FINAL
SUBSEQUENT
MITIGATED NEGATIVE DECLARATION
NO. ENV 1753-05

GRIJALVA PARK EXTENSION CONCEPTUAL MASTER PLAN

City of Orange
300 East Chapman Avenue
Orange, CA 92866
(714) 744 7220

Draft dated August 2, 2005
Final dated October 3, 2005

City of Orange • Community Development Department
300 E. Chapman Avenue
Orange, CA 92866-1591

SUBSEQUENT MITIGATED NEGATIVE DECLARATION No. 1753-05
GRIJALVA PARK EXTENSION CONCEPTUAL MASTER PLAN

Project Title:
Grijalva Park at Santiago Creek
(Grijalva Park Extension Conceptual Master Plan)

Reference Application Number(s):
CAPITAL IMPROVEMENT PROJECT NO. 5107021-485100-0151; GENERAL PLAN AMENDMENT 2005-0001; ZONE CHANGE 1233-05; MAJOR SITE PLAN REVIEW 0402-05; DESIGN REVIEW 4014-05; MND NO. ENV 1753-05.

Lead Agency
City of Orange
Community Development Department
300 East Chapman Avenue
Orange, CA 92866

Contact Person & Telephone No.:
Jennifer McDonald
Senior Planner/Environmental Review Coordinator
(714) 744-7238

Project Proponent & Address:
City of Orange
Community Services Department
230 East Chapman Avenue
Orange, CA 92866

Contact Person & Telephone No.:
Pamela Galera
Project Development Coordinator
(714) 744-5597

Project Location:
The project site (referred to as the "Grijalva Extension" property) is located at the northwest corner of McPherson Road and Spring Street in the City of Orange, Orange County, California. The site is bound by Walnut Avenue to the north, a 15-acre public park (Grijalva Park) and Prospect Street to the east, Spring Street to the south, and the Santiago Creek to the west. The State Route 55 freeway is located approximately 2,500 feet to the west of the project site.

General Plan Designation:
APN 093-031-02
OS- Open Space
LMDR- Low Medium Density Residential
APN 383-231-03
OS- Open Space
LMDR- Low Medium Density Residential

Zoning Classification:
APN 093-031-02
SG- Sand and Gravel
APN 383-231-03
R-1-7- Single Family residential, minimum lot size of 7,000 square feet

Initial Study prepared by:
Jennifer McDonald, Senior Planner/Environmental Review Coordinator, City of Orange

1.1 INTRODUCTION

The City of Orange (City) is proposing to develop vacant property located at the northwest corner of McPherson Road and Spring Street as a public park with amenities to include a gymnasium, community center, aquatic center, skatepark and passive area. The property is referred to as the Grijalva Extension site and is located adjacent to Grijalva Park, an existing 15-acre public park.

The City has prepared this MND to address and disclose the potential environmental effects of the implementation of the proposed project in compliance with the California Environmental Quality Act (CEQA) of 1970 and the Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines), Section 15000 et seq.

Pursuant to CEQA, this document will be circulated for public review for 30 days, beginning **August 3, 2005**, and ending on **September 1, 2005**. After the public review period, the City's Park Planning and Development Commission, the Planning Commission and the Orange City Council will consider approval of this document and the project. Written comments received during the public review period will be forwarded to the decisionmaking bodies for consideration prior to making a decision on the project. This document will become final when the Orange City Council adopts the MND and approves the project, which completes the CEQA-compliance process.

1.2 EXISTING SETTING

The Grijalva Extension property is located northwest of the intersection of McPherson Road and Spring Street in the City of Orange, Orange County, California. The property consists of two parcels: Assessors Parcel Number (APN) 093-031-02 (approximately 17.6 acres) and APN 383-231-03 (10 acres). The 27.6-acre property includes areas east and west of the Santiago Creek channel as well as portions of the Santiago Creek channel itself that are not planned for development. The developable portion of the property is approximately 17 acres in size, and is located east of the channel (the "project site"). The project site is vacant (except for some asphalt, gravel and bare soil areas left over from previous uses), as well as some storage bins that have been temporarily placed on the site. The majority of the site is overgrown with vegetation. The ground surface generally slopes from north to south, dropping in elevation from 280 feet above mean sea level (amsl) to approximately 260 feet amsl. The channel bottom of the adjacent Santiago Creek ranges from 10 to 30 feet below the adjacent embankments. Access to the site is currently gained via Spring Street and McPherson Avenue. Walnut Avenue is cul-de-saced at its end and does not provide access to the site. The Grijalva Extension property is bordered by Santiago Creek to the west, and a portion of the property is located within the FEMA-mapped 100-year floodplain. In addition, a portion of the site contains a former landfill (previously used for construction debris disposal).

Site History and Previous Uses

The City acquired the subject site in February of 2001. Prior to 2001, the site was owned by the Union Pacific Railroad Company. Tracks from the railroad operation formerly traversed the eastern edge of the site. Prior to the Railroad (presumably prior to the early 1950's), the Conrock Corporation mined (excavated) sand and gravel from the banks of Santiago Creek. Union Pacific used the excavated area (located in the southern portion of the site) as a landfill, filling it with inert material to buttress the banks of Santiago Creek. The majority of the debris deposited there was rubble consisting of concrete, brick and solid waste. The City of Orange also used the site for disposal of asphalt curb and gutter sweepings. The landfill was used from the early 1950's until the flood of 1969. The landfill was granted a permit by the Orange County Environmental Management Agency.

The northern portion of the property was also mined for gravel, however the exact years are unknown. An asphalt batch plant was located on the northern portion of the site in the early 1950's. The plant was composed of several small buildings supporting the operation, hot asphalt underground storage tanks, an asphalt mixer/burner, a tack

coat above ground storage tank, outdoor storage areas, and an area of abandoned equipment, vehicles and debris. Operations were terminated in late 2000. (SCS Engineers, 2004; SECOR, 2001).

Surrounding Uses

The Grijalva Extension property is generally surrounded by low and low-medium density residential development to the north, west and east. A self-storage facility, multifamily residential (rental units), and single family residential uses are located to the south of the project site. Santiago Creek is located directly west of the site. Grijalva Park (15 acre public park) is located directly east of the project site. It contains three soccer fields, two lighted basketball courts, a volleyball court, a tot lot, two covered picnic areas, a concession building, walkways, landscaping and parking lots.

1.3 PROJECT HISTORY AND PREVIOUS ENVIRONMENTAL REVIEW

On July 13, 1999, the Orange City Council approved condemnation of the 15-acre Grijalva Park site (the park located adjacent to the Grijalva Extension site) and adopted MND No. ENV 1601-99 (dated June 1999) evaluating its environmental impacts. The MND was prepared based on a conceptual site plan that included a community building/ gymnasium (23,000 square feet), five lighted soccer fields, a tot lot, landscaping, walkways and parking lots. In November 1999, the Grijalva Park parcel was purchased from Shepherd Academic.

At the same time as acquisition of the 15-acre Grijalva Park parcel was being pursued, the City began evaluating the possibility of acquiring the 27.6-acre Grijalva Extension property. The property was owned by Union Pacific Railroad and contained an asphalt batch plant operation. A "subsequent" MND (hereafter referred to the October 1999 MND, SCH# 1999101063) was prepared for the property acquisition and tiered off of the June 1999 MND, based on a conceptual site plan that included park development on both the Grijalva Park and Grijalva Extension sites. On the Grijalva Park parcel, the number of planned soccer fields was reduced from five to four, and parking areas were increased. Planned uses on the Grijalva II site included three soccer fields, a 23,000 square foot gymnasium, a 23,000 square foot community center, totlot, concession/restroom facilities and picnic areas. The October 1999 MND was approved on November 23, 1999, and on December 12, 2000, the Orange City Council approved the purchase of the Grijalva Extension property from Union Pacific Railroad.

Subsequently, the City acquired the Grijalva Park site, and completed a final site plan and a subsequent MND (dated November 2000) for the park's development. Construction of three soccer fields, two lighted basketball courts, a volleyball court, concession/restroom facilities, totlot and two covered picnic areas at Grijalva Park was completed in 2002.

In May 2004, the City began the final site plan design process for the Grijalva Extension property (the project site). The City held meetings with the Park Planning and Development Commission (Parks Commission) and the Community Foundation on May 13, 2004 and with the public on May 15, 2004. Based on community input, the City prepared two preliminary conceptual plans and presented the plans to the Park Commission on June 10, 2004, to the public on June 15, 2004 and to the Orange City Council on June 22, 2004. On July 8, 2004, the Park Planning and Development Commission approved the project concept and directed staff to begin the environmental review process for the Grijalva Park Extension Master Plan.

Because the City is proposing changes to the previous (1999) conceptual plan for the Grijalva Extension property, revisions to the previously approved October 1999 MND are necessary. As such, this environmental document is tiered off of the October 1999 MND and supplements its analysis.

The October 1999 MND is available for review at the City of Orange Community Development Department, located 300 East Chapman Avenue, Orange, CA.

1.4 LEGAL AUTHORITY TO PREPARE A SUBSEQUENT NEGATIVE DECLARATION

CEQA Guidelines Section 15162 states that when a Negative Declaration has been adopted for a project, a subsequent EIR is required only if one of the following applies:

1) Substantial changes are proposed in the project which will require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to circumstances under which the project is undertaken which will require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, shows that a) the project will have one or more significant effects not discussed in the previous Negative Declaration, or b) significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration, c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more of the significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative, or d) mitigation measures or alternatives which are considerably different than those analyzed in the previous document would substantially reduce one or more of the significant effects to the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If none of the conditions above apply, the City shall determine whether to prepare a subsequent negative declaration, an addendum or no further documentation. (CEQA Guidelines Section 15162 (b)).

The City finds that changes to the project have occurred since the adoption of the October 1999 MND as described in Section 1.3, and these changes necessitate additions to the previously approved MND to accurately describe the revised project and its impacts. The necessary additions are documented in the attached Initial Study. As shown in the Initial Study, the project does not cause significant environmental impacts with the implementation of mitigation measures required as part of the previously approved October 1999 MND and updated in this document. No new significant impacts were identified as a result of the supplemental analysis, and no new mitigation measures are warranted or proposed. Therefore, the appropriate environmental document is a subsequent negative declaration.

1.5 PURPOSE AND NEED FOR THE PROJECT

The City of Orange currently has a population of almost 135,000 with no indoor recreational athletic facility. The Master Plan for Park Facilities, Recreation and Community Services (approved by the Orange City Council on November 30, 1999) identified a community center/activity gymnasium as the fifth highest priority for the recreational needs of the City of Orange (page v). In addition, the Master Plan document has identified that the City of Orange has a deficit of five swimming pools, three indoor basketball courts, and two skate parks based on 1998 population of 125,065 and taking into account all school facilities (page 52). Since then, the City's population has increased and these identified recreational needs have not been met. In addition, the proposed gymnasium, community center and aquatic center were all included in the priority of projects approved by the City of Orange Park Planning and Development Commission.

Regarding recreational programs, the Gymnasium/Sports Center will meet a variety of critical needs for youth recreation that are currently being unmet, such as youth volleyball, wrestling, gymnastics, badminton, indoor hockey, boxing and a variety of social events. Once the gym is constructed, teen organized sports, sport camps for skill building and open play will be offered, as well as a host of special events. Classes and programs concerning childhood obesity, such as youth fitness programs like yoga, exercise, and tai chi, will also be offered. The provision of constructive supervised activities for the youth is important to the health of the Orange community.

SECTION 2.1 PROJECT DESCRIPTION

The City is proposing to develop the Grijalva Park Extension site as a public park and has prepared a conceptual master plan for the site that includes a central 'campus' of facilities consisting of a gymnasium, community building and aquatic center. Two parking lots and a circular drop off area are proposed to allow for access to the "campus". A skate park and an open space area are proposed south of the 'campus' and will include passive use amenities such as a picnic structure, restroom facilities, tot-lot and outdoor amphitheatre. The passive amenities would be constructed over the former onsite landfill. Park hours will be from 6:00 a.m. to 11:00 p.m., as is typical of public parks in Orange. The skatepark amenity will be closed at 10:00 p.m. Park access will be available from Walnut Avenue to the north and Spring Street to the south, and the existing access at McPherson Road will be closed. The project would be developed in two phases as follows.

PHASE I

Phase I of project construction consists of capping the former landfill and stabilizing the adjacent Santiago Creek slopes, mass grading of the entire Grijalva Extension property, bringing in utilities for Phases I and II of the project, construction of the Gymnasium, access changes, construction of internal circulation, and construction of the southern parking lot. Phase I construction is planned for completion in Year 2007/2008.

Landfill Cap and Santiago Creek Slope Stabilization

The first step in construction would be to cap the former landfill (located at the southern portion of the site) in accordance with the project's landfill closure plan which is ultimately approved by the Regional Water Quality Control Board, Orange County Health Care Agency, and the California Integrated Waste Management Board, prior to project implementation. A draft of the landfill closure plan was submitted to the resource agencies on June 3, 2005 and is included as Appendix G of this document.

Landfill material that is currently exposed by the eroding Santiago Creek slopes would be removed and re-deposited over the landfill prior to the soil cover being constructed. The area of excavation is shown on the site plan, provided as Exhibit 1-1. (Full size plans are available for review at the City of Orange Community Services Department). Materials will be excavated using a backhoe (or an excavator), placed into a dump truck and deposited at a location of higher elevation on the landfill. The site will be watered down if dust is generated during excavation, which is a typical best management practice during construction. During the excavation portion of construction, a City designee will be on site with an organic vapor analyzer calibrated to monitor the site for methane vapors. During the course of excavation, any waste materials observed on site, such as car batteries, oil cans or plastic containers which had formerly held a hazardous material, will be segregated, lab packed, analyzed and sent to an authorized and appropriate facility for disposal. These construction practices are precautionary only. The waste material has been characterized by previous studies and was found to consist of construction debris. Therefore, the City does not reasonably expect to unearth hazardous items and does not anticipate the need for testing or offsite disposal of excavated materials.

After the removal of the exposed landfill material, a soil monocover will be installed and will extend approximately 20 feet beyond the landfill limits. The details of the monocover design can be found in Section 2.5 of the landfill closure plan (included as Appendix G of this MND). To achieve a uniform surface, the landfill

surface may be contoured, followed by fill placement and final grading. Alternatively, fill may be placed (without contouring the existing landfill surface) and the fill placement thickness will be adjusted appropriately. The monocover will consist of a 2-foot (minimum) compacted soil foundation layer comprised from on site soil. An additional three feet (minimum) of vegetative cover soil will be added to support proposed vegetation. Additional fill will be placed in areas where trees or larger shrubs are planned to support the root structure. Deep rooted bushes or trees will not be used over the landfill, to prevent water infiltration into landfill waste. A rock rip-rap barrier will be placed along the eastern slope of Santiago Creek at the creek channel/landfill interface to prevent erosion of the remaining landfill material into the waterway.

The final cover grades will provide positive drainage off to the sides of the landfill area with minimum slopes of 1-2%. Subsurface drainage systems will be provided to collect rainfall or irrigation water at internal locations on the landfill in lined French drains or catch basins. The collected water would be conveyed by pipes to the park's perimeter drainage system and discharged to storm drains and/or to Santiago Creek. The drainage infrastructure will be placed in the cover material (not in the landfill material) and will prevent water infiltration into the landfill material. Decomposed granite or gravel walkways will also be installed where feasible.

The existing monitoring probes located at the perimeter of the site (identified as VP-1, VP-2 and VP-3) will be protected in place. If the City cannot protect the probes during the construction of the landfill cover, new probes will be installed after the cover is placed, in similar locations. It should be noted that VP-3 is located in fill material and may not have to be replaced (at the discretion of the Orange County Health Care Agency). The probes will be used for ongoing monitoring for methane as required by the City's landfill closure plan.

Mass Grading of the Site

After the landfill is capped, mass grading of the site will be performed based on the proposed conceptual grading plan (on file with the City of Orange Community Services Department). The conceptual grading plan indicates a 'balanced' grading operation, i.e. there will be no need for import or export of soil (except for a small amount of planting soil and amendments that will be required for the landscaped areas).

Gymnasium

Upon completion of the mass grading operation, a 30,000[1] square foot Gymnasium (including outdoor instructional area) will be constructed at the center of the Grijalva Extension property. The Gymnasium would contain two 84-foot full cross-courts with spectator seating and storage; a classroom area (including a dance/exercise room with storage, a divisible classroom with storage, and an arts and crafts classroom with storage); offices and staff support area; restrooms; and lobby/check-in area central to the facility. A conceptual elevation and floor plan for the Gymnasium are provided as Exhibits 1-2 and 1-3 (full size plans are available for review at the City of Orange Community Services Department).

Construction will involve installation of a subsurface revetment wall west of the proposed building for flood protection purposes, excavation for the gymnasium foundation and slab, casting the concrete walls for the tilt-up building, utility connections from the surrounding infrastructure, utility service lines to the perimeter of the building, stubbing out utilities for future phases of the project, and asphalt/concrete work around the gymnasium.

Access and Internal Circulation

A driveway will be constructed off of the existing cul-de sac at Walnut Avenue to provide access at the northern portion of the site. The existing park access at McPherson Road will be closed and McPherson will be made into a cul-de-sac with removable bollards that will allow emergency and pedestrian access only. Access will continue to be available from Spring Street at the south side of the property, and modifications (such as narrowing the Spring Street entrance) are proposed to encourage park access only.

[1] The Gymnasium is anticipated to be 25,200 square feet gross floor area, with additional exterior patio areas that will be used for instructional purposes. As such, the City is assuming a 30,000 square foot gymnasium as a worst-case scenario for analysis purposes.

An internal circulation road that connects Walnut Avenue to Spring Street will be constructed between the existing Grijalva Park and the Grijalva Extension property. The internal roadway will provide access to a circular drop off area reminiscent of "the plaza" that will allow for access to the Gymnasium.

Parking

The southern parking lot (located south of the gymnasium) consisting of 274 spaces will be constructed. A portion of the parking lot will be constructed over the former landfill. Parking lot landscaping and irrigation will be provided and will be deigned to avoid infiltration of water into the landfill area (using shallow rooted vegetation, aboveground container plantings, etc.).

In addition, Spring Street will be restriped from its current diagonal parking configuration (70 spaces) to provide perpendicular parking (114 parking spaces, a 44 space increase).

Landscaping

After all site construction is complete, irrigation and landscaping will be installed around the gymnasium. This work will include the construction of stormwater infrastructure such as filters, basins, bioswales and decorative stream-like features that will function as part of the drainage system to filter surface water runoff in compliance with the National Pollutant Discharge Elimination System (NPDES). Finally, temporary irrigation and landscaping will be installed throughout the undeveloped portions of the site to minimize erosion, dust emissions, and weed growth. Shallow rooted native grasses that require minimal irrigation will be used, particularly over the landfill area.

PHASE II

Phase II of project construction consists of the remainder of the proposed amenities including an aquatic center, the north parking lot, community center, amphitheatre, tot-lot, picnic shelter, restroom, skate park, and interior trails. Phase II construction is assumed to be completed in Year 2010. Phase II construction is currently unfunded.

Aquatic Center

A maximum 47,300 square foot Aquatic Center will be constructed within the "campus" area, at the north-central portion of the Grijalva Extension property. The Aquatic Center would contain two outdoor pools, a water play area, and a building (approximately 7,500 square feet) containing men's and women's restrooms, showers and locker rooms, guard stations, a first aid area, therapeutic area, utility/janitorial/storage rooms, pool equipment building, concession area, bleachers area and a spa area.

The building has not yet been designed, but will be designed by a certified architect and reviewed by the City's Design Review Committee prior to City approval of the construction contract for Phase II of the project.

Community Building

Phase II will include the construction of a 10,800 square foot Community Building in the "campus" portion of the site, that can be utilized by the public as a reception hall, meeting place or for City sponsored classes. The proposed Community Building would contain a 4,000 square foot multipurpose room, a performance platform, a catering kitchen, storage rooms, offices and restrooms.

The building has not yet been designed, but will be designed by a certified architect and reviewed by the City's Design Review Committee prior to City approval of the construction contract for Phase II of the project.

Skatepark

A 10,000 square foot skate park will be constructed south of the southern parking lot, on the former landfill area. The skate park will be constructed of concrete materials with a combination of permanent and movable ramps

and skate amenities. Only minor excavation will be undertaken to construct the skatepark, such that the landfill is not breached.

Passive Area

An open meadow area to the south of the 'campus' (on the former landfill) will allow for passive use and will include a picnic structure, restroom building, tot-lot and outdoor amphitheatre. These passive uses have been determined to be an appropriate use for the landfill area. Phase II construction also includes installation of recreational trails that will provide links to the (future) Santiago Creek regional trail system as well as a network of interior trails in the park. Most trails will be composed of decomposed granite or similar surface.

Parking

Temporary landscaping and irrigation in the northern portion of the site (installed as part of Phase I) will be removed and a parking lot consisting of 106 parking spaces, and permanent parking lot landscaping and irrigation will be constructed.

Applications

GENERAL PLAN AMENDMENT 2005-0001

The project includes a General Plan Amendment to remove a segment of Yorba Street (from Chapman Avenue to Walnut Avenue) from the City's Master Plan of Streets and Highways in the General Plan Circulation Element. The project also involves changing the General Plan land use designations for the project site from OS and LMDR to OS-P.

ZONE CHANGE 1233-05

The project includes a zone change from SG (Sand and Gravel Extraction District) and R-1-7 (Single Family Residential) to RO (Recreation and Open Space) to reflect the proposed use of the site as a public park.

MAJOR SITE PLAN REVIEW 0402-05

Site Plan Review is undertaken for a proposal involving a new use on previously vacant land or new construction. The project will undergo Major Site Plan Review because it involves development of a public park on vacant land and construction of several public use structures with a square footage that exceeds 10,000 square feet. (OMC 17.10.060 Site Plan Review)

DESIGN REVIEW 4014-05

Design review will be undertaken because the project involves the construction of new public buildings, is subject to Major Site Plan Review, and requires Planning Commission and City Council approval. (OMC 17.10.070 Design Review) The design review aspect of the approval will focus on the Phase 1 construction only. Subsequent project phases will undergo design review at a later date, as design plans for future phases are completed.

2.2 DATE OF PUBLIC MEETINGS OR HEARINGS

The City's Park Planning and Development Commission will consider this project at their regularly scheduled public meeting on **October 13, 2005**. The Orange Planning Commission and City Council will also consider approval of the project and this environmental document at subsequent public meetings. Meeting dates for the Planning Commission and City Council have not yet been determined, but will be announced under separate notice. The City Council will have final approval authority over the project and this environmental document.

2.3 REQUIRED AGENCY APPROVALS

The City of Orange is the lead agency under CEQA, and is responsible for planning, funding and implementing the proposed project. This environmental document is intended to meet the requirements of CEQA for all

discretionary actions taken by the City related to the proposed project including, but not limited to, approval of preliminary project plans, approval of final plans and specifications, authorization to bid the project for construction, and authorization to award the construction contract.

"Responsible Agencies" under CEQA may also use this environmental document for CEQA compliance purposes if and when a discretionary decision is made related to the project. The City anticipates that the following agencies will be "responsible agencies" for purposes of CEQA:

Table 2-1 RESPONSIBLE AGENCIES

AGENCY	ACTION
Regional Water Quality Control Board	Approval of Landfill Closure; NPDES
California Department of Fish and Game	Section 1600 Streambed Alteration Agreement
Orange County Health Care Agency Local Enforcement Agency	Approval of Landfill Closure
California Integrated Waste Management Board	Approval of Landfill Closure
California Department of Parks and Recreation	Funding Approvals
Environmental Protection Agency	Potential Future Funding Approvals

3.0 INITIAL STUDY CHECKLIST OF ENVIRONMENTAL IMPACT AREAS

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced, as discussed below).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identity the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:
   a. the significance criteria or threshold, if any, used to evaluate each question; and
   b. the mitigation measure identified, if any, to reduce the impact to less than significance.

	3.1 AESTHETICS *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
(c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

October 1999 MND

The visual impacts of developing the Grijalva Extension property as a public park were analyzed in October 1999 MND. The MND concluded that the project site was not within the viewshed of a designated scenic vista or a designated scenic highway, and did not contain significant visual resources. Therefore, no impact related to visual resources would occur.

Nighttime lighting of the park (particularly the proposed sportsfields) was also analyzed in the October 1999 MND. It found that impacts from lighting were less than significant because all lighting would be designed to minimize light spill, and would be directed downward and away from residential areas. In addition, the previously approved MND states, "lighting onsite will be designed to meet City of Orange regulations and proper installation will be verified by the Building Department. A photometric survey acceptable to the City Engineer shall be prepared prior to installation of field lights to verify the containment of light onsite to the maximum extent possible." (incorporated by reference). The analysis below supplements the information presented in the October 1999 MND.

Supplemental Analysis

(a) Less than Significant Impact. The project site is not located within the viewshed of a designated scenic vista. Scenic vistas typically consists of a far reaching visual, such as a panoramic view of a skyline or ridgeline. The project site is located in an urban area where topography is generally flat or gently sloping. Views from the project site in all directions are dominated by residential and other urban development. The East Orange hills are visible in the distance to the north and east of the project site, particularly from the residences located west of the Santiago Creek channel.

Views

The project will involve development of a vacant site and construction of several structures that will affect views from surrounding residential areas. The gymnasium, community building, and aquatic center will be the most visible additions to the project site. All structures have been located toward the center of the site to prevent any operational conflicts with the adjacent residential developments. However, structures will be visible from the adjacent residential areas, particularly the residential developments to the west, and directly east of the project site (north of Grijalva Park). Residential areas are sensitive visual receptors and are discussed in detail below. Refer to Appendix A for site photographs showing the project site and surrounding area.

Views from the East

Grijalva Park is located directly east of the project site. Grijalva Park patrons will not be adversely affected by viewing park amenities on the Grijalva Extension property and are not a visually sensitive user group. Single-

family residential uses east of Prospect Street range from 250 to 1,000 feet from the site, with both Prospect Avenue and the structures located at Grijalva Park disrupting the view. The distance from the site and the presence of intervening structures diminishes viewer sensitivity such that visual changes to the project site will be minimally noticeable.

Two story residential uses that abut the project site to the east (north of Grijalva Park) are separated from the project site by perimeter walls, and currently have views of scattered vegetation and a large soil mound. These residences are located across from the proposed access roadway and (Phase II) northern parking lot at an elevation that is approximately 5 feet higher than the proposed park grade. The residential area would be buffered from the proposed roadway by an approximate 60-foot landscaped buffer, planted with a combination of shrubs and trees meant to visually screen the hardscape areas of the park from view. Although the project would change views of the site by introducing new structures and visual elements, this change is not significant because an extensive landscaped buffer has been incorporated into the project design to adequately screen views. In addition, (as part of the project approval process) the landscape plan and design for all structures will be reviewed by the City's Design Review Committee (DRC), whose stated purpose is to ensure community aesthetics are upheld through appropriate and compatible design. Therefore, visual impacts are less than significant.

Views from the West

Single-family residential uses to the west of the creek channel are located over 150 feet from the site (the width of the creek channel) with intervening residential yard fencing, channel vegetation and topography. The eastern hills are visible in the distance. The distance from the site as well as the intervening creek elements will reduce viewer sensitivity to site changes; however, the project will add new visual elements (the gymnasium in particular) to the site that would interrupt views. The gymnasium is proposed at approximately 230 feet from the nearest residential structure, and is setback from the creek edge by an approximate 80 foot landscaped buffer. The gymnasium is also proposed at an elevation that is approximately seven feet higher than the residences west of the creek channel and the building height is proposed at 24 to 40 feet; therefore, views of the east hills in the distance would be interrupted by the new structure in the middleground of the view. The western elevation buffer will be landscaped with a combination of shrubs, pedestrian-scale trees and larger trees to screen the mass of the building, and to provide a visual transition between the creek and the park.

Although the project would change views of the site by introducing new structures and visual elements, this change is not significant because distant views of the ridgelines to the east would be maintained, an extensive landscaped buffer has been incorporated into the project design to adequately screen the structure, and the western building elevation has been designed with a combination of materials and neutral colors in a compatible style. In addition, (as part of the project approval process) the landscape plan and design for all structures will be reviewed by the City's Design Review Committee (DRC), whose stated purpose is to ensure community aesthetics are upheld through appropriate and compatible design. Therefore, visual impacts are less than significant.

Views from the South

The multifamily residential uses (rental units) south of the project site abut Spring Street and are seprated from the project site by a 6 foot wall. The residences are over 10 feet lower in elevation compared to the proposed gymnasium and (phase II) community building and are located over 60 feet from the landscaped passive area, 200 feet from the phase II restroom building), and over 300 feet from the (Phase II) skatepark and (Phase I) landscaped parking lot. Therefore, proposed structures will be visible at a distance only, and views will be dominated by landscaped passive area. This change is an improvement over current views of chain link perimeter fencing and overgrown onsite vegetation.

Views from the North

The residential development north of Walnut Avenue is separated from the project site by a 60-foot wide roadway and is located over 150 feet from the proposed (Phase II) northern parking lot and aquatic center. Views of the project site will be dominated by landscaping during Phase I of the project, when the northern portion of the site will be planted with low growing native grasses. This would be a visual improvement, compared to existing views of bare soil and scattered vegetation. The landscaped northern parking lot will dominate views after phase II is completed, with the aquatic center in the distance. The northern parking lot will be landscaped with shrubs and trees throughout the lot and at its perimeter to screen views of the hardscape. Although the project would change views of the site by introducing new hardscape elements, parking lot landscaping has been incorporated into the project design to adequately screen views. There is also a buffer area (at the northern portion of the site) between the parking lot and Walnut Avenue that will provide additional screening opportunities. In addition, although the aquatic center has not yet been designed, its design will be reviewed by the City's Design Review Committee, to ensure the structure reflects a high quality design that is compatible with the surrounding development. Therefore, visual impacts are less than significant.

(b) No Impact. The project site is not visible from a designated State Scenic Highway. The nearest state highway is State Route-55, located approximately ½ -mile west of the project site. SR-55 is not a designated scenic highway within the City of Orange. There are no impacts related to views from a scenic highway.

(c) Less than Significant Impact. A project is generally considered to have a significant aesthetic impact if the project substantially changes the character of the project site such that it becomes visually incompatible or visually unexpected when viewed in the context of its surroundings.

As described above, the project site is generally surrounded by residential development, with the Santiago Creek channel to the west and a public park to the east. The site is vacant and undeveloped, with scattered vegetation and some asphalt and bare soil areas throughout.

The existing vegetation on the site would be removed as part of the mass grading operation, and the site would be developed with a combination of paved areas, public structures, and landscaping. As such, the project would change the visual character of the site. This change may be considered adverse by some viewers who prefer views of undeveloped land/ unmaintained natural vegetation compared to a maintained public park, and beneficial by viewers who prefer the opposite. In either case, the development of a public park use adjacent to an existing public park within a developed residential area of the City is not visually incompatible or unexpected when viewed in the context of its urban surroundings.

In addition, it should be noted that several design features have been included in the site plan to soften the aesthetic of the built environment. For example, the area over the former landfill will be developed as a passive use area with walking paths that overlook the adjacent creek area. This area will be planted with low-growing native grasses to provide a visual transition between the creek area and the project site, and will provide opportunities for the public to use the creek area for bird watching and other passive outdoor activities. (The site is currently not accessible to the public). The site plan also contains visual elements such as "dry creekbed" aesthetic treatments, and use of rock accents on the proposed building facades to visually tie the development of the project site to the adjacent creek channel. In addition, extensive landscaping along the perimeter of the site, around the building foundations and within the parking areas will soften the look of the hardscape elements to the extent possible.

The proposed gymnasium has been setback from the creek slopes by over 100 feet and the setback area will be landscaped with a combination of shrubs, native grasses, pedestrian-scale trees and large trees to provide a buffer between the structure and the creek. Building materials such as rock accents and a neutral color palette inspired by the surrounding area have been proposed blend with the natural surroundings to the extent possible while

maintaining the look of an important recreational facility. The building has been designed in a contemporary craftsman style to be consistent with the adjacent development at Grijalva Park, and to be compatible with the surrounding residential development. Therefore, design elements have been incorporated into the project to ensure that the gymnasium and site design in general are compatible with the surrounding environment.

Finally, as part of the project approval process, the landscape plan and the design of all structures will be reviewed by the City's DRC to ensure that the project reflects a high quality design that is compatible with the surrounding area. Therefore, although the project changes the visual character of the site, the development is compatible with the surrounding area and has incorporated landscaping and design features that enhance the project's aesthetic to the extent possible.

(d) Less than Significant. The project site is adjacent to residential uses on its east, north and south sides. Residential uses are sensitive land uses with respect to park lighting. The proposed project would add a lighted skate park, parking lot lighting, walkway lighting and security lighting for the proposed buildings on the Grijalva Extension site. No new sports fields or associated sports field lighting are proposed.

Proposed Skatepark Lighting
The skate park would be lighted to allow evening use. The lights would automatically shut off at 10:00 p.m., to be consistent with the noise sensitive hours specified in the City's noise ordinance. The closest noise sensitive uses are the residential units to the south of the project site, located approximately 300 feet from the skatepark.

Section 17.12.030 of the Orange Municipal Code describes general provisions related to lighting and identifies 0.5 footcandles at residential property lines as a threshold for light spill generated by commercial properties. Although this provision does not specifically apply to park lighting, it is used as a threshold of significance under CEQA to evaluate nuisance lighting.

A lighting plan and a light spill analysis has been prepared for the proposed skatepark. The lighting analysis exhibits are provided as Appendix B. The analysis shows that at a distance of 150 feet from the skatepark, light levels are below 0.5 footcandles. Since the nearest residential property is located approximately 300 feet from the skatepark, light levels at residential property lines will meet City standards and will not exceed the threshold of significance. As part of the building plancheck process, a photometric study would be required to demonstrate that light levels on walkways and at the property line meet City standards. Therefore, lighting impacts are less than significant.

Walkway/Security Lighting
Although the exact design of security lighting has not yet been determined, the height of the light poles, the type of fixture used, the bulb wattage, and the distance between poles would be similar to security lighting at existing parks within Orange. Walkway lighting and building security lighting are low-level light sources that (by their nature) are not capable of generating a substantial source of light or glare due to the inherent low illumination levels of the fixtures used in security lighting. Therefore, the addition of security lighting for the purpose of providing safe, adequately lit facilities for park users would not result in a substantial new light source and would not result in a significant impact. In addition, the City would comply with Orange Municipal Code (OMC) Section 17.12.130 Lighting, which prohibits the creation of glare or nuisance lighting. Lighting would be shielded and light fixtures would be directed downward toward walkways. Lighting impacts are less than significant.

Existing Regulations

Standard Condition 3.1-1 Prior to issuance of building permits, plans for the proposed structures (including building elevations and materials) and detailed landscape plans shall be reviewed by the City's Design Review

Committee. The Director of Community Services or his designee shall ensure compliance with standard procedures.

Standard Condition 3.1-2 Section 17.12.030 of the Orange Municipal Code describes general provisions related to lighting. As part of the project approval process, a photometric study would be required at the time of building plancheck to demonstrate that light levels on walkways and at the property line meet City standards.

> *"A. Lighting on any premises shall be directed controlled, screened or shaded in such a manner as not to shine directly on surrounding premises.*
>
> *B. On any commercial or industrial zoned property, glare from exterior lighting shall be shielded screened or oriented so as not to be seen from any point beyond the exterior of the property and so the source shall not be a nuisance to any point beyond the exterior boundaries of the property or cause illumination in residential districts in excess of 0.5 footcandles. Flickering or intrinsically bright sources of illumination shall be controlled so as not to be a nuisance in residential districts...."*

Conclusion

An analysis of the aesthetic and lighting impacts of the project has been provided to supplement the information presented in the October 1999 MND. With the implementation of existing regulations described above, impacts are less than significant. No new significant impacts were identified and no new mitigation measures are warranted or proposed. Impacts remain less than significant.

3.2 AGRICULTURAL RESOURCES

	(In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) *Would the project*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

October 1999 MND

The October 1999 MND concludes that the project site is not zoned or used for agricultural purposes, nor is it located near existing agricultural resources. The site is not under a Williamson Act contract and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland). Therefore, the project would not result in the conversion of existing Farmland to non-agricultural uses. No impact would result.

Supplemental Analysis

(a, b, c) No Impact. The Grijalva Extension site is undeveloped and is zoned for sand and gravel extraction and residential development. The site has been used as a former landfill, an aggregate mining site, and an asphalt batch plant. The site is not in agricultural use. No impact would result.

Conclusion

The October 1999 analysis accurately describes the impacts of the project. No impact to agricultural resources would result. No new significant impacts were identified in the supplemental analysis and no new mitigation measures are warranted.

3. 3 AIR QUALITY *Would the project:*		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
(b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
(c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
(d)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
(e)	Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

October 1999 MND

Impacts to air quality from the development of Grijalva Park were analyzed in the October 1999 (incorporated by reference). An air quality technical report was prepared. The MND concludes that based on traffic projections for each phase and for buildout of Grijalva Park and the Extension property, operational emissions from project-related traffic increases are below SCAQMD significance thresholds. In addition, construction emissions were calculated for construction of the Grijalva Park site and the Grijalva Extension site (as two separate construction phases). Since the Grijalva Park site required more extensive excavation and earthmoving activities compared to the Grijalva Extension site, emissions projections for the Grijalva Park site was used as a worst-case scenario. Based on emissions calculations, the MND concludes that construction related emissions from the Grijalva Park site were projected to be below the SCAQMD's thresholds of significance. As such, less intense construction on the Grijalva Extension property would also not exceed SCAQMD emissions thresholds. Therefore, the project would not result in a significant air quality impact. Nonetheless, the MND identifies mitigation measures to reduce construction related emissions to the extent possible. The analysis below supplements the information presented in the October 1999 MND.

Supplemental Analysis

(a) No Impact. The project site is located within the South Coast Air Basin (SCAB), which includes all of Orange County, and portions of Los Angeles, Riverside, San Bernardino counties. Air quality within the SCAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and the Southern California Association of Governments (SCAG) are responsible for implementing the Air Quality Management Plan (AQMP). The current AQMP was approved in 1997 and identifies control measures based on pollutant source type (mobile or stationary), and the pollutant targeted. The AQMP is based on growth projections reflected in local General Plans; therefore, only new or amended general plan land use designations, or projects that exceed the development intensity contemplated in the general plan, have the potential to conflict with the AQMP.

The project site is vacant and involves a General Plan Amendment to change the site's land use designations from OS (Open Space) and LMDR (Low Medium Density Residential) to OS-P (Open Space Park). Although the project changes the land use designations of the site, the proposed designations allow for less intense

development of the site and/or would not exceed the development intensities contemplated in the General Plan. Therefore, impacts are less than significant.

(b, c) Less than Significant Impact. The SCAB region is in non-attainment for several pollutants, including carbon monoxide (CO), Particulate Matter (PM10) and ozone (O_3).

SCAQMD Thresholds
The CEQA Handbook for Air Quality Analysis (1993) (SCAQMD Handbook) prepared by the SCAQMD provides specific criteria for determining when air quality impacts are significant, and has established the following thresholds of significance:

Thresholds of Significance for Construction Emissions

- 75 pounds per day of ROC (Reactive Organic Compounds)
- 100 pounds per day of NOx (Nitrous Oxide)
- 550 pounds per day of CO (Carbon Monoxide)
- 150 pounds per day PM10 (Particulate Matter)

Thresholds of Significance for Operational Emissions

- 55 pounds per day of ROC (Reactive Organic Compounds)
- 55 pounds per day of NOx (Nitrous Oxide)
- 550 pounds per day of CO (Carbon Monoxide)
- 150 pounds per day PM10 (Particulate Matter)

Construction Emissions
The project would generate short-term air quality emissions during construction due to dust generation during project grading, emissions from construction equipment exhaust, emissions from construction worker vehicle trips, and emissions associated with construction of the structures. Determining whether the project has a significant air quality impact requires that construction emissions be estimated and compared to the thresholds of significance established by the SCAQMD. The SCAQMD's URBEMIS air quality model was used to generate the following emissions estimates. The model output is included in Appendix C.

Table 3.3-1 Construction Emissions- Site Grading Phase*

	ROG	NO	CO	PM10
Emissions	**6.72**	**40.36**	**58.81**	**86.48****
Thresholds	**75**	**100**	**550**	**150**
Significant?	**No**	**No**	**No**	**No**

* These values are based on a conservative assumption that a maximum of 17 acres will be disturbed per day. In actuality, mass grading will occur over several weeks. As stated in the project description, the parcel is 27 acres in size but includes portions of Santiago Creek that are not "developable"; the developable portion of the site is 17 acres in size.
**The PM10 emissions value assumes that disturbed portions of the site will be watered three times daily in compliance with AQMD's Rule 403.

Table 3.3-2 Construction Emissions
Phase 1 (Gymnasium/Parking) - Building Construction

	ROG	NO	CO	PM10
Emissions	10.75	60.61	79.61	2.04
Thresholds	75	100	550	150
Significant?	No	No	No	No
These values represent the maximum daily emissions for all phases of phase 1 building construction including building construction, architectural coatings, and asphalt work.				

Table 3.3-3 Construction Emissions
Phase 2 (Aquatic Center/Community Building/Skatepark/Parking) - Building Construction

	ROG	NO	CO	PM10
Emissions	9.70	55.32	79.41	1.58
Thresholds	75	100	550	150
Significant?	No	No	No	No
These values represent the maximum daily emissions for all phases of phase 2 building construction including building construction, architectural coatings, and asphalt work.				

Tables 3.3-1, 3.3-2, and 3.3-3 show that the project would not result in construction-related emissions that would exceed the air quality standards established by SCAQMD. Construction-related emissions are less than significant and no mitigation measures are required.

Although the project would not result in significant air quality impacts, the City's construction contracts specify as a standard condition that contractor's comply with the *Standard Specifications for Public Works Construction (Green Book), Current Edition*, which includes procedures for minimizing air quality impacts to the greatest extent feasible. The *Greenbook*, Section 7-1, states "the contractor shall furnish and maintain in good condition all equipment and facilities required for the proper execution and inspection of the work". City of Orange representatives may inspect equipment and ask the contractor to replace equipment that does not appear to be in good condition. Dust control measures such as watering (pre-grading and post-grading), wind fencing, covering haul vehicles, high wind measures, limitations on truck idling, etc, are also identified in the *Greenbook*. The City's Construction Manager would be responsible for ensuring compliance with these contract conditions. In addition, compliance with SCAQMD Rule 403 (Fugitive Dust) will be implemented during construction. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of dust does not remain visible in the atmosphere beyond the property line of the emission source.

Mitigation measures identified in the October 1999 MND require compliance with the Greenbook and Rule 403 and are still applicable to the project. The measures are not required to reduce impacts to less than significant levels, but will be implemented during construction to minimize emissions to the extent feasible. No new significant impacts are identified and no new mitigation measures are warranted.

Operational Emissions\
The proposed project would not directly result in a significant, long-term impact on air quality since it would not involve land uses that generate air pollutants or objectionable odors. Long-term impacts would occur as a result of vehicle emissions generated by park users responding to increased recreational opportunities at the site. The

following operational emissions are based on SCAQMD's URBEMIS model. The model output is included as Appendix B. As shown in Table 3.3-4, the project's operational emissions do not exceed SCAQMD thresholds.

Table 3.3-4
Operational Emissions Phase 1 and Phase 2 Project Buildout*

	ROG	NO	CO	PM10
Emissions	**11.77**	**15.06**	**164.37**	**11.76**
Thresholds	**55**	**55**	**550**	**150**
Significant?	**No**	**No**	**No**	**No**

*These emissions values are based on default generation rates for a city park use, assuming a 27 acre site. As stated in the project description, the parcel is 27 acres in size. The actual developable area of the site is 17 acres; therefore, this analysis represents a worst case scenario.

CO Hotspots

The creation of a CO "hotspot" (a localized elevation of carbon monoxide usually due to a large number of vehicles idling or traveling at low speeds) is another consideration for the project's impacts to air quality. A CO "hotspot" can be created when a project generates traffic or involves changes to transportation infrastructure that has an adverse effect on the roadway's level of service. Because the project would not reduce LOS to unacceptable levels as described in Section 3.15, the project would not cause and does not substantially contribute to a CO hotspot or other violations of air quality standards. Impacts are less than significant.

(d) Less than Significant Impact. Prospect Elementary School is located within one-quarter mile of the project site. The site is also surrounded by residential uses. The nearest residential uses are north of the existing Grijalva Park site, the residences directly south of Spring Street. As described above, construction-related emissions resulting from the proposed project would be limited to diesel exhaust and fugitive dust emissions from grading and building activities. Operational emissions would be limited to car exhaust emissions from increased traffic responding to recreational opportunities at the project site. These pollutants would not be generated in substantial quantities or violate SCAQMD thresholds of significance, with compliance with existing regulations and implementation of previously approved mitigation measures. Therefore, the project would not result in a significant impact to sensitive receptors. Impacts are less than significant.

(e) Less than Significant Impact. Nuisance odors from diesel exhaust and asphalt would be generated at the project site during construction. Odors would be limited to the construction area and would fade as they traveled away from the project site such that exposure at the adjacent uses would be of low intensity and short-duration. Impacts are adverse, but less than significant.

Mitigation Measures

October 1999 MND Mitigation Measures That Are No Longer Applicable

Mitigation Measure 2 (below) was included in the October 1999 MND and was intended to apply to the construction effort at Grijalva Park (not the Extension property). The construction effort at Grijalva Park involved extensive excavation and hauling. This mitigation measure was meant to establish hauling limitations so that construction air quality impacts did not exceed thresholds.

As described previously, the City has planned for a balanced grading operation for the proposed project at the Grijalva Extension property. Construction emissions for the project were analyzed above and do not exceed

SCAQMD significance thresholds. Therefore, the limitations established in Mitigation Measure 2 are not applicable and are shown in strikeout below.

~~2. Construction hauling contracts shall specify a load size of eighteen cubic yards, a fleet size of 30 trucks, with three trips per vehicle per day (eg 180 daily trips) and a hauling period not to exceed 62 days per 100,000 cubic yards. Contract compliance and implementation shall be monitored by the Department of Community and Library Services.~~

October 1999 MND Mitigation Measures That Are Still Applicable

Although impacts were not significant, the following mitigation measures were required as part of the October 1999 MND and are generally still applicable to the project. Some minor text changes have been made for clarification purposes only and are shown in strikeout/underline format. The action, intent and result of the mitigation measures are the same.

Mitigation Measure AQ-1 ~~1.~~ Construction contracts shall specify that the contractors comply with Standard Specifications for Public Works Construction (Greenbook), which includes compliance with Rule 403 best available control measures. (These requirements may include site watering (pre-grading and post-grading, three times daily), chemical stabilizers, wind fencing, covering haul vehicles, bed liners in haul vehicles, wheel washers, high wind measures, reduced speed limits, limitations on yardage hauled per day and quarter, limitations on hauling route (e.g. trucks per hour), limitations on truck idling, etc.) Contract compliance and implementation shall be monitored by the ~~Department of Community and Library Services~~ Community Services Director or designee.

Mitigation Measure AQ-2 ~~3.~~ Construction contracts shall specify that truck hauling and earthmoving onsite are prohibited during projected second stage smog alerts. If possible, hauling should avoid the months of July and August, when ozone levels are elevated most often. Contract compliance and implementation shall be monitored by the ~~Department of Community and Library Services~~ Community Services Director or designee.

Conclusion

An analysis of the air quality impacts of the project has been provided to supplement the information presented in the October 1999 MND. With the implementation of mitigation measures from the previously approved October 1999 MND described and revised above, impacts are less than significant. No new significant impacts were identified in the supplemental analysis and therefore no new mitigation measures are warranted or proposed. Impacts remain less than significant with mitigation.

	3.4 BIOLOGICAL RESOURCES *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
(c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

October 1999 MND

Impacts to biological resources from the development of Grijalva Park and the Grijalva Extension were analyzed in the October 1999 MND. A Biological Resources Survey was conducted. The previous study states that there are no endangered, threatened or rare species on the project site. Santiago Creek itself and areas within the existing road easement at the northern edge of the project site contain some limited areas of riparian vegetation including mulefat, willows, and cottonwoods. Plant species associated with wetlands are also present within Santiago Creek itself. In addition, raptor nesting may occur within Santiago Creek or the willows and cottonwoods located in the northern portion of the project site. Mitigation measures were required related to avoidance of riparian vegetation in the northern portion of the site and impacts to nesting birds during construction. The information below is meant supplement the previous analysis.

Supplemental Analysis

(a,b) Less than Significant Impact with Mitigation. The proposed project will involve grading of the Grijalva Extension site (vegetation removal), placement of fill over the former landfill area (a portion of which is located within the FEMA mapped Santiago Creek floodplain), and placement of rip rap for slope protection purposes along the landfill/Santiago Creek channel interface. These elements of the project have the potential to affect biological resources on the site, and may require permits from various resources agencies.

As such, the City has completed a biology study as well as focused surveys for least Bell's vireo and southwestern willow flycatcher. The Biology Study (prepared by Bonterra Consulting) is included as Appendix D of this document, and the results of the focused surveys are included as Appendix E. A jurisdictional delineation has also been prepared by RBF Consulting and is included as Appendix F.

Vegetation Types

As described in the Biological Resources Evaluation contained in Appendix D, the project site contains a combination of disturbed willow scrub, disturbed alluvial scrub, disturbed mule fat scrub, planted riparian vegetation, oak trees, ruderal, disturbed and ornamental vegetation types. The majority of the site contains disturbed vegetation, with disturbed willow scrub located in the southwestern portion of the site, disturbed alluvial scrub in the west-central portion of the site, disturbed mulefat scrub in the central and northeastern portions of the site, and planted riparian vegetation in the northern portion of the site. Table 3.4-1 below summarizes the acreage for each vegetation type. A vegetation map is provided in Appendix D.

Table 3.4-1 Vegetation Types and Approximate Acreages

Vegetation Type	Approximate Acreage
Disturbed Willow Scrub	0.03
Disturbed Mulefat Scrub	2.23
Planted Riparian	1.28
Oak Tree	0.07
Ruderal	1.94
Disturbed	9.44
Ornamental	0.86
Total	**16.72**

The proposed project would involve removal of all existing vegetation on the site during the grading operation. This vegetation removal is not a significant biological impact, unless the vegetation type is found to support special status species (discussed below).

Special Status Species

Based on the study provided as Appendix D, there is no suitable habitat for special status plant species on the project site, therefore they are not expected to occur.

As described above, the project site contains disturbed willow scrub, planted riparian vegetation, disturbed alluvial scrub, and open wash vegetation types, which are considered special status vegetation types because they have some potential to support special status wildlife species. The disturbed willow scrub (0.03 acres) has potential to support the southwestern willow flycatcher (SWWF) and the least Bell's vireo (LBV). Both species are federally and state-listed endangered species, and are known to occur upstream of the project site in the Santiago Creek watershed.

As such, the Biological Resources Evaluation recommended and the City completed focused surveys. Surveys were conducted by a qualified biologist in May, June and July 2005 (following the guidelines established by the US Fish and Wildlife Service (USFWS)) to evaluate the presence or absence of the species on and adjacent to the project site. The results of the focused surveys are included as Appendix E of this document. Although there are willows and mulefat along Santiago Creek, the vegetation cover is relatively open with very little understory, and the area is heavily invaded by non-native species. As a result, the project site has only limited suitable habitat for the LBV. Based on the first site survey, a qualified biologist determined that habitat onsite was not suitable for the SWWF due to limited over of willows, lack of understory, and substantial distance to the known locations of breeding SWWF Therefore focused surveys were deemed unwarranted for SWWF. LBV were not observed on or adjacent to the project site during the surveys, and do not appear to be using the willow scrub vegetation. Therefore, removal of the onsite vegetation will not have significant impacts to special status species. A copy of the survey report was sent to the USFWS per protocol survey requirements.

Permitting

Because the project involves development of an undeveloped site located adjacent to Santiago Creek, the City completed a jurisdictional delineation (prepared by RBF Consulting and included as Appendix F) to determine regulatory authority and to identify any required permits. In addition, the City/RBF have contacted the resource agencies to begin to commence the agency coordination process.

Army Corps of Engineers

The ACOE regulates discharges of dredged fill materials into "waters of the United States" pursuant to Section 404 of the CWA. A federal permit will be required from the ACOE Regulatory Branch-Santa Ana District Office since improvements associated with the proposed channel improvements will result in the discharge of material within the ACOE's jurisdiction. The ACOE has regulatory authority over the discharge of dredged or fill material into the waters of the United States under Section 404 of the CWA. The ACOE and Environmental Protection Agency (EPA) recently clarified and simplified the definition of "fill material" to include any "material placed in waters of the United States where the material has the effect of: (i) Replacing any portion of a water of the United States with dry land; or (ii) Changing the bottom elevation of any portion of the waters of the United States."

Under this definition, and in the absence of wetlands, the limits of the ACOE's jurisdiction in non-tidal waters extend to the ordinary high water mark (OHWM), which is defined as "*...that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas* (33 CFR §328.3(e))."

Because the proposed improvements fall outside of the jurisdictional Ordinary High Water Mark (OHWM), no Section 404 permit appears to be required.

Regional Water Quality Control Board

The RWQCB is the primary agency responsible for protecting water quality in California. The RWQCB regulates discharges to surface waters under the Federal CWA and the California Porter-Cologne Water Quality Control Act. The RWQCB's jurisdiction extends to all waters of the State and to all waters of the United States, including wetlands (isolated and non-isolated conditions).

Section 401 of the CWA gives the RWQCB the authority to regulate through 401 Certification any proposed federally permitted activity, which may affect water quality. Among such activities are discharges of dredged or fill material permitted by the ACOE pursuant to Section 404 of the CWA. The Porter-Cologne Water Quality Control Act gives the State very broad authority to regulate waters of the State, which are defined as any surface water or groundwater, including saline waters. The Porter-Cologne has become an important tool in the post SWANCC era, with respect to the State's authority over isolated waters. Generally, any person proposing to discharge waste into a water body that could affect its water quality must file a Report of Waste Discharge (should there be no Section 404 nexus). Although "waste" is partially defined as any waste substance associated with human habitation, the RWQCB also interprets this to *include fill* discharged into water bodies.

No water quality certification appears to be required as a result of avoiding the OHWM of Santiago Creek.

California Department of Fish and Game

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify the CDFG before beginning any activity that will do one or more of the following:

1) substantially obstruct or divert the natural flow of a river, stream, or lake;
2) substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or
3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

This notification process is referred to as a 1602 Streambed Alteration Agreement (SAA). Fish and Game Code section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state.

Jurisdictional limits of the CDFG are not as clearly defined by regulation as those of the ACOE. While they closely resemble the limits described by ACOE regulations, they include riparian habitat supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFG takes jurisdiction to the top of bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater.

As with the ACOE, the Santiago Creek is considered jurisdictional by the CDFG. The CDFG jurisdiction extends from the Creek's top of bank to top of bank. Riparian areas within the top of banks and within the 100-year flood zone have been included within the CDFG potential jurisdiction. It should be noted that mulefat was noted above the top of bank in disturbed areas. However, this vegetation did not appear to be associated with Santiago Creek and was located within areas dominated by mustard and non-native species. Therefore, approximately 0.30-acres of CDFG jurisdictional area would be permanently impacted by the proposed improvements (placement of riprap slope protection on the eastern slopes of Santiago Creek), based on the jurisdictional areas map included in Appendix E. Approximately 0.33 acres are anticipated to be temporarily affected due to the need for temporary work zones along the landfill cap edge and daylight line within the creek area.

Since CDFG jurisdictional areas will be affected by the proposed project, a 1602 Streambed Alteration Agreement (SAA) must be obtained prior to any jurisdictional impact. This requirement is part of compliance with existing regulations. In addition, the October 1999 MND included the requirement to obtain a Streambed Alteration Agreement from CDFG as a mitigation measure (described below). Compliance with this measure will address impacts to jurisdictional areas. Impacts are less than significant with mitigation.

(c) No Impact. A jurisdictional delineation report was prepared for the project by RBF Consulting to determine the presence of wetlands on the project site, and is included as Appendix F.

Wetlands are a subset of jurisdictional waters, and are jointly defined by the ACOE and EPA as *"those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions* (33 CFR §328.3(b))". Wetlands generally include swamps, marshes, bogs, and similar areas.

The proposed project involves placement of slope protection along the eastern bank of Santiago Creek at the landfill/creek channel interface to prevent erosion of landfill material into the channel. There are no other elements of the project that could affect the creek channel or other similar areas.

As described in jurisdictional delineation, to be considered a jurisdictional wetland, an area must exhibit three of the wetland parameters described in the ACOE *Wetland Delineation Manual*. Based on the results of field

investigations, no portion of the project site contained all three parameters. Based on the literature review and soil samples obtained during the field visit, no hydric soils are present within the project site and dominant hydrophytic vegetation is limited. Based on these site conditions, no ACOE jurisdictional wetlands are present. No impact would result. This conclusion is consistent with the October 1999 MND.

(d) Less than Significant with Mitigation. As stated in the Biology Study included as Appendix C, the Santiago Creek channel is most likely used by wildlife as a travel route to access foraging areas. Wildlife moment would occur primarily at night for larger mammals. Since the project would involve placement of slope stabilization on the slopes of Santiago Creek at the southwestern edge of the project site, construction equipment may be placed temporarily in the channel, which could cause a minor disruption. (No permanent impacts to the channel itself are proposed.) Given that construction at the project site will be undertaken during daytime hours, the project is not expected to curtail wildlife movement, even temporarily.

Nesting Raptors

The disturbed willow scrub (0.03 acre) and ornamental (0.86 acre) vegetation types on and adjacent to the project site have the potential to be used by nesting raptors. CDFG regulations prohibit activities having the potential to disturb active raptor nests, in accordance with the Migratory Bird Act. This protection generally ceases once the nesting activity is completed. The project would remove these vegetation types as part of the grading operation. Grading is anticipated to begin in July 2006, which is during the raptor nesting season.

The October 1999 MND included a mitigation measure related to nesting raptors. The mitigation measure is still valid and would apply to the proposed project. Potential impacts to nesting raptors would be reduced to a less than significant level with the implementation of Mitigation Measure BR-1 as described below.

(e) Less than Significant Impact. The proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy. According to the vegetation map provided in Appendix D, there are some oak trees on the eastern edge of the Grijalva Extension property. These trees may have to be removed; if they are removed, they may be subject to the City's tree preservation ordinance (Section 12.32 of the Orange Municipal Code). Section 12.32 of the OMC requires that a tree removal permit be obtained for removal of trees on undeveloped property or public interest property. The City would obtain a tree removal permit in compliance with the OMC prior to the removal of trees, as part of compliance with existing regulations. Impacts related to compliance with local ordinances are less than significant.

(f) Less than Significant Impact. The City of Orange is a participating jurisdiction in the Orange County Central Coastal Subregional NCCP. The NCCP/HACP established a 37,000-acre reserve system to offset the anticipated impacts of development within central coastal subregion, and provides complete coverage for impacts to 29 native plant and wildlife species and provides "conditional coverage" for an additional ten native plant and wildlife species. The southwestern willow flycatcher and least Bell's vireo are conditionally covered species under the NCCP.

However, since the focused surveys for SWWF and LBV (Appendix E) indicate that the species are not present on or adjacent to (within 500 feet) of the project site, no adverse impacts related to compliance with the NCCP would occur. Impacts are less than significant.

Existing Regulations

Standard Condition 3.4-1 Prior to the removal of any tree, the City/ construction contractor shall obtain a tree removal permit per Chapter 12.32 of the Orange Municipal Code, Tree Preservation, if determined to be

applicable by the Director of Community Services. The Director of Community Services shall ensure compliance.

Mitigation Measures

October 1999 MND Mitigation Measures That Are Still Applicable

Jurisdictional Impacts

The October 1999 MND included Mitigation Measure 1 below related to obtaining a Streambed Alteration Agreement. The potential for project construction to affect CDFG jurisdiction remains a project impact; therefore, the previous mitigation measure is still valid and would apply to the proposed project. The City proposes text changes to the previous measure (as described below) to remove references that no longer apply (such as avoidance of riparian vegetation in the northern portion of the project site), to make the measure more specific, and to bring it up to date with current industry practice. The intent, action, and result of the mitigation measures are the same, i.e. a Streambed Alteration Agreement is required and impacts are mitigated to a less than significant level. The previous measure and the revised measure are presented below.

October 1999 MND Mitigation Measure

1. Construction contracts for Phase 3 shall specify that construction avoid the riparian vegetation located within the future road easement in the northern portion of the site or the contractor shall comply with Section 1600 of the California Fish and Game Code. Contract compliance and implementation shall be monitored by the Department of Community and Library Services.

Proposed (Revised) Mitigation Measure

Mitigation Measure BR-1 Prior to the initiation of any construction-related activity that involves disturbance to soils and/or vegetation, the City shall obtain concurrence letters from the ACOE and RWQCB (confirming that no permits are necessary) and a Streambed Alteration Agreement from the CDFG (for impacts to riparian vegetation related to the placement of riprap on the eastern slopes of Santiago Creek), OR otherwise obtain required permits as directed by the resource agencies. As part of the Streambed Alteration Agreement, the City shall prepare and implement a mitigation plan to replace, restore, and/or compensate for impacts to 0.30-acre of riparian vegetation, as required by CDFG. The Community Services Director or designee shall ensure compliance with this measure.

Nesting Raptors

The October 1999 MND included Mitigation Measure 1 (below) to address impacts to nesting raptors. The potential for adversely affecting nesting raptors remains a potential project impact; therefore, the previous mitigation measure is still valid and would apply to the proposed project. The City proposes text changes and clarifications to the previous measure (as described below) to bring it up to date with current industry practice and also to make the measure more stringent. The intent, action, and result of the measure are the same, i.e. a protection of active raptor nests is required and impacts are mitigated to a less than significant level. The previous measure and revised measure are presented below.

October 1999 MND Mitigation Measure

1. Construction contracts for phases 3,4 shall specify that a qualified ornithologist submit a survey of the construction site to the City if construction activities occur during the breeding season for native birds (e.g.

March- July). The survey shall not occur more than two days prior to initiation of construction activities and any occupied nests of native birds within the construction zone shall be protected by flagging, and a minimum buffer zone of 100 feet maintained between the nest and limits of construction. Alternatively, prior to the initiation of construction activities, the contractor shall consult with USFWS to evaluate the potential loss of nests of native birds covered by the Migratory Bird Treaty Act and obtain all required permits. Contract compliance and implementation shall be monitored by the Department of Community and Library Services.

Proposed (Revised) Mitigation Measure

Mitigation Measure BR-2 If construction proceeds between February 1 and June 30, no more than seven days prior to the onset of construction activities (e.g. vegetation clearing or grading), a qualified biologist shall conduct a preconstruction nesting raptor survey to establish the presence of any active raptor nests within the limits of project disturbance and adjacent areas.

If a raptor nest is found, the following restrictions on construction shall be implemented by the City/contractor between February 1 and June 30 (or until nests are no longer active as determined by a qualified biologist): 1) clearing limits will be established with a minimum of 500 feet in any direction, from any occupied raptor nesting exhibit nesting activity; and 2) access and surveying will not be allowed within 100 feet of any raptor nest exhibiting nesting activity. Any encroachment into the 500-100 foot buffer area around the known nest is allowed only if it is determined by a qualified biologist that the proposed activity will not disturb nest occupants. The Community Services Director or designee shall ensure compliance with this measure.

Conclusion

An analysis of the impacts to biological resources has been provided to supplement the information presented in the October 1999 MND. With the implementation of mitigation measures from the previously approved October 1999 MND (as described and revised above), impacts are less than significant. No new significant impacts were identified and therefore no new mitigation measures are warranted or proposed. Impacts remain less than significant with mitigation.

5. CULTURAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
(c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
(d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

October 1999 MND

Impacts to cultural resources from the development of the Grijalva Extension site were analyzed in the October 1999 MND (incorporated by reference). It states that the site has been previously excavated and disturbed and it is therefore unlikely that buried resources are present. No impacts to cultural resources were anticipated.

Supplemental Analysis

(a-d) No Impact.

The Grijalva Extension site contains no structures that could be considered historic built environments. There are no known historical, archaeological/paleontological resources or human remains located on the project site. In addition, the City is required to comply with existing state regulations governing the protection of historic resources, as described below. Compliance with these existing regulations will prevent adverse impacts to unknown archeological/paleontological resources and human remains, should they be uncovered during construction. No new significant impacts would occur and no new mitigation measures are warranted.

Existing Regulations

Standard Condition 3.5-1 The City/construction contractor shall comply with Public Resources Code Section 5097.5 which states, *"(a) No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art or other archaeological paleontological or historic features situated on public lands ..."* If buried cultural material is encountered during construction, the City/construction contractor shall immediately stop work in the area. Work shall be halted until the City can retain a qualified cultural resources specialist, and determine the nature and the significance of the find. If significant cultural materials are found, they shall be salvaged and collected under the responsible direction of a qualified cultural resources specialist. The Director of Community Services will ensure compliance.

Standard Condition 3.5-2 The City shall comply with Health and Human Safety Code Section 7050.5, which states, *"(b) In the event of discovery of human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are located are discovered has determined... that the remains are not subject to the provisions of Section 27491 of the Government Code or any other law concerning investigation of the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to*

his or her representative, in the manner provided in Section 5097.98 of the Public Resources Code. ... " The Director of Community Services will ensure compliance.

Conclusion

An analysis of the impacts to cultural resources has been provided to supplement the information presented in the October 1999 MND. Compliance with existing regulations will ensure that impacts to unknown buried resources are less than significant. No impact would result. No new significant impacts were identified and therefore no new mitigation measures are warranted or proposed.

6. GEOLOGY AND SOILS. *Would the project:*		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☐	☒
(b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

October 1999 MND

Impacts to geology and soils from the development of Grijalva Park were analyzed in the October 1999 MND (incorporated by reference). The October 1999 MND concludes that the project site is not located within the boundaries of an Earthquake Fault Zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. In addition, standard engineering practices and compliance with the Uniform Building Code as described above would reduce impacts to proposed structures from seismic events to less than significant levels. The October 1999 MND also concludes that erosion may occur during construction but would be controlled through the implementation of erosion control plans. The MND identifies a mitigation measure requiring implementation of erosion control plans during construction, approved by the City's Engineering Department, as well as mitigation measures requiring implementation of recommendations identified in the Geotechnical Site Assessment reports.

Supplemental Analysis

(a) A Geotechnical Engineering Site Assessment Report (dated January 25, 2001) was prepared for the Extension property and is available for review at the City of Orange. The analysis included subsurface exploration and testing of soil for soil consistency and density, moisture content, cohesion, and consolidation.

i) No Impact. The project site is not located in an Alquist Priolo Special Study Zone.

ii) Less than Significant Impact. The project site is located within seismically active southewrn California and will be subject to seismic events, similar to all of California. There are no known active or potentially active faults underlying the site or the adjacent area. The closest fault to thw project site is the Whittier Elsinore Fault. This fault system is located approximately 8 miles from the project site and is most likely to generate the severest ground motion at the site. As a result of the distance between the site and fault systems, seismic induced ground rupture is not likely. During a seismic event, the site would experience moderate to high levels of groundshaking. Design of all

structures in conformance with the earthquake design provisions of the Uniform Building Code would reduce impacts related to groundshaking to less than significant levels.

iii) Less than Significant Impact. The Official Map of Seismic Hazard Zones Orange Quadrangle (Southwest 1/6) Released: April 15, 1998, http:www.consrv.ca.gov/dmg/shezp/maps/m_ora4.htm, indicates that the western portions of the Grijalva Extension site are located within a mapped area where historic occurrence of liquefaction, or local geological, geotechnical and groundwater conditions indicate a potential for permanent ground displacement.

The geotechnical report indicates that underlying soils are composed of sand and gravel and are in a dense to very dense condition. In addition, based on the Orange County Water District's groundwater contour maps, groundwater at the project site is expected at 200 feet below ground surface. Based on the dense condition of onsite soils and the lack of shallow groundwater, the potential for liquefaction at the site is low. The geotechnical report includes site grading recommendations that recommend all proposed building be constructed on recompacted fill areas, overlying dense native soils. All proposed buildings have been planned over native soil (i.e. not over the former landfill). As part of the site grading operation, soil will be recompacted per the recommendations of the report. With the implementation of the project (which is already planned to incorporate the recommendations of the geotechnical report), impacts related to liquefaction are less than significant.

iv) No Impact. The Official Map of Seismic Hazard Zones Orange Quadrangle (Southwest 1/6) Released: April 15, 1998, http:www.consrv.ca.gov/dmg/shezp/maps/m ora4.htm), indicates that the site is not located within a mapped area where occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacement. The project site is relatively flat or gently sloping and is surrounded by urban uses, which have been previously graded and contoured per City of Orange grading requirements. No impact would result.

(b) Less than Significant Impact. The project site would be graded to accommodate the proposed development, and would have the potential to result in short-term erosion during construction, as well as long-term erosion at the western perimeter of the property where the project site slopes down to and interfaces with Santiago Creek.

Construction-related Erosion

During construction, rough grading of the site would be undertaken and all existing onsite vegetation would be removed, exposing bare soil. The City has planned for a balanced grading operation at the site, so erosion associated with hauling etc would not apply. Should excess fill be generated at the site, Phase I construction excess fill may be stored onsite for use in subsequent construction phases. Excavated areas and construction material stockpiles may be subject to wind and water driven erosion, which would result in the transport of sediment directly to Santiago Creek and/or to the storm drain system and ultimately to receiving waters.

The City would implement Best Management Practices (BMP's) to control pollutant transport during construction. Standard Condition 3.8-1 requires that the City comply with NPDES requirements, including the preparation and implementation of a Storm Water Pollution Prevention Plan during construction. Standard Condition 3.8-1 identifies Best Management Practices to be implemented during construction that would reduce the potential for sediment and other construction related pollutants to be transported offsite. These BMPs include measures to contain runoff from vehicle washing at the construction site, to prevent sediment from disturbed areas from entering the storm drain system using structural controls at the site's perimeter and around drainage infrastructure, and to cover and contain stockpiled materials to prevent sediment and pollutant

transport. With the implementation of standard conditions, and compliance with standard *Greenbook* specifications, erosion impacts during construction are less than significant.

Operations

The site plan shows gentle slopes around the site's perimeter to allow for a gradual transition from the site elevations to the elevations of the surrounding area. These slopes could be subject to wind and water erosion, particularly the slopes that interface with the Santiago Creek channel. In addition, erosion on the site could occur in areas that are not paved if the site were not appropriately graded to achieve positive drainage toward planned drainage infrastructure and were allowed to sheet flow directly over the slopes of the Santiago Creek.

The site plan shows that the majority of the central portion of the site will be paved with structure foundations and parking areas. The planned open space areas (unpaved) in the northern and southern portions of the site would be planted with low growing native grasses to stabilize onsite soil. Also, perimeter slopes (particularly along Santiago Creek) would be planted with soil stabilizing vegetation to further reduce erosion potential. Therefore, soil erosion from the site will be minimized to the greatest extent possible by maintaining landscaping in unpaved areas. In addition, the conceptual grading plan shows that the site will have positive drainage toward planned drainage infrastructure at the site's perimeter, which would filter site runoff (and any sediment) with structural controls per NPDES requirements. Site runoff would then be conveyed to the existing area storm drain system. Although the drainage system has not yet been designed, the grading plan shows conceptually that a combination of bio swales (in locations with adequate open space area to accommodate it) and filters in hardscape areas (that drain more directly to storm water inlets) can be accommodated onsite. These devices would screen further reduce sediment in site runoff prior to discharge into the storm drain system.

With the implementation of features already designed into the project, such as positive drainage to planned structural drainage devices, adequately tapered slopes at the site perimeter, and erosion control slope plantings at the edges of the property, impacts related to erosion are less than significant.

(c) Less Than Significant Impact. A portion of the Grijalva Extension property was used as a disposal site for construction debris, which could result in soil instability in the "former landfill" area of the site. Materials in this area generally consist of soil, rock, and waste materials (concrete, wood, glass, metal, etc.). Since the materials have been at the site for at least 40 years, a majority of the expected consolidation is likely to have already occurred. The remaining concern is consolidation and settlement of materials over time. Other areas of the site are stable and would experience a minimal amount of settlement if any.

The project proposes passive uses and no load bearing structures on the disposal area. A small "amphitheatre" is proposed on the disposal area, as well as a skatepark and the southern parking lot. Settlement of the landfill area over time will cause cracks etc. in any paved surface and will require ongoing maintenance of these amenities, until settlement ceases. The need for ongoing maintenance at the site is a consideration for City budgeting and expenditures; however, ongoing maintenance of the passive area uses is not a significant environmental impact. Impacts are less than significant.

(d) Less Than Significant Impact. The geotechnical report indicates that following implementation of its recommendations for site preparation, the onsite soils will not exhibit expansive characteristics. In addition, as part of the normal construction process, testing for expansive characteristics will be undertaken after rough grading to ensure that soil characteristics are as expected. Impacts are less than significant.

(e) No Impact. Since the project site is served by an existing sewer system, the use of septic tanks would not be necessary.

Mitigation Measures

October 1999 MND Mitigation Measures That Are No Longer Applicable

Mitigation Measure GS-2 (below) was intended to apply specifically to the construction of Grijalva Park (not the Extension property) and is not applicable to the proposed project. Therefore, it is being removed from the environmental document and is shown in strike through below.

~~1. Construction contract specifications for phases 1, 2 shall include all engineering recommendations of the Geotechnical Engineering Site Assessment Report by SECOR International Incorporated (November 1998) regarding exportation of quarry fill, importation of recompaction of earth onsite, siting of proposed facilities, site grading, proposed building site, slopes, tentative pavement structural design , post investigation services and closure (i.e. Section 6.0 and 7.0). The Department of Community and Library Services shall ensure contract compliance and implementation.~~

October 1999 MND Mitigation Measures That Still Apply

The following mitigation measures were required as part of the October 1999 MND and are generally still applicable to the project. Some minor text changes have been made for clarification purposes only and are shown in strikeout/underline format. The action, intent and result of the mitigation measures are the same.

Mitigation Measure GS-1 ~~1.~~ Construction contract specifications shall include implementation of an erosion and siltation control plan acceptable to the Public Works Department. The erosion control plan shall specify The Community Services Director or designee ~~Department of Community and Library Services~~ shall ensure contract compliance and implementation.

Mitigation Measure GS-2 ~~2. Prior to issuance of construction contracts for Phase 3, a geotechnical engineering site assessment report shall be completed for the "railroad" property.~~ Prior to award of the construction contract for the project, the specifications and recommendations ~~of the final report~~ identified in the Geotechnical Engineering Site Assessment Report prepared by SECOR (dated January 25, 2001) and in the final Landfill Closure Plan prepared by SCS Engineers shall be included in construction contracts. The ~~Department of Community and Library Services~~ Community Services Director or designee shall ensure contract compliance and implementation.

Conclusions

An analysis of the impacts related to geology and soils has been provided to supplement the information presented in the October 1999 MND. Compliance with the mitigation measures established in the October 1999 MND (as described and revised above) will reduce impacts to less than significant. Impacts remain less than significant with mitigation. No new significant impacts were identified in the supplemental analysis and therefore no new mitigation measures are warranted or proposed.

7.	HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☐	☒
(b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
(d)	Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
(f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
(g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
(h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

October 1999 MND

The October 1999 MND analyzed impacts related to hazardous materials (incorporated by reference). The MND discusses the presence of the jet fuel pipeline on the project site and includes a mitigation measure requiring safeguards for protection of the pipeline during construction and annual inspection of the pipeline easement for damage or leaks. A mitigation measure was also included that required a Phase I site assessment for the Extension property and implementation of its recommendations.

Supplemental Analysis

(a) No Impact. Diesel would be used to power construction equipment used onsite during the short-term construction phase of the project. Diesel is a common element in the urban environment and would not be used in substantial quantities or under unusual or hazardous conditions onsite. The longterm operation of Grijalva Park would not involve the routine use, transport, disposal or handling of hazardous materials, which could result in upset conditions. No impact would result.

(b, c) Less Than Significant Impact. Prospect Elementary School is located within one-quarter mile of the site. The operation of Grijalva Park does not involve the use or storage of hazardous materials, substances, or waste on the project site. The southern portion of the site contains a former landfill used for disposal of construction debris. In addition, a jet fuel pipeline traverses the project site. These site conditions are discussed in detail below.

Former Landfill

Previous studies were conducted of the Grijalva Extension property that showed that operations at the American Asphalt batch plant (previously located on the Grijalva Extension site) involved limited use of petro-chemicals and petroleum products. Gasoline and diesel tanks may also have been used or stored onsite. In addition, a portion of the Grijalva Extension site was used for disposal of construction debris in the 1950's (no record of municipal waste).

Based on the results of these initial assessments, the City prepared an Environmental Site Assessment Report dated January 25, 2001 (prepared by SECOR) that involved subsurface investigations intended to evaluate the extent of subsurface contamination. This report concluded that the former landfill area contained lead and recommended additional study to determine the extent of lead concentrations. Subsequently, a Phase II Environmental Assessment (subsurface investigation) was performed (report dated January 10, 2005) to evaluate the extent of lead contamination and to monitor for landfill gas. The Phase II was conducted with oversight from and coordination with the Orange County Health Care Agency- Local Enforcement Agency, Environmental Protection Agency, and Regional Water Quality Control Board. The Phase II Study consisted of nineteen borings over the landfill site. All but two of the nineteen soil borings contained hazardous concentrations of lead, as defined by the State of California. Lead was detected only within the landfill and did not extend into native soils beneath the fill area. The Phase II study found no evidence of methane generation from the disposal area, and no evidence of other hazardous materials or substances (with the exception of lead).

Lead is a highly toxic metal that has been determined by the State of California and EPA to be a hazardous compound. At the project site, the primary exposure route for lead is through direct ingestion of lead contaminated soil. Since the former landfill area is proposed for conversion to a public park, the potential for children playing in the park and ingesting soil is high. As such, remediation is required to prevent public exposure to lead (by preventing ingestion of lead contaminated soil) as the site is converted to a public use.

To that end, a landfill closure plan has been prepared in coordination with the RWQCB (the lead environmental agency involved regarding the landfill closure) and other resource agencies such as the Orange County Health Care Agency (OCHCA). The preliminary closure plan (dated May 25 2005) is attached as Appendix G and recommends that the City construct a soil cap over the former disposal area as the best remediation option. In addition, the landfill closure plan recommends that bank protection along Santiago Creek be constructed to prevent lead-contaminated soil from eroding into the creek, which could impact water quality. The cap specifications and other recommendations of the landfill closure plan have been incorporated into the project design (as shown on the conceptual plan and described in the project description) and will serve to mitigate the existing condition at the site. Therefore, the project would not create a significant hazard to the public involving release of hazardous materials, but would address an existing site condition.

The Phase II Study (on file with the City) and the preliminary landfill closure plan (included in this document as Appendix G) have been submitted to the Regional Water Quality Control Board,the Orange County Health Care Agency and the California Integrated Waste Management Board for review and concurrence. Agency approval of the landfill closure plan and soil cap design are required prior to implementation. As such, these agencies have been listed as responsible agencies under CEQA in this document. With the implementation of the remediation actions identified in the landfill closure plan (which are already incorporated into the project design) and as approved by the resource agencies responsible for the protection of public health, impacts related to hazardous materials are less than significant.

Jet Fuel Pipeline

As disclosed in the October 1999 MND (letter from D.R. Quinn of Kinder Morgan dated October 7, 1999, incorporated by reference), there is an existing fuel pipeline and associated easement extending through the Grijalva Extension property. The pipeline is owned by Kinder Morgan Energy Partners. There is one 16-inch high pressure refined petroleum product pipeline an idle 10-inch pipeline within the project site. The pipelines are approximately 3 below ground surface. The pipelines are of welded steel construction, coated and under cathodic protection. The current leak detection system is based on computerized surveillance of volumetric line balance, pressure deviation, and flow deviation. The pipeline is regulated by the State Fire Marshal.

The Grijalva Park Extension Master Plan proposes new structures such as the aquatic center and community center and gymnasium. These structures are located outside of the pipeline easement. Much of the pipeline would be paved over with parking areas and the access roadway, which reduces long term potential risk of upset by protecting the pipeline in place. During construction and excavation activities, there is the potential for inadvertent disturbance of the pipeline. The conceptual grading plan (available for review at the City) has incorporated minimal excavation and (where possible) placement of fill over the pipeline to ensure its protection during construction. In addition, the City would coordinate with Kinder Morgan and "pothole" the site to determine the exact location of the pipeline prior to any excavation activities.

A mitigation measure was required as part of the October 1999 related to safeguarding the jet fuel pipeline during construction. The measure still applies to the proposed project. Impacts are less than significant with mitigation.

(d) No Impact. The proposed project is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

(e,f) No Impact. The project site is not located within an airport land use plan, nor is it located in the vicinity of a private airstrip.

(g) No Impact. The project does not involve changes to public roadways that would interfere with emergency response routes. The project involves the construction of an internal access road on the Grijalva Extension site connecting Walnut Avenue to Spring Street, and changes to Spring Street and McPherson Road. These roadways are not designated emergency response routes. The cul de sac proposed at McPherson Road is being designed to allow for emergency vehicle access and the proposed conceptual design has been reviewed by the City's Police and Fire Departments. Thus, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would result.

(h) No Impact. The site is located within a developed area and is not subject to wildland fires, per the City's General Plan.

Mitigation Measures

October 1999 MND Mitigation Measures That Are No Longer Applicable

The following mitigation measure was included in the October 1999 MND and requires a Phase 1 Site Assessment for the Grijalva Extension property. As described above, several Environmental Site Assessments have been completed for the site (after the adoption of the October 1999 MND) including a Phase II Assessment and a Closure Plan that outlines remediation actions for the landfill area. These remediation actions (capping the landfill) have been incorporated into the project design, and are part of the proposed project. Therefore, this measure is no longer applicable and is shown below in strikeout format.

~~1. Prior to grading for Phase 3, a Phase One Environmental Assessment shall be submitted to the Department of Community and Library Services. All recommendations of the final report shall become contract specifications. The Department of Community and Library Services shall ensure compliance and implementation.~~

October 1999 MND Mitigation Measures That Still Apply

The following mitigation measure was required as part of the October 1999 MND and is still generally applicable to the project. Some modifications have been made to provide more detailed information and are shown in strikeout/underline format. The text requiring the City to test the pipeline annually has been removed because the pipeline is controlled by Kinder Morgan and is regulated and tested by the State Fire Marshal. Therefore, the City has no ability to test the pipeline, and relies upon the other regulatory agencies to ensure the long-term safety of the pipeline. Testing systems and requirements are already in place, and are implemented by both Kinder Morgan and the State Fire Marshal.

Mitigation Measure HM-1 ~~1. Construction contracts for Phase 3 and 4~~ Prior to any ground disturbance within the pipeline easement, the City/contractors shall ~~include~~ identify and implement safeguards for protection of the onsite pipeline during grading/development including coordinating with Kinder Morgan to delineate the pipeline and conduct potholing to verify the pipeline location and depth. The pipeline shall be protected in place. ~~The City shall also inspect/test the easement area for damage/leaks prior to use of any facility within 200 feet of the easement, and test/inspect the pipeline easement annually thereafter. Any potential damage or leaks shall be reported to the easement owner and the California State Fire Marshal.~~ The ~~Department of Community and Library Services~~ Community Services Director or designee shall ensure compliance and implementation.

Conclusion

An analysis of impacts related hazardous materials and risk of upset has been provided to supplement the information presented in the October 1999 MND. Implementation of features already incorporated into the project design (i.e. the landfill cap) and compliance with the mitigation measures established in the October 1999 MND (as described and revised above) will reduce impacts to less than significant. Impacts remain less than significant with mitigation. No new significant impacts were identified in the supplemental analysis and therefore no new mitigation measures are warranted or proposed.

	SECTION 3.8 HYDROLOGY AND WATER QUALITY *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
(b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site.	☐	☐	☒	☐
(d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
(e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☒	☐	☐
(f)	Otherwise substantially degrade water quality?	☐	☐	☒	☐
(g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
(h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
(i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
(j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
(k)	Potentially impact stormwater runoff from construction activities?	☐	☒	☐	☐
(l)	Potentially impact stormwater runoff from post-construction activities?	☐	☒	☐	☐
(m)	Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☒	☐
(n)	Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☒	☐
(o)	Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☒	☐
(p)	Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☒	☐

October 1999 MND

Impacts to hydrology and water quality from the development of Grijalva Park and Extension site were analyzed in the previously approved October 1999 MND (incorporated by reference). The October 1999 MND states that the project site will drain to local storm drains and will be served by existing storm water conveyance infrastructure. The project would have no impact to groundwater resources. The project would not substantially change the site drainage pattern and no changes to the creek or channel were proposed. Additional parking areas on the project site would contribute oil to site runoff on adjacent streets, but not substantially. The project is not

within the 100-year floodplain, or near an ocean, lake or mudflow area. The October 1999 MND included a mitigation measure requiring compliance with NPDES regulations, to ensure pollutants are not discharged to Santiago Creek during construction or operations.

Supplemental Analysis

(a, e, k, l ,m) Less than Significant with Mitigation.

Operations

The proposed project would increase impervious surfaces on site and would result in an increase in runoff compared to existing conditions. In addition, urban pollutants associated with parking areas and public use areas (trash, debris, oil, sediment, etc) would be more prevalent in site runoff. Runoff from the park site could also contain elevated concentrations of nitrogen compounds, and minerals from fertilizers, eroded soil, or compounds from pesticides and herbicides used for regular park maintenance. To minimize pollutants and site runoff project landscaping has been designed to use native grasses that are capable of maintaining themselves with minimal fertilization or irrigation over a majority of the site. The proposed landscaping will also stabilize onsite soil to reduce erosion.

In addition, as part of compliance with the National Pollutant Discharge Elimination System (NPDES) and the City's Local Implementation Plan (LIP), the City/contractor would prepare a Water Quality Management Plan (WQMP) that would design structural and non-structural Best Management Practices with the goal of minimizing pollutants in site runoff to the "Maximum Extent Practicable". The site plan and grading plan conceptually shows the proposed drainage pattern for the site and has designated open space areas for installation of bioswales to filter out pollutants. In areas where space for bio swales is not available, the project includes construction of stormwater conveyance infrastructure and would utilize BMP's such as filters etc that are more appropriate for constrained spaces. The WQMP would be reviewed and approved by the City's public works department prior to issuance of grading and/or building permits and BMP's would be constructed concurrently with park improvements. As part of the WQMP, the City is required to prepare an operations and maintenance plan to ensure that BMP's are adequately maintained in the long-term. Compliance with existing regulations would reduce the potential for water quality impacts to less than significant levels. The project would not contribute substantially to polluted runoff and would not violate water quality standards or otherwise substantially degrade water quality. Impacts are less than significant.

Construction

During construction, implementation of the project would require grading of the site. Excess fill from Phase I of construction may be stored onsite for use in subsequent construction phases. If the excess fill cannot be used, it would be hauled offsite and disposed of. Excavated areas and construction material stockpiles may be subject to wind and water driven erosion, which would result in the transport of sediment to the storm drain system and ultimately to receiving waters. In addition, construction vehicle tires may be washed to prevent tracking of dust onto City streets, and the construction site may be watered to reduce dust emissions. These activities could result in discharge of typical construction pollutants such as sediment into runoff, and would degrade water quality.

The City would implement Best Management Practices (BMP's) to control pollutant transport during construction. Standard Condition 3.8-1 requires that the City comply with NPDES requirements, including the preparation and implementation of a Storm Water Pollution Prevention Plan during construction. Standard Condition 3.8-1 identifies Best Management Practices to be implemented during construction that would reduce the potential for sediment and other construction related pollutants to be transported offsite. These BMPs

include measures to contain runoff from vehicle washing at the construction site, to prevent sediment from disturbed areas from entering the storm drain system using structural controls, and to cover and contain stockpiled materials to prevent sediment and pollutant transport. With the implementation of standard conditions, and compliance with *Greenbook* specifications, water quality impacts during construction are less than significant.

(b) No Impact. The proposed project does not propose groundwater extraction and would not result in depletion of groundwater supplies. Santiago Creek is used for groundwater percolation by the Orange County Water District. Water is released from the Bond Pits (northeast of the project, upstream) and is allowed to percolate into the ground along the length of Santiago Creek. OCWD has expressed an interest in the past in modifying the creek area adjacent to Grijalva Park for use as a groundwater percolation area. The project does not propose modifications to the channel bottom and would not preclude future use of the channel area for groundwater percolation. Slope stabilization (rock rip rap) is proposed along the eastern slope of Santiago creek at the landfill/creek interface to prevent erosion of landfill materials into the creek. The slope stabilization will not interfere with groundwater recharge operations and would presumably improve surface water quality over the long term. No impact would result.

(c,d) Less than Significant Impact. The project site would be graded as shown in the project's conceptual grading plan (available for review at the City of Orange) and topography would be leveled and contoured to accommodate the proposed recreational facility. Development of the site would change the onsite drainage pattern from existing conditions, where runoff sheet flows to Santiago Creek. The proposed project would also result in an increase in impermeable surfaces on the project site. This increase in paved surfaces would increase the amount of runoff generated by the site. The conceptual grading plan reflects positive drainage from the project site into planned onsite drainage infrastructure that ultimately empties into existing storm drains located in surrounding roadways and into Santiago Creek. The storm drains in the area have been adequately sized to accommodate the proposed development and the conceptual plan for the project was reviewed by the Public Works Department. Therefore, the project has been appropriately designed and adequate infrastructure in the surrounding area exists to accommodate the increase in site runoff. Therefore, the project would not result in flooding on or offsite.

(f) No Impact. No other impacts to water quality are anticipated.

(g) No Impact. The project does not involve the construction of housing.

(h) Less than Significant Impact. A portion of the Grijalva Park Extension project site is located within the FEMA-mapped Santiago Creek floodplain. Specifically, a portion of the former landfill area (to be capped as part of the project) and the area planned for passive use is within the FEMA-mapped floodplain. As a result, a Floodplain Delineation addressing the project's impacts to the creek water surface and floodplain has been prepared. The study is included as Appendix H of this document.

The study shows that based on FEMA approved flows for Santiago Creek, the extent of the actual floodplain is more limited than is shown on the FEMA map and no project improvements are located within the floodplain. This discrepancy is a result of an out of date FEMA map, as opposed to an actual flooding impact. Therefore, in compliance with existing regulations the City will process a Letter of Map Revision to formally revise the FEMA map to reflect actual site conditions.

The proposed project also involves placement of rock rip rap on the eastern slope of Santiago Creek at the landfill/creek interface. Because the rip rap is proposed within the creek channel, it has the potential to change the geometry of the channel and therefore may also change the creek's water surface. Based on County guidelines, the project may not increase the creek water surface by more than one foot. The hydraulics study

shows that the project increases the water surface by substantially less than one foot, and therefore does not result in significant changes to the water surface, does not redirect flood flows, and does not substantially change the potential for flooding.

(i) Less than Significant Impact. Villa Park Dam is located one mile upstream from the project site on Santiago Creek and is associated with an extensive flood control basin. The October 1999 MND concludes, "since the dam is regularly inspected, warning of any potential failure would likely be know and overflows would not substantially affect the project site."

(j) No Impact. The project is not located near the ocean, a lake or varying topography that could be subject to mudflows. No Impact would result.

(n) Less than Significant Impact. Runoff from the project site would flow through planned onsite drainage infrastructure to storm drains located in surrounding roadways and would ultimately empty into Santiago Creek and the Santa Ana River. As described above, the proposed project would increase the quantity of runoff from the project site due to increased hardscape areas onsite but would not substantially degrade stormwater quality over existing conditions with the implementation of standard conditions related to NPDES compliance. Therefore, the project would not alter the characteristics of stormwater discharge such that the beneficial uses of the Santa Ana River would be substantially impaired.

(o, p) Less than Significant Impact. As described above, drainage on the project site currently enters Santiago Creek directly as surface sheet flow. Grading of the site to drain to planned onsite drainage infrastructure including structural filtering and discharge mechanisms such as bioswales and basins would result in a more controlled drainage environment. Site development would increase runoff volume compared to existing conditions; however compliance with existing NPDES requirements would minimize the potential for construction-related and longterm erosion.

Existing Regulations

Standard Condition 3.8-1 The City shall process a Letter of Map Revision with FEMA to update the current Flood Insurance Rate maps to reflect the proposed development.

Mitigation Measures

October 1999 MND Mitigation Measures That Still Apply

The October 1999 MND included a mitigation measure requiring compliance with NPDES requirements. Modifications to the measure are proposed to describe NPDES requirements in more detail. The revised measure has the same purpose, intent and result as the previous measure. The previous measure and the revised measure are presented below.

October 1999 MND Mitigation Measure

1. Construction contracts shall specify that the project comply with NPDES standards to ensure pollutants are not discharged from the site to Santiago Creek during project construction and operation. Contract compliance and implementation shall be monitored by the Department of Community and Library Services.

Proposed (Revised) Mitigation Measure

Mitigation Measure WQ-1 To minimize longterm water quality impacts, prior to the issuance of grading permits for any portion of the project, the City/ contractor shall submit a project-level Water Quality

Management Plan (WQMP) to the City's Public Works Department for review and approval. The WQMP shall identify site design BMP's, routine structural and non-structural BMP's, and treatment control BMP's as applicable and shall provide a mechanism for assuring long-term operation and maintenance of structural BMP's. The Director of Community Services shall ensure compliance.

In addition, prior to construction, the City shall prepare and implement (during construction) a Storm Water Pollution Prevention Plan (SWPPP) to identify Best Management Practices to control erosion and pollutant transport, including the following measures or the equivalent as determined by the Director of Community Services or his designee:

- Sediment from areas disturbed during construction shall be retained onsite using structural controls (such as storm drain inlet protection, plastic sheeting, sandbags, check berms or desilting basins) to prevent erosion to storm drains, channels or other bodies of water.

- Stockpiles of soil or other materials shall be properly contained and covered to avoid sediment transport from the construction site via runoff, vehicle tracking or wind.

- Runoff from equipment and vehicle washing shall be contained at the construction site and shall not be discharged to the storm drain system.

Conclusion

An analysis of impacts related water quality has been provided to supplement the information presented in the October 1999 MND. Compliance with the mitigation measure established in the October 1999 MND (as described and revised above) will reduce impacts to less than significant. Impacts remain less than significant with mitigation. No new significant impacts were identified in the supplemental analysis and therefore no new mitigation measures are warranted or proposed.

9.	LAND USE/PLANNING. *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	☐	☐	☐	☒
(b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
(c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

October 1999 MND

The October 1999 MND concluded that the proposed project did not divide an established community, is consistent with the General Plan and zoning designations, and is not included in the NCCP/HCP.

Supplemental Analysis

(a) No Impact. The proposed project involves public park improvements to a vacant property that is located adjacent to an existing park surrounded by residential uses. The project is intended as an extension of the existing park. Therefore, the project would not physically divide an established community. This conclusion is consistent with the analysis provided in the October 1999 MND. No new significant impacts are identified and no new mitigation measures are warranted.

(b) Less than Significant Impact. The project site is designated OS (Open Space) and LMDR (Low Medium Density Residential) in the City's General Plan, and is zoned S-G (Sand and Gravel) and R-1-7 (Single Family Residential). Please refer to Appendix E for assessor's parcel maps, and land use designation information. As part of the project, the City is processing a General Plan Amendment from OS and LMDR to OS-P (Open Space-Park), and a zone change from S-G to R-O (Recreation and Open Space) to reflect the proposed use of the project site as a public park. There is currently an inconsistency between the General Plan and zoning for the area that is zoned R-1-7. A portion of the parcel has a General plan designation of LMDR while the remainder is designated Open Space. The proposed general Plan Amendments bring the General Plan and zoning designations into consistency. Also as part of the project, the City is processing a General Plan Amendment to remove a segment of Yorba Street (from Walnut Street to Chapman Avenue) from the General Plan Circulation Element's Master Plan of Streets and Highways. The project site is also located within a State-identified aggregate resource area. The state's aggregate information is reflected in the City's General Plan Conservation and Open Space Element (Figure OSC-2).

As discussed in detail below, the project is consistent with the proposed General Plan and zoning designations. Impacts are less than significant.

General Plan Consistency

Land Use Element

The Land Use Element of the City's General Plan sets forth the following goals and policies related to the proposed project.

Goal 9.0, *"Continue to implement land use policies which focus on reducing land use conflicts."* **Policy 9.1,** *"Work to reduce land use conflicts between residential and non-residential conflicts."*

The majority of the project site is currently designated as OS and is zoned for sand and gravel extraction. Since these designations were established, the site has been used as an aggregate mining site, a landfill, and an asphalt batch plant. Therefore, onsite aggregate resources have been depleted over time. In addition, most of the surrounding area has been developed with residential uses. As a result of these changes, extraction operations on the site are no longer a desirable use of the site from a land use compatibility standpoint. The proposed change would reduce potential land use conflicts between extraction operations and residential development. The remainder of the site is designated LMDR and is zoned R-1-7. The proposed park use is compatible with these designations and surrounding land uses (particularly the adjacent public park and the surrounding residential community). The designation change is proposed only to provide uniformity, so that the entire Grijalva Park development is the same land use designation.

Goal 10.0, *"The City will continue to recognize the need to maintain open space resources for the purpose of providing recreational opportunities, protecting the public from safety hazards, and conserving natural resources."*

The majority of the project site is designated OS (Open Space) on the City's General Plan Land Use Map. The General Plan's Open Space policy is designed to preserve undeveloped properties for 1) provision of active and passive recreational areas; 2) the protection of ridgelines and scenic vistas and 3) preservation of any environmentally sensitive areas. The General Plan states, "*A substantial portion of the east portion of the planning area is to remain in open space. Much of this area includes steep hill slopes or environmentally sensitive areas that should not be developed. While these areas may be designated as permanent open space, they will not be developed as public parks. Lands in this category include privately held open space, as well as public lands.*"

The description of the Open Space category is largely tailored toward the undeveloped hill slopes of the East Orange area. However, the OS land use designation also applies to the project site and appears to prohibit public parks. To resolve this conflict, the City is processing a General Plan Amendment to redesignate the site to OS-P (Open Space- Park). The OS-P designation applies to public lands used for passive and active recreation.

The purpose of the project is to expand the City's park inventory and provide desired recreational amenities for the community. As shown in the Hazards section of this document, the site contains a former landfill that is contaminated with lead. The site was also mined for aggregate resources in the past and contained an asphalt batch plant, which has resulted in disturbed soil and vegetation conditions onsite. As shown in the Biology section of this document, the site contains some riparian vegetation, but the majority of the site is disturbed and has limited potential to support sensitive plant or wildlife species. As such, the site has limited value as an "environmentally sensitive area".

In addition, changing the site's designation from Open Space to Open Space-Park does not take the site out of Open Space use, but changes the *type* of Open Space. Therefore, there is no loss of open space to the public. In fact, the property is not currently accessible to the public and provides no direct public benefit. With the project, a public recreational facility will be developed, and the site will be retained in open space for the purpose of providing recreational opportunities. Therefore, the project is consistent with Goal 10 of the Land Use Element.

In addition, changing the LMDR-designated portion of the project site to OS-P adds parkland to the City's park inventory. The change to the residentially designated portions of the site does not eliminate

Circulation Element

The Circulation Element of the City's General Plan sets forth the following goals and policies related to the proposed project.

Goal 1.0, *"Provide a comprehensive circulation system that serves the needs of the existing community and that will meet projected traffic demands".* **Policy 1.1,** *Improve overall circulation in the City by focusing on measures designated to improve movement through key intersections."*

Goal 2.0, *"Work toward the attainment of roadway service level objectives as defined by the General Plan."*

A "future" segment of Yorba Street (from Chapman Avenue to Walnut Avenue, referred to as the "Yorba Extension") is shown as a "special study street" on the General Plan Circulation Element's Master Plan of Streets and Highways. The "special study street" designation is given to those road segments that, while shown on the City's Circulation Element, require further study to more accurately assess their need. Currently, this segment of Yorba Street is not shown on the Master Plan of Arterial Highways, maintained by the Orange County Transportation Authority, and thus has no regional status or significance.

The (future) Yorba Extension is shown on the MPSH to traverse the project site and is therefore in conflict with the proposed project. (It should be noted that its construction is not yet approved, planned or funded.) As such, the City has conducted an analysis to determine the potential need for the Yorba Extension and the impacts of removing the Yorba Street extension from the Master Plan. Based on the analysis provided in the traffic study and summarized in Section 3.15 of this document, the City is processing a General Plan Amendment (GPA) to remove the Yorba Extension from the MPSH as part of the Grijalva Park approval.

In summary, the analysis concludes that the construction of the Yorba extension would have a positive impact on the intersection of Prospect/Chapman (improving Level of Service (LOS) from "D" to "B" during the p.m. peak traffic hour), but it would have significant negative impacts on the level of service for the Yorba/Chapman intersection, resulting in LOS "F" during the p.m. peak hour. Per the thresholds established in the General Plan, LOS D or better is considered an acceptable LOS. LOS "F" is unacceptable. Implementation of the Yorba Extension will also have the undesirable affect of inducing additional freeway traffic to Chapman to access the Yorba extension, and of inducing additional through traffic on Yorba Street south of Chapman to connect to Yorba north of Chapman. Without regard to the projected level of service for the Yorba/Chapman intersection, it does not appear that there is sufficient distance between the freeway ramps and Yorba to provide for merging and turn lanes to accommodate the major movement from the freeway exit ramps to northbound Yorba. This data strongly supports the removal of the Yorba extension between Chapman Avenue and Walnut Avenue from the Circulation Element.

Therefore, although the Yorba Extension is identified as a Special Study Street on the MPSH and is shown traversing the project site, analysis shows that implementation of the Yorba Extension would not result in improved overall traffic conditions in the area, and would in fact result in unacceptable LOS at a critical intersection. Therefore, removal of the Yorba Extension from the MPSH is supported by the traffic data. Because the proposed project is consistent with the long-range intent of the General Plan to maintain acceptable traffic LOS, the project's conflict with the current MPSH is not considered a significant impact. With the approval of a General Plan Amendment, the project will be consistent with the General Plan Circulation Element.

Zoning Ordinance

The majority of the project site (17 acres) is zoned SG (Sand and Gravel Extraction District, OMC Chapter 17.32). The zone was established to provide for commercial extraction and processing of natural resources. The remainder of the site (10 acres) is zoned R-1-7 (Single Family Residential, minimum lot size of 7,000 square feet). Parks (public or private) are conditionally permitted uses in the SG zone and are permitted uses in the R-1-7 zone. It should be noted that Table LU-2 in the City's General Plan shows that the SG zone is compatible with the RA (Resource Areas) General Plan land use designation only. Therefore, the existing SG zoning is not appropriate for either the existing OS land use designation, or the proposed OS-P designation.

As such, the City is processing a zone change as part of the project from SG to R-O (Recreation and Open Space) to bring the zoning designation in conformance with the General Plan, and from R-1-7 to R-O to provide uniformity. Public parks are a permitted use in the R-O zone. In addition, the zone change will make the project site consistent with the R-O zoning designation of the adjacent Grijalva Park site. Since the SG, R-1-7 and R-O designations allow public parks, the project is consistent with the zoning designations. Impacts are less than significant.

(c) Less than Significant Impact. The project site is not located within a "reserve" area or other special status area of an NCCP or HCP. As described in Section 3.4, the City of Orange in general is a participating jurisdiction in the Orange County Central Coastal Subregional NCCP. The NCCP/HCP established a 37,000-acre reserve system to offset the anticipated impacts of development within central coastal subregion, and provides complete coverage for impacts to 29 native plant and wildlife species and provides "conditional coverage" for an additional ten native plant and wildlife species. The southwestern willow flycatcher (SWWF) and least Bell's vireo (LBV) are conditionally covered species under the NCCP.

The project site contains small areas of vegetation that could support LBV and SWWF. However, since observed site conditions and the focused surveys for LBV (Appendix D) indicate that the species are not present on or adjacent to (within 500 feet) of the project site, no adverse impacts related to compliance with the NCCP would occur. Impacts are less than significant.

Conclusion

An analysis of the land use impacts of the project has been provided to supplement the information presented in the October 1999 MND. No new significant impacts are identified in the Supplemental Analysis and no new mitigation measures are warranted. Impacts remain less than significant.

10. MINERAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
(b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

October 1999 MND

Impacts to mineral resources from the construction of Grijalva Park were analyzed in the previously approved October 1999 MND (incorporated by reference). The MND states that although the project site is designated as Resource Sector J for aggregate resources in the City's General Plan (1989), aggregate resources have since been extracted. There are no significant mineral resources on the project site.

Supplemental Analysis

(a, b) No Impact. The project site is designated as aggregate "Resource Sector J" in the General Plan Open Space and Conservation Element's aggregate resources exhibit (Figure OSC-2). The site is also zoned Sand and Gravel Extraction district. This designation is reflective of the State Mining and Geology Board's designation of the site as a regionally significant source of aggregate resources (Surface Mining and Reclamation Act (SMARA) Designation Report No. 3, California Department of Conservation, August 1984).

As stated in the Existing Setting section of this document, the Conrock Corporation mined (excavated) sand and gravel from the banks of Santiago Creek (presumably prior to the early 1950's, based on the site history). Union Pacific (the subsequent owner) used the excavated area (located in the southern portion of the site) as a landfill, filling it with rubble consisting of concrete, brick and solid waste. The City of Orange also used the site for disposal of asphalt curb and gutter sweepings. The northern portion of the property was also mined for gravel, however the exact years are unknown. An asphalt batch plant was subsequently located on the northern portion of the site in the early 1950's. Operations were terminated in late 2000. (SCS Engineers, 2004; SECOR, 2001).

Because the site was mined prior to the early 1950's (there has been no mining activity on the site since then) and subsequently was used as a landfill, the City believes that the site is no longer a viable aggregate resource area. This conclusion was confirmed with the State of California Department of Conservation (personal communication with Russ Miller on July 7, 2005). In addition, since the onset of mining activities, much of the area has been developed with residential uses, making an aggregate operation in the area undesirable from a land use compatibility standpoint. Therefore, although the site is designated by the State as a "significant regional aggregate resource area" and is identified in the City's General Plan as aggregate Resource Sector J (Figure OSC-2 of the Conservation Element), the site no longer contains aggregate resources and there is no longer a purpose for those designations. No impact to mineral resources would occur as a result of the project. The aggregate resource designation is addressed in Section 3.9.

Conclusion

The project would have no impact to mineral resources. This conclusion is consistent with the October 1999 MND. No new significant impacts are identified in the Supplemental Analysis and no new mitigation measures are warranted or proposed.

11. NOISE. *Would the project result in:*		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
(b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
(c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
(d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
(f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

October 1999 MND

Impacts related to noise from the development of Grijalva Park were analyzed in previously approved October 1999 MND (incorporated by reference). The October 1999 MND states that the Noise Element in the City of Orange General Plan (Noise/Land Use Compatibility Guidelines) identifies noise exposure up to 67.5 CNEL as "normally acceptable" for a park use and the project site is located within the 67.5 CNEL contour. The October 1999 MND also analyzed permanent noise increases (from project related traffic generation) and concluded that traffic noise increases would not violate the City Noise Ordinance. Regarding park noise, the October 1999 MND identified fields spectator noise as the primary park noise generator and states that spectator or participant noise from the sports fields may occasionally exceed the City's L50 noise standards for residential areas. In addition, activities conducted on public parks are exempt from the noise ordinance. Therefore, the project would not exceed applicable City noise standards.

Supplemental Analysis

(a,c,d) Less than Significant Impact with Mitigation (construction only).

Construction

Construction noise is exempt from the noise ordinance and therefore does not violate City standards. In addition, construction hours are limited by ordinance (OMC Section 8.24.070) to the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday. Construction is not permitted on Sundays or Holidays. Therefore, construction noise impacts would not be significant. Although construction noise is not considered significant, the October 1999 MND identifies mitigation measure that further limits hours of operations for heavy construction equipment to minimize nuisance noise at surrounding residences. Impacts are less than significant with mitigation.

Operational Thresholds of Significance

The proposed project would result in a significant noise impact for purposes of CEQA if applicable noise criteria are exceeded, and the project contributes a measurable amount to the existing noise environment. Three

dB is considered the threshold for a "measurable" noise increase, because generally a three dB change is barely perceptible to the human ear in an outdoor environment.

A noise impact is considered potentially significant if:

- the project-related traffic noise increases CNEL from below 70 dB to above 70 dB at a single-family or multi- family residential location or school, or from below 77.5 dB to above 77.5 dB at any office, business or commercial/industrial use; and the project increases CNEL by three dB or more (a noticeable change in the ambient noise level).
- Park activity noise levels increase by 3dB or more (a noticeable change in the ambient noise level).

Operations

Recreational Activities

The project does not include sports fields or other high- intensity activities that would be expected to generate substantial noise. Activities in the gymnasium and community center would be indoors and would not be substantial noise generators. The (Phase II) aquatic center would contain two outdoor pools and may have some noise generation associated with spectators during swim meets and/or children playing during open pool hours. The skatepark is also an outdoor facility that would generate noise. However, both are located substantially away from adjacent residences (at least 300 feet), and residential uses are separated from the project site by local roadways and perimeter block walls. In addition, as stated in the October 1999 MND, park uses are exempt from the City's noise ordinance. As a result, the project would not exceed applicable standards and impacts are less than significant.

Traffic Noise

A noise analysis was provided in the October 1999 MND that evaluated traffic noise generation based on a more intensive use of the project site with higher trip generation. The study concluded that at project buildout the project related traffic increase would not cause a 3 dB increase in CNEL at the surrounding sensitive receptors. Because the proposed project represents a less intense development scenario from a trip generation standpoint, the proposed project traffic would not increase CNEL at the adjacent sensitive receptors by greater than 3db. Therefore, although traffic noise would increase, the noise increase would not exceed significance thresholds and would be less than significant.

(b) Less than Significant Impact. Operations at Grijalva Park would not generate groundborne vibration, which is typically generated by uses such as trains, excessive heavy truck traffic, or construction equipment (e.g. pile drivers, structure demolition). Some temporary vibration impacts may be noticeable during construction from grading activities and truck activity. However, the grading phase of construction does not involve high intensity equipment, is of short duration, and would occur during daytime (non-sensitive) hours. Therefore, impacts are less than significant.

(e, f) No Impact. The proposed project is not located within an airport land use plan or within two miles of a public airport or private airstrip. No impact would occur.

Mitigation Measures

October 1999 MND Mitigation Measures That Are No Longer Applicable

The October 1999 MND includes a mitigation measure that applies specifically to outdoor sports fields. Since no sportsfields are proposed as part of the project, this measure is not applicable to the Grijalva Extension project, and is shown in strikeout format below.

~~1) Use of bull horns is prohibited on any field; 2) Lights will be turned off on the field before 10:00 p.m. if the fields are not in use; 3) if complaints of excessive noise are received, a review will be completed by the Director of Community and Library Services. Compliance shall be assured by the Department of Community and Library Services.~~

October 1999 MND Mitigation Measures That Still Apply

The following mitigation measures were required as part of the October 1999 MND and are still applicable to the project. Some minor text changes have been made for clarification purposes only and are shown in strikeout/underline format. The action, intent and result of the mitigation measures are the same.

Mitigation Measure NS-1 Construction contracts shall limit grading and construction so that no construction occurs between the hours of 8:00 p.m. and 7:00 a.m. Monday through Saturday, or anytime on Sundays or federal holidays, per the limitations established in the City's Noise Ordinance. Contract compliance shall be assured by ~~the Department of Community and Library Services~~ Community Services Director or designee.

Mitigation Measure NS-2 Construction contracts shall limit onsite heavy construction equipment operations ~~are limited~~ to 7am to 5pm Monday through Friday, 8am to 4pm on Saturday and prohibited on Sundays and Holidays. The Community Services Director shall ensure compliance.

Conclusion

An analysis of the project noise impacts has been provided to supplement the information presented in the October 1999 MND. Impacts are less than significant with the implementation of mitigation measures previously identified in the October 1999 MND. No new significant impacts are identified in the supplemental analysis and no new mitigation measures are warranted. Impacts remain less than significant with mitigation.

12.	POPULATION AND HOUSING. *Would the project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
(b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
(c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

October 1999 MND

The October 1999 MND concludes that the project does not include housing and has little indirect effect in inducing housing or population growth.

Supplemental Analysis

(a,b,c) No Impact. The project would not induce substantial population growth either directly or indirectly because it would not involve the construction of dwelling units, businesses or the extension of infrastructure into undeveloped areas. The project site is surrounded on all sides by residential development. The project would not result in the displacement of people or housing.

It should be noted that the project involves a GPA and zone change from LMDR and R-1-7 to OS-P and RO. As described in the land use section, this change to the residentially-designated portions of the site does not eliminate any existing housing, since the parcel is currently undeveloped. In addition, the potential for residential development on the LMDR-designated portions of the site are limited by the Santiago Creek alignment which traverses the project site and the presence of buries landfill material and contamination. Because the project does not eliminate existing housing, no impact to housing would occur.

Conclusion

An analysis of the project impacts to housing has been provided to supplement the information presented in the October 1999 MND. No new significant impacts are identified in the supplemental analysis and no new mitigation measures are warranted. No impact would result.

13. PUBLIC SERVICES. *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire Protection?	☐	☐	☐	☒
ii) Police Protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

October 1999 MND

The October 1999 MND concludes that the project does not necessitate public service facility expansions or additional services.

Supplemental Analysis

i) No Impact. The October 1999 MND states that the development of Grijalva Park would be served by the Orange Fire Department and would not require construction of new fire facilities. All buildings would be constructed in conformance with local building and fire regulations.

ii) No Impact. The October 1999 MND states that no new police facilities would be necessary to serve the project. Existing services are provided by the Orange Police Department.

iii) No Impact. The proposed project does not involve population increases that could generate additional students or impacts to schools.

iv) No Impact. The project does not involve the construction of housing that could increase the population in the City; therefore the project would not adversely affect the parkland to population ratio. The October 1999 MND states that the Master Plan of Parks indicates a need for additional park acreage in the City to achieve the City's parkland to population ratio goal. Grijalva Park at Santiago Creek and the Grijalva Extension was not mentioned or anticipated in the Master Plan of Parks. When the Master Plan of Parks was completed in 1999 the City owned 136.43 acres of City-owned and developed parkland; 42.5 acres of City-owned undeveloped parkland; and 22.95 acres of joint use school/city recreation facilities factored as 13.95 additional city acres. This equates to 1.54 acres of parkland per 1000 population using the 1999 population of 125,065 (4). The additional Grijalva Park 42 acres recalibrates the ratio to 1.88 acres per 1000 population based on the 1999 population and 1.72 at the 2004 population of 136,701. The addition of these acres brings the City closer to the state standard of 3.0 acres per 1,000 residents.

v) No Impact. No other public facilities would be affected by the project.

Conclusion

An analysis of the project impacts to public services has been provided to supplement the information presented in the October 1999 MND. No new significant impacts are identified in the supplemental analysis and no new mitigation measures are warranted. No impact would result.

14. RECREATION. *Would the project:*		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

October 1999 MND

The October 1999 MND concludes that the project would have no adverse impacts to existing recreational facilities and less than significant impacts related to development of a new recreational facility.

Supplemental Analysis

(a) No Impact. The proposed project would not induce population growth that would increase the demand for recreational services. The proposed park improvements are expected to result in the increased use of Grijalva Park for recreation that would lessen demand on other park facilities. The project would not result in significant deterioration of other recreational facilities. No impact would result.

(b) Less Than Significant Impact. The proposed project involves the construction of new recreational amenities on an undeveloped site, which changes the nature of the site and results in impacts (both adverse and beneficial) to the surrounding community. This document analyzes the physical impacts of that proposal and finds that the project would have less than significant impacts with the implementation of mitigation measures previously identified in the October 1999 MND. Impacts are less than significant.

Conclusion

An analysis of the project impacts to recreation has been provided to supplement the information presented in the October 1999 MND. No new significant impacts are identified in the supplemental analysis and no new mitigation measures are warranted. No impact would result.

15.	TRANSPORTATION/TRAFFIC. *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
(b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
(c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
(d)	Substantially increase hazards due to a design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
(e)	Result in inadequate emergency access?	☐	☐	☒	☐
(f)	Result in inadequate parking capacity?	☐	☒	☐	☐
(g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

October 1999 MND

The impacts to traffic/ circulation from the construction of Grijalva Park were analyzed in the previously approved October 1999 MND (incorporated by reference). The traffic analysis was based on a plan for Grijalva Park and the Grijalva Park Extension site that included seven soccer fields, three ball fields, a 23,000 square foot gymnasium, 23,000 square foot community center, totlot, concession/ restroom facilities and picnic areas. The October 1999 MND concluded that the construction of Grijalva Park would not have significant impacts to surrounding intersections, as all study area intersections would operate at acceptable levels of service (LOS D or better) with the project.

Supplemental Analysis

(a,b) Less than Significant Impact.

Since the 1999 traffic analysis was completed, Grijalva Park has been constructed and is operational as a City recreational facility. In addition, the proposed project has eliminated several sportsfields from the Grijalva Extension property's site plan and includes several additional amenities (including the aquatic center, skatepark, and a passive recreational area) that were not anticipated in the previous traffic analysis. Therefore, the City retained Greer and Associates to prepare a traffic impact analysis and parking studies. The Traffic Study is included as Appendix J of this document.

Traffic Analysis

The traffic study analyzes level of service at four study area intersections (identified in cooperation with the City Traffic Engineer) for the existing condition, Phase I of project buildout (2007), Phase 2 project buildout (2010) and the 2025 cumulative condition. The traffic study focuses on analyzing conditions during the p.m. peak traffic period (4:00 to 6:00 p.m.) when both project trip generation and traffic volumes on the surrounding streets are highest. The study area intersections are:

- Prospect Street and Chapman Avenue
- Prospect Street and Spring Street
- Prospect Street and Walnut Avenue
- Chapman Avenue and McPherson Road

- Chapman Avenue and Yorba Street

Thresholds of Significance

Per the City's General Plan Circulation Element, a Level of Service "D" or better is considered an acceptable traffic condition in the City of Orange. The project has a significant traffic impact if it causes a signalized intersection to degrade to an unacceptable Level of Service (LOS E or F) AND increases the Intersection Capacity Utilization (ICU) value by 0.01.

Existing Conditions

Turning movement traffic counts at the five study area intersections were conducted during the last two weeks in August 2004 between the hours of 4:00 p.m. and 6:00 p.m. (the p.m. peak traffic period). In addition, 24-hour counts were taken on Tuesday August 31, 2004. Existing LOS at each of the five study are intersections shown in Table 3.15-1. All intersections are currently operating at an acceptable LOS.

Table 3.15-1 Existing Level of Service

INTERSECTION	V/C RATIO (or ICU)	LOS
Prospect Street and Chapman Avenue	0.667	B
Prospect Street and Spring Street	0.476	A
Prospect Street and Walnut Avenue	0.352	A
Chapman Avenue and McPherson Road	0.582	A
Chapman Avenue and Yorba Street	0.680	B
LOS- Level of Service; V/C- Volume to Capacity Ratio		

Year 2007 Analysis- Completion of Phase I

Project traffic volumes for Phase I of project development consist of the following elements. First, operation of the proposed gymnasium generates additional traffic trips. Second, diverted traffic from the proposed culdesacing of McPherson Avenue at Spring Street causes a redistribution of trips onto the surrounding roadways. (Approximately 150 trips per day are "cut-through" trips at McPherson and Spring and will be diverted elsewhere.) Lastly, traffic distribution patterns change compared to existing conditions, because of the creation of a new park access from Walnut Avenue where none currently exists. Based on these project components project traffic generation was projected and LOS was calculated for each study area intersection. Table 3.15-2 shows that phase 1 of the project worsens LOS at all study area intersections, but all intersections continue to operate at acceptable levels (LOS D or better).

Table 3.15-2 Year 2007 Without Project vs. With Project

INTERSECTION	Existing Conditions		2007 Without Project		2007 With Project	
	V/C	LOS	V/C	LOS	V/C	LOS
Prospect Street and Chapman Avenue	0.667	B	0.769	C	0.828	D
Prospect Street and Spring Street	0.476	A	0.567	A	0.577	A
Prospect Street and Walnut Avenue	0.352	A	0.422	A	0.425	A
Chapman Avenue and McPherson Road	0.582	A	0.640	B	0.609	B
Chapman Avenue and Yorba Street	0.680	B	0.680	B	0.688	B

It should be noted that circulation improvements are planned for two of the five study area intersections: Prospect Street and Chapman Avenue, and Yorba Street and Chapman Avenue. These improvements are approved and funded City Capital Improvement Projects that are currently in the right-of-way acquisition and/or construction phases and will be completed by 2007. Therefore, these improvements were assumed as part of the 2007 circulation system.

Year 2010- Completion of Phase 2 of the Project (Project Buildout)

Project traffic generation in 2010 consists of redistribution of traffic resulting from access and circulation changes made in Phase I of the project, as well as traffic generation from new amenities proposed in Phase I (gymnasium) and Phase II (aquatic center, community building, skatepark, and passive areas) of the project. Based on these project components, project traffic generation was projected and LOS was calculated for each study area intersection for 2010 conditions. Table 3.15-3 shows that project buildout worsens LOS at all study area intersections, but all intersections continue to operate at acceptable levels of service (LOS D or better).

Table 3.15-3 Year 2010 Without Project vs. With Project

INTERSECTION	Existing Conditions		2010 Without Project		2010 With Project	
	V/C	LOS	V/C	LOS	V/C	LOS
Prospect Street and Chapman Avenue	0.667	B	0.795	C	0.847	D
Prospect Street and Spring Street	0.476	A	0.580	A	0.621	B
Prospect Street and Walnut Avenue	0.352	A	0.432	A	0.442	A
Chapman Avenue and McPherson Road	0.582	A	0.673	B	0.626	B
Chapman Avenue and Yorba Street	0.680	B	0.711	C	0.718	C

Year 2025- Cumulative Analysis (General Plan Buildout)

Project traffic volumes in 2025 are the same as in the 2010 analysis. The 2025 analysis is modeled to understand the cumulative effects of the project, coupled with "buildout" of the area (as defined in the City's General Plan). Based on background growth in the area, planned circulation improvements, and project implementation, traffic volumes were projected and LOS was calculated for each study area intersection for 2025 conditions. It should be noted that some 2025 traffic volumes on the Chapman intersections are lower than the 2010 volumes. This results from the modeling process when all planned street improvements are assumed to be completed based on the City's General Plan Circulation Element street designations and associated standard street improvements. This results in some redistribution of traffic on the citywide street network, resulting in some reduction in projected Specifically, the assumed Walnut Avenue extension and improvements on Tustin Street and Collins Avenue affect this redistribution and traffic volumes on Chapman Avenue.

It should also be noted that part of the project is processing a General Plan Amendment to remove the Yorba Extension (from Chapman Avenue north to Walnut Avenue) from the City's Master Plan of Streets and Highways. Therefore, the "without project" analysis assumes the Yorba Extension will occur by 2025 on the basis of the General plan Circulation Element. Conversely, the with project analysis assumes that the Yorba Extension has been removed from the Circulation Element as part of the project and does not occur.

Table 3.15-4 shows that the project worsens LOS at all study area intersections, but all intersections continue to operate at acceptable levels of service (LOS D or better). Therefore, the project does not result in significant traffic impacts.

Table 3.15-4 Year 2025 Without Project vs. With Project

INTERSECTION	Existing Conditions		2025 Without Project		2025 With Project	
	V/C	LOS	V/C	LOS	V/C	LOS
Prospect Street and Chapman Avenue	0.667	B	0.78	C	0.82	D
Prospect Street and Spring Street	0.476	A	0.56	A	0.60	A
Prospect Street and Walnut Avenue	0.352	A	0.41	A	0.42	A
Chapman Avenue and McPherson Road	0.582	A	0.65	B	0.64	B
Chapman Avenue and Yorba Street	0.680	B	0.69	B	0.70	B

(c) No Impact. The proposed project would have no impact to air traffic patterns.

(d) No Impact. The project does not involve changes to public roadway alignments. The proposed project would modify and extend the existing internal roadway, connecting Spring Street to Walnut Avenue. This roadway is not a public roadway and the proposed minor alignment changes would not result in curves or other hazardous design features. The project also provides a new park access from Walnut Avenue and proposes to cul-de-sac McPherson road to eliminate cut through traffic. The site plan has been reviewed by the Traffic Engineering division and the project complies with all access and applicable circulation design requirements.

(e) Less than Significant Impact. The proposed project would change access to the project site from public roadways. Spring Street and Prospect Avenue would remain the primary park access point. A new access point would be constructed off of the existing Walnut Avenue cul de sac, connecting Walnut Avenue to Spring Street. The existing access from McPherson Road would be closed and a cul-de-sac constructed to accommodate emergency vehicle turnarounds. Project plans have been reviewed by the City police and fire departments to ensure that all site access is designed to ensure adequate emergency access in accordance with fire and police regulations. No new significant impacts are identified and no new mitigation measures are warranted.

(f) Less than Significant Impact with Mitigation. Since the 1999 parking analysis was completed, Grijalva Park has been constructed and different amenities are proposed on the Grijalva Extension site that were not previously contemplated. As a result of the completion of Grijalva Park and the introduction of new uses (aquatic center, skate park, amphitheatre) into the Grijalva Extension site, the City retained Greer and Associates to prepare an updated parking analysis. The study is included as Appendix J of this document.

The following table summarizes parking supply and demand:

Parking Supply and Demand by Phase

	Parking Demand (Spaces)	Total Parking Supply (Spaces)	Adequate Parking?
Phase 1 Weekday Existing + Phase 1	140	529	Yes
Phase 1 Peak Event Existing + Phase 1	534	529	No
Phase 2 Weekday Existing + Phase 1 + Phase 2	305	635	Yes
Phase 2 Peak Event Existing + Phase 1 + Phase 2	1,329	635	No

With regard to peak parking demands for event activities, this table shows that the project does not provide adequate parking supply for peak events if all uses are scheduled simultaneously. With approximately 635 parking spaces proposed for the project, the peak parking demand for each event could be accommodated individually and some selected events could be accommodated simultaneously. For example, the case of a basketball tournament in the gymnasium/sports center or a capacity amphitheater event, no other event activity could be scheduled simultaneously because of parking demands. However, for example, a swim meet at the aquatics center, a capacity event at the community building and a large company picnic could be accommodated simultaneously.

In summary, for Phase 1, peak events should not be scheduled simultaneously to exceed a parking demand of 529 spaces. For Phase 2, any combination of peak events should not be scheduled simultaneously to exceed a parking demand of 635 spaces.

Proposed Operational Plan and Scheduling Limitations

To address the deficiency in parking for peak events both upon completion of Phase 1 and Phase 2 of the project, the City proposes the following scheduling limitations to ensure that peak parking demand does not exceed supply:

- Phase 1- A peak event at the proposed Gymnasium will not be scheduled with a peak event at the existing soccer fields.
- Phase 2- During a peak event at the Gymnasium, no other peak events (except for picnic area events) will be scheduled.
- Phase 2- During an amphitheatre event, no other peak events will be scheduled. In addition, at least one of the three classrooms at the gymnasium will not be programmed.
- Phase 2- No more than three peak events from the following four amenities- soccer fields, Community Building, Aquatic Center, or picnic areas- may be scheduled simultaneously.

With the implementation of these scheduling limitations, parking demand will not exceed supply (as demonstrated by the data provided in the attached operational plan (Appendix K).

If it becomes necessary to deviate from these scheduling limitations, the City's Director of Community Services or designee will need to secure additional parking such that parking demand does not exceed the proposed supply. The City has identified two feasible options for securing overflow parking offsite- these options include but are not limited to Prospect Street Elementary School located one block east of Grijalva Park (54 parking stalls) and El Modena High School located two blocks east of Grijalva Park (377 parking stalls).

(g) No Impact. The proposed project would not conflict with existing programs supporting alternative transportation.

Mitigation Measures

October 1999 MND Mitigation Measures That Are No Longer Applicable

The October 1999 MND included mitigation measures related to traffic control during soccer tournaments (Measure 2) and realignment of Spring Street (Measure 3). Mitigation Measure 2 does not apply to the proposed project because the Grijalva Park Extension Master Plan does not contain soccer fields or propose soccer tournaments. This measure was intended for and applies to operations at the existing Grijalva Park site. Mitigation Measure 3 was complied

with as part of the construction of the existing Grijalva Park. It is now an existing condition and no longer applies as mitigation to the proposed project. These two measures are shown in strikeout format below.

~~2. During soccer tournaments, extra traffic control measures may be required, including special drop-off zones, offsite parking areas, temporary signage, traffic control officers etc. The Department of Community and Library Services shall specify requirements and monitor compliance.~~

~~3. The west leg of the Spring Street/Prospect Street intersection shall be realigned southerly to align with the eastern leg prior to occupancy of Phase 1. The Engineering Department shall approve all plans and monitor compliance.~~

October 1999 MND Mitigation Measures That Still Apply

The October 1999 MND included the following measures related to traffic control during construction and parking supply that still apply to the project. The measures have been modified to update information and provide more detailed description. Modifications are shown in underline/strikeout format.

Mitigation Measure TR-1 ~~1.~~ Prior to construction, the City/contractors shall coordinate with the Public Works Department to obtain an encroachment permit or haul permit (if required). As part of the permit process, the contractor shall submit a construction traffic plan for each project phase to the Engineering Department for review. The plan shall identify truck transport routes, site access points, construction signing and any special traffic control requirements. The Community Services Director or designee shall implement this measure. The Engineering Department shall monitor compliance.

October 1999 Mitigation Measure

1. Concurrently with the operation of Phase 4, the scheduling of park facilities shall be revised to balance parking demand and supply. The alternatives considered may include but are not limited to: (a) reducing community center, gymnasium or field operations during peak periods, b) staggering game start times for soccer events to reduce parking demands, c) securing a parking agreement for joint use parking at El Modena High School during peak parking demands. The Department of Community and Library Services shall finalize a facilities management plan (e.g. operational policies and parking agreements) to balance parking supply and demand prior to occupancy. The Department of Community and Library Services shall monitor compliance.

Proposed (Revised) Mitigation Measure

Previous Mitigation Measure 1 related to balancing parking supply and demand prior to occupancy of the community center. Since the proposed amenities, phasing plan and parking supply have changed, this measure in its original form is not applicable. However, as discussed above, parking demand exceeds supply at project buildout, and a mitigation measure that will ensure balanced parking during peak events is required. Therefore, the following mitigation measure is proposed to reduce parking impacts to less than significant levels; it represents a modification to the previous measure, but has the same intent and result.

Mitigation Measure TR-2 The City shall schedule events to comply with the following scheduling limitations to ensure that peak parking demand does not exceed supply:

- Phase 1- A peak event at the proposed Gymnasium will not be scheduled with a peak event at the existing soccer fields.
- Phase 2- During a peak event at the Gymnasium, no other peak events (except for picnic area events) will be scheduled.

- Phase 2- During an amphitheatre event, no other peak events will be scheduled. In addition, at least one of the three classrooms at the gymnasium will not be programmed.
- Phase 2- No more than three peak events from the following four amenities- soccer fields, Community Building, Aquatic Center, or picnic areas- may be scheduled simultaneously.

If it becomes necessary to deviate from these scheduling limitations, the City's Director of Community Services or designee shall secure additional parking such that parking demand does not exceed the proposed supply. The City has identified two feasible options for securing overflow parking offsite- these options include but are not limited to Prospect Street Elementary School located one block east of Grijalva Park (54 parking stalls) and El Modena High School located two blocks east of Grijalva Park (377 parking stalls).

Conclusion

An analysis of the traffic and parking impacts has been provided to supplement the information presented in the October 1999 MND. Impacts are less than significant wit the implementation of mitigation measures identified in the October 1999 MND (as described and revised above). No new significant impacts are identified in the supplemental analysis and no new mitigation measures are warranted.

16.	UTILITIES/SERVICE SYSTEMS. *Would the project:*	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
(b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
(c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
(d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
(e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
(f)	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
(g)	Comply with federal, state, and local statutes and regulations related to solid wastes.	☐	☐	☒	☐

October 1999 MND

The impacts to wastewater services from the construction of Grijalva Park were analyzed in the previously approved October 1999 MND. The MND states that the project would not violate waste discharge requirements, require construction of new water or wastewater facilities, or exceed the capacity of existing wastewater treatment facilities. The MND also concluded that sufficient water supplies are available without new or expanded entitlements to provide water for the project and that area landfills have the capacity to serve the project, and that the project would comply with all solid waste regulations.

Supplemental Analysis

(a,b,e) Less than Significant Impact. The project creates a new use on a vacant property which will increase wastewater generation over existing conditions. A 12" sewer line exists on Prospect Street and a 6" line traverses the existing Grijalva Park adjacent to the project site. Connections to existing infrastructure are proposed as part of the project. Since the project site is located in an urbanized area with adequately sized facilities to accommodate the development, impacts are less than significant.

(c) Less than significant Impact. A 36" storm drain is located along Spring Street, a 24" storm drain runs is located along the existing internal access road, and several 6 to 12" lines traverse the Grijalva Park site. Storm drain connections would be constructed on the project site as part of the project and would be connected to existing stormwater infrastructure. Since the project site is located in an urbanized area where adequate capacity exists in the existing storm water infrastructure to accommodate the proposed project, impacts are less than significant.

(d) Less than Significant Impact. The project creates a new use on an undeveloped property which will increase water usage compared to existing conditions. A 10" water line is located on Prospect Street, and also along McPherson Road. The project would include construction of connections to these water lines. Since the project site is located in an urbanized area sufficient water supply and infrastructure is available to accommodate the project, impacts are less than significant.

(f, g) Less than Significant Impact. The project would generate debris during construction that would be disposed of in local landfills. The landfill that services Orange County has adequate capacity to serve the proposed project Impacts are less than significant.

Conclusion

An analysis of project impacts to utilities has been provided to supplement the information presented in the October 1999 MND. Impacts are less than significant. No new significant impacts are identified in the supplemental analysis and no new mitigation measures are warranted.

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

(a) Less than Significant Impact. As described in Section 3.4, the project site does not contain rare, threatened or endangered species. The proposed improvements would result in removal of onsite vegetation, including some native plant communities. With the implementation of mitigation measures identified in the previously approved October 1999 MND (as revised in this document), no significant impacts would occur.

No known cultural resources are located at the project site. The site was previously disturbed and excavated, resulting in a low potential for unknown cultural resources.

(b) Less than Significant Impact. The proposed park improvements would not result in significant adverse cumulative impacts, as demonstrated in the analysis above.

(c) Less than Significant Impact with Mitigation. The proposed park improvements would not result in substantial adverse impacts to human beings, either directly or indirectly with the implementation of mitigation measures identified in the previously approved October 1999 MND, as revised in this document.

18. REFERENCES CITED

1. City of Orange General Plan, 1989.
2. City of Orange Master Plan of Park Facilities, Recreation and Libraries, 1999.
3. City of Orange Municipal Code, 1995 (Comprehensive Update)
4. SCS Engineers, Phase II Environmental Assessment, Lead Investigation and Installation of Perimeter and Interior Gas Monitoring Probes, Grijalva site- Former Union Pacific Railroad Landfill, Orange, CA. October 4, 2004.
5. SECOR, Geotechnical Engineering Site Assessment Report, Union Pacific Railroad Property, Santiago Creek Site North of Spring Street and McPherson Road, Orange, California. January 25, 2001.
6. SECOR, Environmental Assessment Report, Union Pacific Railroad Property, Santiago Creek Site North of Spring Street and McPherson Road, Orange, California. January 25, 2001.
7. Sid Lindmark, AICP, "Prospect Street Sports Park Expansion Subsequent Mitigated Negative Declaration 1601-99", dated October 1999.

19. LIST OF PREPARERS

Jennifer McDonald, Senior Planner/ Environmental Review Coordinator
City of Orange, Community Development Department

20. TECHNICAL APPENDICES AND CONSULTANTS

- Appendix A- Site Photographs.
- Appendix B- Skatepark Lighting Plan and Light Spill Analysis, prepared by Musco Lighting.
- Appendix C- Air Quality Modeling Output.
- Appendix D- Biological Constraints Survey, Bonterra Consulting.
- Appendix E- Technical Letter- Focused Surveys for Least Bell's Vireo, Bonterra Consulting.
- Appendix F- Jurisdictional Delineation, RBF Consulting.
- Appendix G- Preliminary Landfill Closure Plan, SCS Engineers.
- Appendix H- Floodplain Delineation, RBF Consulting.
- Appendix I- Assessors Parcel Maps, and General Plan Land Use and Zoning Maps.
- Appendix J- Traffic Impact Analysis, Greer & Co.
- Appendix K- Memo re: Proposed Operational Limitations for Parking Control.
- Appendix L- Notices and State Clearinghouse Correspondence.
- Appendix M- Public Comment Letters.
- Appendix N- Technical Letter dated September 29, 2005 (response to comments), SCS Engineers.

SECTION 4.0 RESPONSE TO COMMENTS

SUBSEQUENT MITIGATED NEGATIVE DECLARATION NO. 1753-05
GRIJALVA PARK EXTENSION CONCEPTUAL MASTER PLAN
CAPITAL IMPROVEMENT PROJECT NO. 0151

This section of the Final MND contains the City's responses to public comments that were received during the public review period. Subsequent MND No. 1753-05 dated August 2, 2005 was prepared to analyze the environmental impacts of the Grijalva Park Extension Conceptual Master Plan project. The Draft MND was circulated for a 30-day public review period, from August 3, 2005 through September 1, 2005. Copies of the MND were available for public review at Orange City Hall and at the El Modena Branch Library located at 380 South Hewes Street in the City of Orange. Copies were also mailed to all responsible agencies, and to the State Clearinghouse (State Clearinghouse No. 1999101063) for distribution to state agencies. The Notice of Intent to adopt the MND was filed with the Orange County Clerk, and was mailed to property owners and tenants located within 300 feet of the project site. In addition, the notice was published in the Orange City News on August 4, 2005.

The City of Orange (City) received seven written comment letters from the following individuals and agencies during the CEQA public review period:

- Robert F. Joseph, Department of Transportation, District 12, 3337 Michelson Drive, Suite 380, Irvine, CA 92612 (dated August 10, 2005)
- Patricia Henshaw, County of Orange Health Care Agency, 1241 East Dyer Road, Suite 120, Santa Ana, CA 92705-5611 (dated August 30, 2005).
- Mark L. Conzelman, Wells Cargo Moving and Storage Centers, 224-D North McPherson Road, Orange, CA. 92869 (dated August 12, 2005)
- Ray Tuohy, 5608 East Mountain Avenue, Orange, CA. 92867 (dated August 19, 2005).
- Ray Funke, 3746 East Sycamore Avenue, Orange, CA. 92869 (dated August 28, 2005).
- Richard and Vicki Ritter, 505 North Handy Street, Orange, CA 92867 (via email dated August 4, 2005 and August 18, 2005)
- Marty Self, 5643 East Crest De Ville, Orange, CA 92867 (via email dated August 1, 2005 and August 19, 2005)

The City has prepared this Response to Comments to address environmental comments received during the CEQA public review period. The response to comments has been included in the Final MND. The comment letters are attached at the end of this document (as Appendix M to the Final MND) and are briefly summarized below. All written comments received during the public review period have been made a part of the public record and have been forwarded to the Orange City Council for consideration.

Comment Letter from the Department of Transportation District 12

Comment Summary: Caltrans District 12 is a reviewing agency on this project, and has no comment.

Response: Comment noted. Your comment letter has been forwarded to the Orange City Council for consideration.

Comment Letter from the County of Orange Health Care Agency

Comment Summary: The Orange County Solid Waste Local Enforcement Agency has the following comments:

1. Section 2.1- Project Description, Phase I, page 7: The three existing perimeter landfill gas monitoring probes installed by SCS Engineers need to be protected in place for future monitoring.

2. Section 2.1- Project Description, Phase I, page 7: The LEA will need to review and approve a plan for the excavation and re-depositing buried waste exposed by the eroding Santiago Creek slopes. The plan must 1) detail how exposed refuse will be excavated and list the control measures for addressing windblown litter, rodents, odors, etc. These control measures can possibly be added to the MND as mitigation measures; 2) describe the screening/testing procedure, if any, for hazardous waste, and an offsite disposal procedure should hazardous waste be exposed; and 3) clearly identify where refuse will be redeposited, and explain how refuse will be consolidated and recompacted.

3. Section 2.1- Project Description, Phase I, Page 7: The final cover needs more detailed description of the type of soil to be used in the foundation and vegetative layers.

4. Section 2.3- Required Agency Approvals, Page 10: Need to include as a responsible Agency the California Integrated Waste Management District Board (CIWMB).

5. Section 7- Hazards and Hazardous Materials, Page 37: Per California Code of Regulations, Title 27 (27 CCR) Section 21190, all on-Site enclosed structures on or within 1,000 feet of the disposal area shall be protected from methane gas. Examples of protection measures are listed in 27 CCR Section 21190 The LEA will need to review and approve all methane protection plans.

6. Section 7- Hazards and Hazardous Materials, page 37: Need to obtain CIWMB's approval for the closure and post-closure plans.

Response: Thank you for your comment letter. Your letter has been forwarded to the Orange City Council for consideration. The following responses are based on a technical letter from SCS Engineers dated September 29, 2005 (included as Appendix N in the Final MND).

1. Notes will be added to the final project plans and specifications to protect the existing perimeter probes in place, (identified as VP-1, VP-2 and VP-3 in the Site Plan contained in the Phase II Environmental Assessment report, incorporated by reference and on file with the City of Orange). If the City cannot protect the probes during the construction of the landfill cover, new probes will be installed after the cover is placed, close to the same locations. It should be noted that VP-3 is located in fill material and may not have to be replaced (at the discretion of the OCHCA). The probes will be used to monitor for methane generation as described below in response 5. The project description in the MND has been revised to include these details. In addition, this information will be added to the draft landfill closure plan, which is subject to review and approval by OCHCA, RWQCB, and CIWMB prior to project implementation.

2. SCS Engineers has developed a plan (which is an attachment to SCS Engineers' September 29, 2005 letter, included as Appendix N of the Final MND) for the excavation and re-depositing of landfill materials from Santiago Creek. The plan discusses the procedure for treatment of items such as discarded car batteries and the like (if found during excavation activities over the landfill) and

describes a procedure for off-site disposal of such items. It should be noted that the landfill is known to be an inert construction debris landfill, with the majority of material consisting of concrete blocks, glass, re-bar, etc based on extensive previous studies; therefore, the City does not reasonably expect to unearth hazardous items and does not anticipate the need for testing or off-site disposal of excavated materials.

As stated in the attached plan, materials will be excavated using a backhoe (or an excavator), placed into a dump truck and deposited at a location of higher elevation on the landfill. Because there is no municipal solid waste at this location, wind-blown litter, rodents and odors are not reasonably expected at the site. The site will be watered down if dust is generated during excavation, which is a typical best management practice during construction. Additionally, during the excavation portion of construction, a SCS Engineers' representative will be on site with an organic vapor analyzer calibrated to monitor the site for methane vapors. During the course of excavation, any waste materials observed on site, such as car batteries, oil cans or plastic containers which had formerly held a hazardous material, will be segregated, lab packed, analyzed and sent to an authorized and appropriate facility for disposal (if identified as hazardous). The excavated material will be placed in lower lying swale areas of the landfill interior. Because of the nature of the material, compaction is not necessary or proposed. The material will be compacted along with the rest of the landfill when the soil cover is being installed.

The project description in the MND has been revised to include these details. In addition, this information will be added to the draft landfill closure plan, which is subject to review and approval by OCHCA, RWQCB, and CIWMB prior to project implementation.

3. A description of the soil cover and vegetative layer is provided in Section 2.5 and 2.6 of the Closure Plan, dated May 27, 2005, included as Appendix G in the MND and submitted to OCHCA and RWQCB on June 3, 2005. As a result of your comment, SCS Engineers identified an inconsistency in Figure 4 of the Closure Plan, which is a cross-sectional view of the landfill cover and the cover description presented in Section 2.5 of the Closure Plan. The depth of the landfill cover has been revised from 6 feet to 5 feet on Figure 4 and Map 1 of the Closure Plan to match the text description provided in Section 2.5. Modified Figure 4 and Map 1 are included as an attachment to SCS Engineer's letter dated September 29, 2005 (Appendix N). The project description in the MND has been revised to include these details. In addition, this information will be added to the landfill closure plan, which is subject to review and approval by OCHCA, RWQCB, and CIWMB prior to project implementation.

4. Table 2-1 of the MND has been revised to add CIWMB as a responsible agency with approval authority over the landfill closure plan. A copy of the landfill closure plan was forwarded to CIWMB on September 19, 2005, and the City will continue to coordinate with CIWMB and the LEA regarding the adequacy and implementation of the closure plan. It should be noted that the MND was circulated to state agencies through the State Office of Planning and Research, State Clearinghouse, during the CEQA 30-day public review period and CIWMB did not submit a comment letter.

5. Regarding the need for methane monitoring and protection measures, the MND discloses that the City tested for methane at the project site over a six month period as part of the Phase II Environmental Assessment (report dated January 10, 2005) in coordination with the OCHCA and RWQCB and found no evidence of methane generation at the site. (Ref: MND Section 3.7, page 37, summarized in the landfill closure plan included in the MND as Appendix G, and as described in detail in the Phase II report, incorporated by reference and on file with the City). Two interior and three perimeter gas

monitoring probes were installed and monitored on a monthly basis between July and December 2004. No methane was detected in any probe. In addition, the site is known to be an inert construction debris landfill and is not known to contain municipal waste that is typically associated with methane generation. Therefore, the absence of methane has been established by prior studies and methane protection measures are not warranted.

However, in response to your comment, the City directed our landfill consultant (SCS Engineers) to contact OCHCA and obtain any additional monitoring requirements. As a result, SCS Engineers has developed a methane monitoring plan described in the letter from SCS Engineers' letter, dated September 29, 2005 (Appendix N of the Final MND). The plan indicates that the City will protect in place or replace the three existing perimeter monitoring probes at the site, and will monitor for methane gas in all enclosed structures and utility vaults, as well as in the perimeter probes, on a quarterly basis for a period of two years, and report the results to the OCHCA. The City has included the methane monitoring procedure as part of the final landfill closure plan (which is ultimately approved by the OCHCA, RWQCB and CIWMB). Since actions outlined in the landfill closure plan are already required as part of compliance with existing regulations governing construction on landfills and are by default part of the project proposal, no additional mitigation measures are warranted. The Project Description of the MND has been revised to add a specific reference to compliance with the landfill closure plan.

6. Section 3.7 (page 37, fifth paragraph) of the MND has been revised to reflect that (in addition to RWQCB and OCHCA), the CIWMB has approval authority over the landfill closure plan and is a responsible agency under CEQA. A copy of the draft landfill closure plan was received by the CIWMB on September 19, 2005.

Comment Letter from Wells Cargo

Comment Summary:

1. Wells Cargo is strongly opposed to the proposal to terminate McPherson Road in a cul-de-sac. The cul-de-sac would substantially decrease drive by traffic, which would result in future loss of occupancy. It would also have severe negative impacts on traffic conditions in the surrounding area causing a significant decrease in levels of service on numerous street segments and intersections. These impacts have not been addressed adequately in the MND.

   Furthermore, because our site would become less accessible and less convenient, current and future tenants will drive to similar facilities located on Chapman west of the 55 freeway, which will increase traffic on Chapman and Tustin. The same concerns apply to the Day Labor Facility located on McPherson.

2. Turning left onto McPherson from Chapman or turning left onto Chapman from McPherson during peak traffic times is extremely difficult and will result in drivers having to make dangerous traffic movements in order to access our facility.

3. We are also concerned about the increased traffic and air quality impacts on the residents along Walnut, the noise associated with the amphitheatre, trash and debris generated by park users, and gang/crime problems. Police, firefighters and paramedics could better serve the park if McPherson and Spring are kept in their current configuration.

Response: Thank you for your comment. Your comment letter has been forwarded to the Orange City Council for consideration. The responses below are primarily based on the information contained in the project traffic study, included as Appendix J of the MND.

1. The circulation system of the Grijalva Park Extension plan has been carefully considered and coordinated by several departments within the City, utilizing the traffic study as a decision making tool. Terminating McPherson Road with a cul-de-sac (as opposed to the existing stop controlled terminus at Spring Street) is being proposed to eliminate the potential for traffic to cut through Grijalva Park (from Walnut Avenue through the internal park road to McPherson Road and onto Chapman Avenue) while trying to avoid the Prospect Street/Chapman Avenue intersection. The goal is to minimize vehicular traffic through a public park where a large number of pedestrians and small children are expected.

   Although eliminating the cut-through opportunity will require existing cut through traffic to utilize the Prospect/Chapman intersection to access Chapman Avenue, the traffic study shows that although the project worsens Level of Service at the Prospect/Chapman intersection compared to existing conditions (primarily due to increased traffic volumes generated by the new park facilities, and secondarily by the redistribution of traffic from McPherson/Spring), all study area intersections function at an acceptable level of service in 2010 after project buildout and in 2025 (General Plan buildout). Therefore, traffic impacts caused by the project have been appropriately analyzed in the MND and are less than significant when measured against adopted City operational standards. It should be noted that a City of Orange project is currently under design (the addition of southbound and north bound right turn lanes at the Chapman/Prospect intersection) that will further improve operations at that intersection over existing conditions.

   Potential loss of business referenced in your letter due to reduced drive-by traffic is an economic consideration and is not appropriate to address in the MND because CEQA review is limited to physical environmental effects. Therefore, no changes to the MND related to social or economic factors are proposed. In addition, any redistribution of traffic onto Tustin or elsewhere on Chapman Avenue from patrons looking elsewhere for similar facilities is speculative and cannot reasonably be analyzed. Given that the number of trips that will be redistributed from Spring Street/McPherson onto Prospect/Chapman are cut-through trips (i.e. do not have a destination on McPherson) and that direct access to all business on McPherson will continue to be available off of Chapman (a major commercial corridor), the City feels that providing a cul-de-sac at McPherson to reduce cut traffic and ensure safe circulation in and around a public park must be the primary consideration.

2. Turning onto or off of McPherson Road to/from Chapman Avenue during peak traffic times involves driver delay due to the volumes of traffic on Chapman Avenue, as is the case for numerous unsignalized intersections along Chapman. Full turn movements can be made when the driver determines it is safe to do so. High traffic volume and the need to wait until traffic conditions allow a driver to make a safe turn is not a hazard, but involves the exercise of good judgment by the driver. (It should be noted that the closure of McPherson to cut through traffic and the resultant reduction in McPherson traffic volumes, opportunities to make turning movements onto Chapman Avenue should be increased.) The intersection is designed to City standards and there is appropriate line of sight and visibility. The intersection is not being modified by the project and does not involve curves or other design features that are a hazard.
3. The proposed park circulation (including the Walnut access point) will allow park patrons and school buses to drive through the site to pick up and drop off children and other park users easily and

efficiently without the need to turn around. Traffic levels on Walnut Avenue west of Prospect will increase due to the proposed park access off of Walnut; however, as shown in the MND, level of service at the Prospect/Walnut intersection remains LOS A (the highest level of service) before and after the project, and is adequate per City operational standards. Air quality was also analyzed in the MND for both construction and operations and was shown not to exceed the adopted South Coast Air Quality Management District standards.

Regarding amphitheatre noise, park noise is exempt from the City noise ordinance. This is exemption is based on an acknowledgement of the desirability of outdoor community activities at public parks. In addition, there are no noise control standards for commercial uses since such uses are not "noise sensitive". City sponsored concerts will generally only occur in the summer months, will be few in number, short in duration, and will typically occur after normal business hours and will end prior to noise sensitive hours for residential uses. The amphitheatre can be rented but amplified sound requires a special City permit and is generally discouraged. The Amphitheatre will typically be used for weddings, lectures, gatherings, and bird watching.

Regarding trash and debris, the site is currently vacant with exposed soil and natural vegetation that is not maintained. When developed as a park, the City of Orange will maintain the park daily to ensure it is kept clean and free of trash.

Regarding gang and crime concerns, for the time period of Jan. 1, 2002 to Sept. 19, 2005 there have been 21 crime reports and only one citation to Grijalva Park with only one gang related graffiti incident. The development of the various park amenities and associated programs will provide positive outlets for the youth of Orange, and police will monitor the site as with all public parks in Orange. The Police and Fire departments have coordinated on the design of the park including the design of emergency access from McPherson Road. Although public vehicular access will not be allowed from McPherson Road, emergency and pedestrian access will be facilitated via removable bollards.

Comment Letter from Ray Tuohy

Comment Summary:

1. The purpose of my letter is to express concern over the conversion of McPherson into a cul-de-sac and the closure of Spring Street. I think the proposed traffic change opens the citizens of Orange up to some potential traffic hazards that in my opinion need further investigation and consideration of other traffic options.

   The closure of McPherson creates a huge traffic hazard at the corner of Chapman and McPherson for the residents in the area and the employees, tenants, and customers of businesses on McPherson including Wells Cargo, the Day Labor facility, and the ARCO gas station. The traffic flow and speed of the traffic on Chapman Avenue makes it nearly impossible to make a right or left turn on Chapman from McPherson. The consistent overcrowding at the ARCO station contributes to traffic congestion at the corner.

2. It is also my belief that McPherson's access to Grijalva lightens the traffic flow on neighboring streets. I implore you to consider other options for solving the traffic and parking problems at Grijalva.

Response: Thank you for your comment. Your comment letter has been forwarded to the Orange City Council for consideration. The responses below are primarily based on the information contained in the project traffic study, included as Appendix J of the MND.

1. As stated above, the circulation system of the Grijalva Park Extension plan has been carefully reviewed and coordinated by several departments within the City, utilizing the traffic study as a decision making tool. Terminating McPherson Road with a cul-de-sac (as opposed to the existing stop controlled terminus at Spring Street) is being proposed to eliminate the potential for traffic to cut through Grijalva Park (from Walnut Avenue through the internal park road to McPherson Road and onto Chapman Avenue) while trying to avoid the Prospect Street/Chapman Avenue intersection. The goal of the proposed cul-de-sac at McPherson is to minimize vehicular traffic through a public park where a large number of pedestrians and small children are expected. Given the existing circulation system, closing McPherson is the only way to accomplish that goal.

   Turning onto or off of McPherson Road to/from Chapman Avenue during peak traffic times involves driver delay due to the high volumes of traffic on Chapman Avenue, as is the case for numerous unsignalized intersections along Chapman Avenue. The posted speed limit on Chapman is 40 miles per hour (mph), although it may operate considerably below that during peak traffic periods. Full movements are allowed at the intersection, and can be made when the driver determines it is safe to do so. (It should be noted that the closure of McPherson to cut through traffic and the resultant reduction in McPherson traffic volumes, opportunities to make turning movements onto Chapman Avenue should be increased.) The intersection is designed to City standards and there is appropriate line of sight and visibility. High traffic volume, congestion, and the need to wait till traffic conditions allow a driver to make a safe turn is not a hazard, but involves the exercise of good judgment by the driver. In the event drivers are not comfortable making left turns, they also have the option to make right turns and then a "U" turn at a signalized intersection.

2. As stated above, eliminating the cut-through opportunity on McPherson to Chapman Avenue from Prospect and Spring Street will require existing cut through traffic to utilize the Prospect/Chapman intersection to access Chapman Avenue. The traffic study shows that although the project worsens Level of Service at the Prospect/Chapman intersection (primarily due to increased traffic volumes generated by the new park facilities, and secondarily by the redistribution of traffic from McPherson/Spring), all study area intersections (including Prospect/Chapman) function at an acceptable level of service in 2010 after project completion and in 2025 (General Plan buildout). It should be noted that a City of Orange project is currently under design (the addition of southbound and north bound right turn lanes at the Chapman/Prospect intersection) that will further improve operations at that intersection over existing conditions.

Comment Letter from Ray Funke

Comment Summary: I am concerned about the plans for traffic circulation that have been outlined in the MND. I recognize the traffic problem, the necessity to prevent shortcutting traffic, and the inability to use Yorba Street as an entrance to the park due to its close proximity to the 55 Freeway. The point I wish to make is don't take any steps at the present time that would eliminate control of Spring Street or future use of both the Yorba Street extension and McPherson Road as access roads to the park, should present plans when implemented turn out not to be an adequate solution to traffic flow to the park. The Yorba, Wanda, and McPherson Road connections to the park could prove valuable in the future either for traffic relief, event-related or permanent, or for pedestrian or cycling access. Please don't do anything now to permanently eliminate future traffic access options for Grijalva Park.

Response: Thank you for your comment. Your comment letter has been forwarded to the Orange City Council for consideration. The responses below are primarily based on the information contained in the project traffic study, included as Appendix J of the MND.

Regarding Spring Street, Spring Street at Prospect Avenue currently provides access to Grijalva Park and will continue to do so with implementation of the proposed plan.

The proposal to cul-de-sac McPherson Road at Spring Street will eliminate access to McPherson Road/Chapman Avenue from Grijalva Park. This circulation change is being proposed to minimize the opportunity for cut through traffic from Prospect Street/Walnut Avenue and Prospect Street/Spring Street through the park to McPherson Road and Chapman Avenue. Cut-through traffic in an active public park where a high volume of vehicles, activities and pedestrians are present is undesirable from a safety and internal park circulation standpoint. Based on the traffic projections provided in the MND, a cul-de-sac at McPherson will not degrade levels of service at surrounding intersections to unacceptable levels and provides the benefit of eliminating cut-through traffic through the park. Therefore, the City feels that eliminating McPherson as a cut-through route is the best circulation solution. That said, the cul-de-sac would be fitted with removable bollards that will be used by fire and safety personnel during emergency situations for access, and could be used as a potential additional park access during special events (if warranted). The construction of the cul-de-sac does not preclude changes to McPherson in the future, if warranted and ultimately approved by the City in the future.

Regarding Wanda Road (from Walnut Avenue north to Collins, referred to as the Wanda Extension), this street segment is shown as a potential commuter arterial on the Master Plan of Streets and Highways (MPSH) and ultimately would connect Walnut Avenue to Collins Avenue Constructing the Wanda Extension is not part of the project, and no changes to the MPSH that would affect its future implementation are proposed.

Regarding Yorba Street between Chapman Avenue and Walnut Avenue (referred to as the Yorba Extension), the project involves the removal of the Yorba Extension from the City's Master Plan of Streets and Highways. Removal of this segment from the Master Plan precludes its future implementation. Although this action precludes a future circulation option for Grijalva Park, the City feels that the removal is necessary and warranted for the following reasons.

First, the traffic projections provided in the MND show that constructing the Yorba extension will create an LOS F condition (unacceptable) at Yorba Street/Chapman Avenue, primarily as a result of the high traffic volume on Chapman Avenue and the intersection's close proximity to the 55 Freeway ramps. Additional park traffic using Yorba Street would further worsen its condition. Therefore, extending Yorba Street to the north (and thereby adding a connection to the park from Chapman Avenue) would cause an unacceptable traffic condition and is not desirable.

Secondly, the Yorba Street extension is planned as a commuter arterial (standard width of 60 feet) and traverses the project site (although its exact alignment had not yet been determined). The potential roadway alignment is constrained by Santiago Creek to the west and by the existing Grijalva Park to the east. The onsite landfill and underground jet fuel pipeline further constrain the location of the future roadway. As a result of these constraints, the space to construct both a 60-foot wide roadway in addition to the proposed recreational amenities is not readily available or apparent. Therefore, it is desirable and necessary to remove the roadway from the Master Plan to construct the amenities as proposed.

Email from Rick and Vicki Ritter

Comment Summary: Does this project involve widening Walnut Avenue from Handy Street, going east? Also, does this project involve making Walnut a through street?

Response: Thank you for your comment. Your comment letter has been forwarded to the Orange City Council for consideration.

The project does not involve widening Walnut Avenue or extending Walnut across Santiago Creek as a through street to the west of the project site. The only change to Walnut Street proposed as part of the project is to construct a park access off of the Walnut cul-de-sac (just west of Prospect Street. This proposed access is discussed in Section 2.1 of the MND and is shown on the proposed conceptual plan.

It should be noted that the extension of Walnut Street to the west of Santiago Creek to create a through street is part of the City's Master Plan of Streets and Highways (City of Orange General Plan Circulation Element). This plan outlines the ultimate vision for the City's traffic circulation system; therefore, the extension of Walnut Street some time in the future is envisioned in an approved City planning document and could be a future project.

The City has no immediate plans or projects to construct the Walnut Street extension. However, because the extension is part of the City's Master Plan of Streets and Highways, it must be assumed for park planning purposes. As a result, Grijalva Park has been designed with the roadway extension in mind and has set aside space for it at the northern edge of the park so as not to preclude its implementation in the future.

Email from Martin Self

Comment Summary: Are there plans for a fitness center as part of the gymnasium (i.e. a weight room and/or exercise equipment)?

Response: Thank you for your comment. Your comment letter has been forwarded to the Orange City Council for consideration.

The City had several community workshops prior to preparing the conceptual site plan and gymnasium floor plan. Although a fitness room was identified as a community need during this phase of project development, it did not move forward among the top priorities. Unfortunately, the City has limited space and funds, and several important amenities were not included in the final plan.

SECTION 5.0 REVISIONS TO THE DRAFT MND

GRIJALVA PARK EXTENSION CONCEPTUAL MASTER PLAN CAPITAL IMPROVEMENT PROJECT NO. 0151 SUBSEQUENT MITIGATED NEGATIVE DECLARATION NO. ENV 1753-05, GENERAL PLAN AMENDMENT 2005-0001, ZONE CHANGE 1233-05, MAJOR SITE PLAN REVIEW 0402-05, AND DESIGN REVIEW 4014-05

This section of the Final MND discloses the revisions to the draft MND that were made after circulation of the document for public review. The text changes identified below correct minor errors and omissions in the Draft MND and also include revisions to the MND that were made to address public comments. These revisions are being made for the record as part of the environmental review process and have been included in the Final MND. They do not make substantive changes to the analyses and do not change the conclusions or project mitigation measures identified in the Draft MND, and therefore, do not necessitate recirculation of the Draft MND pursuant to Section 15073.5 of the California Environmental Quality Act (CEQA) Guidelines. Each revision is identified by Draft MND page number, and section where applicable. Revisions are indicated by strikeout-underline format.

1. **Page 2, General Plan Designation, of the Draft MND is revised as follows.** This text is being added to clarify that both parcels have "split" General Plan land use designations of LMDR and OS. Revisions are shown in underline/strikeout format.

   General Plan Designation:
   APN 093-031-02
   OS- Open Space
   LMDR- Low Medium Density Residential
   APN 383-231-03
   OS- Open Space
   LMDR- Low Medium Density Residential

2. **Page 5, Section 1.4, of the Draft MND is revised as follows**. This text is being added to correct a typo.

   No new significant impacts were identified as a result of the supplemental analysis and no new mitigation measures are warranted or proposed.

3. **Page 7, Project Description, of the Draft MND is revised as follows.** The following text is being added to respond to a comment from the Orange County Health Care Agency and adds a reference to the landfill closure plan in the project description. Revisions are shown in underline/strikeout format.

   The first step in construction would be to cap the former landfill (located at the southern portion of the site) in accordance with the project's landfill closure plan which is ultimately approved by the Regional Water Quality Control Board, Orange County Health Care Agency, and the California Integrated Waste Management Board, prior to project implementation. A draft of the landfill closure plan was submitted to the resource agencies on June 3, 2005 and is included as Appendix G of this document.

4. **Page 7, Project Description, of the Draft MND is revised as follows.** The following text is being added in response to a comment from the Orange County Health Care Agency requesting that existing

perimeter monitoring probes be protected in place for future monitoring efforts. Revisions are shown in underline/strikeout format.

The existing monitoring probes located at the perimeter of the site (identified as VP-1, VP-2 and VP-3) will be protected in place. If the City cannot protect the probes during the construction of the landfill cover, new probes will be installed after the cover is placed, in similar locations. It should be noted that VP-3 is located in fill material and may not have to be replaced (at the discretion of the Orange County Health Care Agency). The probes will be used for ongoing monitoring for methane as required by the City's landfill closure plan.

5. **Page 7, Project Description, of the Draft MND is revised as follows.** The following text is being added in response to a comment from the Orange County Health Care Agency requesting further information regarding the excavation of exposed landfill material from the creek and redepositing it over the landfill area. Revisions are shown in underline/strikeout format.

   Materials will be excavated using a backhoe (or an excavator), placed into a dump truck and deposited at a location of higher elevation on the landfill. The site will be watered down if dust is generated during excavation, which is a typical best management practice during construction. During the excavation portion of construction, a City designee will be on site with an organic vapor analyzer calibrated to monitor the site for methane vapors. During the course of excavation, any waste materials observed on site, such as car batteries, oil cans or plastic containers which had formerly held a hazardous material, will be segregated, lab packed, analyzed and sent to an authorized and appropriate facility for disposal. These construction practices are precautionary only. The waste material has been characterized by previous studies and was found to consist of construction debris. Therefore, the City does not reasonably expect to unearth hazardous items and does not anticipate the need for testing or offsite disposal of excavated materials.

6. **Page 7, Project Description, of the Draft MND is revised as follows.** The following text is being added in response to a comment from the Orange County Health Care Agency to remedy an inconsistency between the text and the exhibits in the landfill closure plan related to the soil monocover depth. In addition to the text below, Figure 4 and Map 1 in the landfill closure plan (Appendix G of the Final MND) have been updated to reflect the change. Revisions are shown in underline/strikeout format.

   After the removal of the exposed landfill material, a soil monocover will be installed and will extend approximately 20 feet beyond the landfill limits. The details of the monocover design can be found in Section 2.5 of the landfill closure plan (included as Appendix G of this MND).

   The monocover will consist of a 2-foot (minimum) compacted soil foundation layer comprised from on site soil. An additional ~~two~~ three feet (minimum) of vegetative cover soil will be added to support proposed vegetation.

7. **Page 10, Table 2-1, of the Draft MND is revised as follows.** Text is being added in response to a comment from the Orange County Health Care Agency identifying the California Integrated Waste Management Board as a CEQA responsible Agency with authority over the landfill closure plan. Revisions are shown in underline/strikeout format.

Table 2-1 RESPONSIBLE AGENCIES

AGENCY	ACTION
Regional Water Quality Control Board	Approval of Landfill Closure; NPDES
California Department of Fish and Game	Section 1600 Streambed Alteration Agreement
Orange County Health Care Agency Local Enforcement Agency	Approval of Landfill Closure
California Integrated Waste Management Board	Approval of Landfill Closure
California Department of Parks and Recreation	Funding Approvals
Environmental Protection Agency	Potential Future Funding Approvals

8. **Page 10, Section 2.2, of the Draft MND is revised as follows.** The following text is being revised to correct an error in the Park Development Commission Meeting date. The Parks Commission will hear the project on Thursday October 13, 2005. Notice of the public meeting and the "correction notice" that was filed with the Orange County Clerk and sent to interested parties, property owners and tenants, and published in the local newspaper are included as Appendix K of the Final MND. Revisions are shown in underline/strikeout format.

   The City's Park Planning and Development Commission will consider this project at their regularly scheduled public meeting on **October 143, 2005**

9. **Page 37, Section 3.7, is revised as follows.** The following text is being revised to respond to a comment from the Orange County Health Care Agency and adds a reference to the landfill closure plan in the project description. Revisions are shown in underline/strikeout format.

   The Phase II Study (on file with the City) and the preliminary landfill closure plan (included in this document as Appendix G) have been submitted to the Regional Water Quality Control Board, ~~and~~ the Orange County Health Care Agency and the California Integrated Waste Management Board for review and concurrence. Agency approval of the landfill closure plan and soil cap design are required prior to implementation. As such, ~~both~~ these agencies have been listed as responsible agencies under CEQA in this document. With the implementation of the remediation actions identified in the landfill closure plan (which are already incorporated into the project design) and as approved by the resource agencies responsible for the protection of public health, impacts related to hazardous materials are less than significant.

10. **Page 68, References Cited, of the Draft MND is revised as follows.** The text is being added to include the October 1999 MND (from which this document is tiered) as a reference. The October 1999 MND is incorporated by reference in the text of the MND throughout the document.

    Sid Lindmark, AICP, "Prospect Street Sports Park Expansion Subsequent Mitigated Negative Declaration 1601-99", dated October 1999.

11. **Page 68, Technical Studies and Consultants, of the Draft MND is revised as follows.** The text is being added to clearly identify the information provided in the Appendices.

    TECHNICAL ~~STUDIES~~ APPENDICES AND CONSULTANTS

Appendix A- Site Photographs.
Appendix B- Skatepark Lighting Plan and Light Spill Analysis, prepared by Musco Lighting.

Appendix C- Air Quality Modeling Output.
Appendix D- Biological Constraints Survey, Bonterra Consulting.
Appendix E- Technical Letter- Focused Surveys for Least Bell's Vireo, Bonterra Consulting.
Appendix F- Jurisdictional Delineation, RBF Consulting.
Appendix G- Preliminary Landfill Closure Plan, SCS Engineers.
Appendix H- Floodplain Delineation, RBF Consulting.
Appendix I- Assessors Parcel Maps, and General Plan Land Use and Zoning Maps.
Appendix J- Traffic Impact Analysis, Greer & Co.
Appendix K- Memo re: Proposed Operational Limitations for Parking Control.
Appendix L- Notices and State Clearinghouse Correspondence.
Appendix M- Public Comment Letters.
Appendix N- Technical Letter dated September 29, 2005 (response to comments), SCS Engineers.

~~Traffic Impact Analysis, Greer & Co.~~
~~Biological Constraints Survey, Bonterra Consulting,~~
~~Technical Letter- Focused Surveys for Least Bell's Vireo, Bonterra Consulting.~~
~~Jurisdictional Delineation, RBF Consulting.~~
~~Floodplain Delineation, RBF Consulting~~
~~Preliminary Landfill Closure Plan, SCS Engineers.~~
~~Lighting Plan and Light Spill Analysis, Musco Lighting.~~

12. The City's "Response to Comments" and "Revisions to the Draft MND" have been added as Section 4.0 and Section 5.0 (respectively). In addition, the General Plan and Zoning exhibits in Appendix I, and Exhibit 3 and 4 in Appendix F have been changed using more legible versions (no changes to the substance of the exhibits were made). Finally, the following Appendices were included in the Final MND.

Appendix K

- City Cover Letter and Notice of Intent mailed to interested and affected parties
- Notice of Intent filed with the Orange County Clerk on August 3, 2005
- Correction to the Notice of Intent filed with the Orange County Clerk on August 8, 2005
- Orange City News Publication Confirmation for the Notice of Intent
- Orange City News Publication Confirmation for the Correction to the Notice of Intent
- Notice of Completion received by the State Clearinghouse on August 3, 2005
- Closing Letter received from the State Clearinghouse dated September 2, 2005

Appendix L

- Public Comment Letters

Appendix M

- SCS Engineers Technical Letter, dated September 29, 2005, entitled "Response to Comments from the County of Orange Health Care Agency Letter dated August 30, 2005 Regarding Mitigated Negative Declaration 1753-05 (SCH No. 199101063) for the Grijalva park Extension, Santiago Creek Landfill, SWIS No. 30-CR-0164, City of Orange".