Serves more local traffic than a Primary Arterial</del> than a Primary Arterial. Example: Civic Center Drive <u>east of Bristol Street</u> .
Divided Collector Arterial	Typically a roadway with two travel lanes and a continuous, central two-way left-turn lane, but it may be divided by a raised median as well. Right-of-way typically is 80 feet to accommodate bicycle lanes. Example: Flower Street south of 1st Street.
Collector Street	A roadway with two travel lanes and no center median. Typically includes sidewalks and may include shared bicycle routes. Example: Broadway south of 1st Street.
Local Street	A roadway with two travel lanes serving residences and businesses. Typically includes sidewalks and on-street parking. May include shared bicycle routes.

Page 5.16-11, Section 5.16.1.2, Existing Conditions. The following changes are made in response to Comment A7-18, from the Orange County Transportation Authority.

- ***Principal Arterial.*** An eight-lane divided roadway, with a typical right-of-way width of 144 feet and a roadway width of 126 feet from curb to curb, including a 14-foot median. A principal arterial is designed to accommodate 45,000 to 67,500 trips daily.
- ***Major Arterial.*** A six-lane divided roadway with a typical right-of-way width of 120 feet and a roadway width of 100 feet from curb to curb, including a 14-foot median. A major arterial is designed to accommodate 33,900 to 50,600 vehicle trips daily.
- ***Primary Arterial.*** A four-lane divided roadway with a typical right-of-way width of 100 feet and a roadway width of 84 feet from curb to curb, including a 14-foot median. A primary arterial is designed to accommodate between 22,500 and 33,800 vehicle trips daily.

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- **Secondary Arterial.** A four-lane undivided (no median) roadway with a typical right-of-way width of 80 feet and a roadway width of 64 feet from curb to curb. A secondary arterial is typically designed to accommodate 15,000 to 22,500 vehicle trips daily.
- **Collector and Divided Collector.** A two-lane unrestricted access roadway (divided or undivided) with a typical right-of-way width of 56 feet and a roadway width from curb to curb of 40 feet. ~~A divided collector street is designed to accommodate up to 22,000 vehicle trips daily. Collectors are designed to accommodate an average daily traffic of 7,500 to 11,300 trips and divided collectors are designed to accommodate an average daily traffic of 9,000 to 20,000 trips.~~

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Page 5.16-26, Section 5.16.4.1, Impact Analysis. The following changes are made in response to Comment A7-19, from the Orange County Transportation Authority.

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#### *Regional Express Network*

Recent planning efforts have focused on enhanced system management, including value pricing to better use existing capacity and to offer greater travel choices, particularly during times of traffic congestion. As part of the RTP/SCS, SCAG is proposing an extension of its regional Express/HOT Lane network. In Orange County, Express/HOT Lanes will be built along SR-55 and I-405 and will be accessible to users for a monthly or one-time toll. While these freeway improvements do not directly cross Santa Ana, the City supports these investments as they benefit the region and the city. OCTA is currently studying express lane options in Orange County and the actual implementation or priority of implementation is being determined.

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Page 5.16-35, Section 5.16.4, Environmental Impacts. The following text is added in response to Comment I20-52, from the Diane Fradkin.

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Furthermore, the GPU includes policies that promote the reduction of VMT. Policy 2.5 of the land use element encourages infill mixed-use development at all ranges of affordability to reduce VMT, and Policy 4.5 aims to concentrate development along high-quality transit corridors. A high-quality transit corridor is a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. Policy 4.6 of the circulation element promotes reductions in automobile trips and VMT by encouraging transit use and nonmotorized transportation as alternatives to augmenting roadway capacity. Non-motorized transportation includes all forms of travel that do not rely on an engine or motor for movement. This include walking and bicycle, and using small-wheeled transport (skates, skateboards, push scooters and hand carts).



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Page 5.17-4, Section 5.17.1.2, Existing Conditions. The following changes are made in response to Comment O1-1, from Joyce Stanfield Perry, Juaneño Band of Mission Indians.

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#### 5.17.1.2 Existing Conditions

According to available ethnographic maps, ethnographic data, and contemporary Native American input, the City of Santa Ana falls within a border area, or shared use area, between the traditional territories of the Gabrielino and the Juaneño/Acjachemen. Accordingly, both tribal groups are identified by the NAHC as culturally affiliated with the plan area, and both are discussed here.

##### *Ethnographic Setting*

##### Gabrielino

~~According to available ethnographic maps, the City of Santa Ana falls within the traditional territory of the Gabrielino.~~ The name Gabrielino (sometimes spelled Gabrieleno or Gabrieleno) denotes the people who were administered by the Spanish from Mission San Gabriel. By the same token, Native Americans in the sphere of influence of Mission San Fernando were historically referred to as Fernandeno. This group is now considered to be a regional dialect of the Gabrielino language, along with the Santa Catalina Island and San Nicolas Island dialects. In the post-Contact period, Mission San Gabriel included natives of the greater Los Angeles area as well as members of surrounding groups such as Kitanemuk, Serrano, and Cahuilla. There is little evidence that the people we call Gabrielino had a broad term for their group; rather, they identified themselves as an inhabitant of a specific community through the use of locational suffixes. Native words that have been suggested as labels for the broader group of Native Americans in the Los Angeles region include Tongva and Kizh, although there is evidence that these terms originally referred to local places or smaller groups of people within the larger group that we now call Gabrielino. The term Gabrielino, which combines the most commonly used group names, is used in the remainder of this study to designate native people of the Los Angeles Basin and their descendants (SWCA 2020).

Gabrielino lands encompassed the greater Los Angeles Basin and three Channel Islands: San Clemente, San Nicolas, and Santa Catalina. Their mainland territory was bounded on the north by the Chumash at Topanga Creek, the Serrano at the San Gabriel Mountains in the east, and the Juaneño on the south at Aliso Creek. The Gabrielino language, as well as that of the neighboring Juaneño/Luiseno, Tataviam/Alliklik, and Serrano, belongs to the Takic branch of the Uto-Aztecan language family, which can be traced to the Great Basin area. The Gabrielino language consisted of two main dialects: Eastern and Western. The Western included much of the coast and the Channel Island population, and lands of the Western group encompassed much of the western Los Angeles Basin and San Fernando Valley, northward along the coast to the Palos Verdes Peninsula (SWCA 2020).

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The Gabrielino established large, permanent villages in the fertile lowlands along rivers and streams and in sheltered areas along the coast, from the foothills of the San Gabriel Mountains to the Pacific Ocean. A total tribal population of at least 5,000 has been estimated, but recent ethnohistoric work suggests that a number approaching 10,000 seems more likely. Several Gabrielino villages appear to have served as trade centers, due in large part to their centralized geographic position in relation to the southern Channel Islands and to other tribes. These villages maintained particularly large populations and hosted annual trade fairs that would bring their population to 1,000 or more for the duration of the event (SWCA 2020).

The Gabrielino subsistence economy was centered on gathering and hunting. The surrounding environment was rich and varied, and the tribe exploited mountains, foothills, valleys, and deserts as well as riparian, estuarine, and open and rocky coastal eco-niches. A wide variety of tools and implements was employed by the Gabrielino to gather and collect food. Groups residing near the ocean used ocean-going plank canoes and tule balsa canoes for fishing, travel, and trade between the mainland and the Channel Islands (SWCA 2020).

Deceased Gabrielino were either buried or cremated, with inhumation reportedly being more common on the Channel Islands and the neighboring mainland coast, and cremation predominating on the remainder of the coast and in the interior. Remains were buried in distinct burial areas, either associated with villages or without apparent village association. Cremation ashes have been found in archaeological contexts buried within stone bowls and in shell dishes, as well as scattered among broken ground stone implements. Archaeological data such as these correspond with ethnographic descriptions of an elaborate mourning ceremony that included a wide variety of offerings. At the behest of the Spanish missionaries, cremation essentially ceased during the post-Contact period. For inhumations, the deceased was wrapped in a covering, bound head to foot, with hands crooked upon their breast. Archaeological examples of human remains in the Gabrielino region dating to the Late Prehistoric and protohistoric periods are dominated by flexed or extended inhumations, with a smaller number of cremations. Grave goods associated with burials/cremations varied in quantity and content and included projectile points, beads, steatite objects, and asphaltum (SWCA 2020).

A review of a number of historic and ethnographic maps was conducted to further identify the archaeological sensitivity of the General Plan Update area. An ethnographic map showing Native American settlements used for the recruitment of neophytes to the San Fernando and San Gabriel Missions shows that the plan area included the village of Pajebet (see Figure 4 of Archeological Technical Report in Appendix E-b). A review of the pictorial and historical map of Orange County does not depict any Native American villages in the plan area, but a village is noted both to the northeast and southwest along the Santa Ana River (see Figure 5 of Archeological Technical Report). The Santa Ana River was known as Wanaawna by the Gabrielino, and the settlement of Pasbengna was

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recorded as being along the Santa Ana River in the vicinity of Santa Ana. It is likely that the village of Pajebet (Figure 4 of Archeological Technical Report) was in actuality Pasbengna, and Pasbengna is the unnamed village marked to the north of the plan area on the pictorial and historical map of Orange County (Figure 5 of Archeological Technical Report). The village mapped to the south of the plan area may be the village of Lukúpa, which was situated on a knoll in the region over the Santa Ana River floodplain (SWCA 2020).

Lukúpa is believed to be the Newland House Site, which was excavated in the 1930s. The Camino (Nuevo) Real is also mapped by the pictorial and historical map of Orange County (see Figure 5 of Archeological Technical Report) as transecting the plan area, and the town of “Oranga” is mapped at the northern border (SWCA 2020).

#### Juaneño/Acjachemen

The name Juaneño denotes people who were administered during Spanish Colonial times by Mission San Juan Capistrano (Bean and Shipek 1978; Kroeber 1925). Many contemporary Juaneño, as well as coastal Luiseño, identify themselves as descendents of the indigenous people living in the local area, termed the Acjachemen Nation. The Juaneño and Luiseño languages are dialects of one another. The Juaneño and Luiseño language, as well as that of the Gabrielino to the north, was derived from the Takic family, part of the Uto-Aztecan linguistic stock.

The Juaneño, or *Acjachemen*, population during the precontact period is thought to have numbered upwards of 3,500 (O’Neil 2002). It is known that 1,138 local Native Americans, consisting primarily of Acjachemen but including Gabrielino, coastal and interior Luiseño, Serrano, and Cahuilla, resided at Mission San Juan Capistrano in the year 1810 (Engelhardt 1922:175). The Mission’s death register shows as many as 1,665 native burials in its cemetery by this time, a number in addition to those who were dying at the villages from natural causes and introduced infectious diseases.

The Juaneño resided in permanent, well-defined villages and associated seasonal camps. Each village contained 35 to 300 persons, who for the most part belonged to a single lineage in the smaller villages, and a dominant clan joined with other families of multiple lineage background in the larger towns. As Boscana said of the *Acjachemen*, “all the rancherías were composed of a single relationship” (Harrington 1934:32). Each clan/village had its own resource territory and was politically independent, yet maintained ties to others through economic, religious, and social networks in the immediate region.

There were three hierarchical social classes: an elite class consisting of chiefly families, lineage heads, and other ceremonial specialists; a “middle class” of established and successful families; and, finally, people of disconnected or wandering families and war captives (Bean 1976:109–111). Native leadership focused in the *Nota*, or clan chief, who conducted community rites and regulated ceremonial life in conjunction with a council of

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elders (*puuplem*) composed of lineage heads and ceremonial specialists. The council discussed and decided matters of community import; those decisions were then implemented by the *Nota* and his staff.

The hereditary village chief held an administrative position that combined and controlled religious, economic, and warfare powers. While the placement of residential huts in a village was not regulated, a contemporary census study would likely have shown family groupings. The ceremonial enclosure (*vanquesh*) and the chief's home could generally be found in the center of the village. As Boscana states:

The temples ... were invariably erected in the center of their towns, and contiguous to the dwelling-place of the captain, or chief; ... they managed to have the location of his house as near the middle as possible [Boscana 1978:37].

The village chief had a formal assistant, who acted as messenger and had important religious duties. Ritual specialists and shamans, each with his own special area of knowledge about the environment or ritual magic, had hereditary membership on the council and the responsibility for training some successor from his own lineage or family who showed the proper innate abilities. Hence, intra- and inter-lineage affairs dominated the political landscape, both within and between villages, in a manner not unlike that of the Hellenistic city-state or Republican Rome.

Father Boscana, a priest at Mission San Juan Capistrano, recorded his observations of the natives and left a most valuable work. Kroeber (1925) describes Boscana's "*Chinigchinich*" as "the most intensive and best written account of the customs and religion of any group of California Indians in the mission days." Kroeber, drawing on Boscana (1978) and other sources, describes the Juaneño as having well-developed religious, ritualistic, and social customs.

The center of the Juaneño religion was *Chinigchinich*, the last of a series of heroic mythological figures. The heroes were originally from the stars and the sagas told of them formed the Juaneño religious beliefs. The most obvious expression of the religion at the time of arrival of the Spanish was the *Wankech*, a brush-enclosed area where religious observances were performed. The *Wankech* apparently contained an inner enclosure housing a representation of *Chinigchinich*, a coyote skin stuffed with feathers, horns, claws, beaks, and arrows.

Both boys and girls were subjected to rites of initiation around the age of puberty. The rites for males included use of datura extract, a hallucinogen, in the search for a spirit helper. Trials of endurance may also have been part of the ritual. Females had to endure being placed in a branch-lined pit containing heated stones. The girl being initiated fasted in the pit for several days. Females also were introduced to tattooing during the initiation period.

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The Juaneño practiced cremation and burial of the dead. Specific individuals who received compensation for their services managed the cremation. The death of at least those of higher rank was commemorated on the first anniversary. The Juaneño possessed a very accurate calendar. Complete knowledge of its exact working has been lost, but we do know that it combined both lunar and solar elements in a fashion similar to certain Southwestern practices.

As a strongly patrilineal society, residence was normatively patrilocal. However, use of the Family Reconstruction methodology with Mission San Juan Capistrano sacramental registers has revealed several births at the mother's village or third villages, notwithstanding a dominance of patrilocality (O'Neil 2002). Polygamy was practiced, but probably only by chiefs and *puuplem* with ceremonial positions who had larger economic roles within the community (Boscana 1933:44). Sororal polygamy is also seen in the Capistrano records. Divorce was not easy, but possible; divorcees and widows could re-marry, the latter preferably to a classificatory "brother" of her deceased husband. Marriage was used as a mechanism of politics, ecology, and economics. Important lineages were allied through marriage. Reciprocally useful alliances were arranged between groups of differing ecological niches.

Plant foods were by far the largest part of the traditional diet. The following description is from the summary by Bean and Shipek (1978:552). Acorns were the most important single food source, and two species were used locally. Villages were situated near reliable sources of abundant water, as was necessary in part for the daily leaching of milled acorn products. As a dietary staple, acorn mush (*weenish*) was prepared in various ways and served as gruel, cakes, or fried; it might be sweetened with honey or sugar-laden berries; and it could be made into a stew with added greens and meat. Grass seeds were the next most abundant plant food used, and other plant foods included manzanita, sunflower, sage, chia, lemonade berry, wild rose, holly-leaf cherry, prickly pear, lamb's-quarter, and pine nuts. Seeds were parched, ground, and cooked as mush in various combinations (according to taste and availability) much like *weenish*. Such greens as thistle, lamb's-quarters, miner's lettuce, white sage, and clover were eaten raw or cooked, and were sometimes dried for storage. Cactus pods and fruits were also used. Thimbleberries, elderberries, and wild grapes were eaten raw or dried for later cooking. Cooked yucca buds, blossoms, and pods provided a sizable addition to the community's food resources. Bulbs, roots, and tubers were dug in the spring and summer and usually eaten fresh. Mushrooms and tree fungus provided significant food supplements and were prized as delicacies. Various teas were made from flowers, fruits, stems, and roots for medicinal cures and beverages.

Principal game animals included deer, rabbit, jackrabbit, wood rat, mice, ground squirrel, antelope, quail, dove, duck, and other birds. Most predators were avoided as food, as were tree squirrels and most reptiles. Trout and other fish were caught in the streams, while salmon were available as they ran in the larger creeks. Being predominantly a coastal

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people, the *Ajiachemen* made extensive use of marine foods in their diet. Sea mammals, fish, and crustaceans were obtained from the shoreline and open sea with the use of reed and dugout canoes. Shellfish were the most heavily used resource and included abalone, turban, mussel, and other species from the rocky shores; clams, scallops, and univalves from the sandy beaches; and Chione and bubble shells, in addition to other species from the estuaries.

Raymond White (1962) proposed that for the coastal Luiseño (which includes the *Ajiachemen*), fish and marine animals accounted for variably 50–60 percent of the diet, and terrestrial game another 5–10 percent. Plant foods accounted for the remaining 30–60 percent, broken down by acorns 10–25 percent; seeds 5–10 percent; greens 5–10 percent; and bulbs, roots, and fruits 10–15 percent. These percentages would have varied as a reflection of village placement and size, the characteristics of its near surroundings, and annual variations in weather, sea temperature, and oceanic currents.

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Page 5.17-15, Section 5.17.8, References. The following changes are made in response to Comment O1-1, from Joyce Stanfield Perry, Juaneño Band of Mission Indians.

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Page 5.18-25, Section 5.18.2.1, Environmental Setting, Table 5-18-6, Existing Average Daily Water Flows. The following changes are made in response to Comment I20-56, from Diane Furtado Fradkin.

**Table 5.18-6 Existing Average Daily Water Flows**

Area	Number of Dwelling Units	Non-Residential Square Footage	Average Water Flows Sewer Flows (gpd)
<b>Focus Area</b>			
West Santa Ana Boulevard	2,658	3,090,472	880,807
Grand Avenue/17th Street	220	1,577,511	136,957
South Main Street	561	1,400,741	202,362
South Bristol Street	1,720	1,685,978	600,682
55 Freeway/Dyer Road	1,221	5,666,453	582,841
<b>Focus Area Total</b>	<b>6,380</b>	<b>13,421,155</b>	<b>2,403,648</b>
<b>Remainder of City</b>			
All Other Areas of City	72,412	53,697,441	29,403,648
<b>Citywide Total</b>	<b>78,792</b>	<b>67,118,596</b>	<b>31,833,589</b>

Source: Fuscoe 2020a.

Notes:

gpd – Gallons per day

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Page 5.18-37, Section 5.18.2.4, Environmental Impacts, Table 5-18-13, Water Flow Changes, Current General Plan to Proposed GPU. The following changes are made in response to Comment I20-60, from Diane Furtado Fradkin.

**Table 5.18-13 Water Flow Changes, Current General Plan to Proposed GPU**

Area	Change in Housing Units, Current GP to Proposed (dwelling units)	Change in Commercial Areas, Current GP to Proposed (square feet)	Change in Water Flows Sewer Flows (gpd)
<b>Focus Area</b>			
West Santa Ana Boulevard	+ 1,308	- 38,106	+ 246,333
South Bristol Street	+ 2,232	+ 946,213	+ 478,385
Grand Avenue/17th Street	+ 1,766	- 1,715,794	+ 237,067
South Main Street	+ 667	- 1,481,837	+41,684
55 Freeway/Dyer Road	+ 7,222	- 376,333	+ 1,350,381
<b>Focus Area Total</b>	<b>+ 13,195</b>	<b>- 2,665,857</b>	<b>+2,354,041</b>
<b>Remainder of City</b>			
All Other Areas of City	+ 0	+ 0	+ 0
<b>Citywide Total</b>	<b>+ 13,195</b>	<b>-2,665,857</b>	<b>+2,354,041</b>

Source: Fuscoe 2020a.