

## EXHIBIT C

### Clearwater at North Tustin – EIR Addendum Findings

The Clearwater at North Tustin EIR Addendum (“EIR Addendum”) thoroughly analyzes whether any of the changes from the Initial Project to the Amended Project would trigger the need for a subsequent or supplemental EIR to the previously-certified *The Springs at Bethsaida Senior Living Project Environmental Impact Report* (SCH #2009071081) (“Certified EIR”). As discussed in the EIR Addendum, none of the circumstances identified in CEQA Guidelines Section 15162 or Public Resources Code Section 21166 are present, and thus the EIR Addendum is the proper document to identify and analyze the minor changes to the Initial Project.

These CEQA findings (“CEQA Findings”) reflect the analysis and conclusions of the EIR Addendum, which is considered part of the previously Certified EIR. Therefore, the CEQA findings originally adopted by the Orange County Board of Supervisors when certifying the Certified EIR – the Findings and Facts in Support of Findings and Statement of Overriding Considerations for the Final Environmental Impact Report for the Springs at Bethsaida Senior Living Project (“Certified EIR Findings”) – remain appropriate and applicable to the Amended Project, and are hereby incorporated by reference into these CEQA Findings. When an addendum is prepared, CEQA directs that the decision-making body “shall consider the addendum with the final EIR” and shall provide “[a] brief explanation of the decision not to prepare a subsequent EIR...” *Citizens Against Air Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788,797. Prior to any approval of the Amended Project, the CEQA Findings and the EIR Addendum, which provide a thorough explanation and support of the decision not to prepare a subsequent EIR, will be considered together with the Certified EIR.

#### A. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED NOT TO BE POTENTIALLY AFFECTED BY THE AMENDED PROJECT

The Certified EIR concluded that the following impact areas would not be potentially affected by the Initial Project. The EIR Addendum confirms that the minor changes proposed by the Amended Project do not require any subsequent or supplemental environmental review, and that the conclusions of the Certified EIR with respect to these impact areas remain relevant and applicable to the Amended Project.

- a. Aesthetics: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to scenic resources. The Amended Project will be constructed on a 6.6-acre portion

of the Initial Project Site and, therefore, is also not located near any state scenic highways.

- b. Agricultural and Forest Resources: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, (2) conflicts with existing zoning for forest land or timberland, (3) the loss of forest land or conversion of forest land to non-forest uses, or (4) changes that could result in the conversion of farmland or forest land. The Certified EIR concluded that the site was zoned Single Family Residential and was designated as Urban and Built-up Land according to the Farmland Mapping and Monitoring Program of the California Resources Agency. The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR, and the status of the Initial Project Site has not changed since certification.
- c. Air Quality: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the creation of objectionable odors. Like the Initial Project, the Amended Project does not contain land uses typically associated with emitting objectionable odors. For instance, any construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction. Regarding operations, residential uses are not considered generators of substantial odors.
- d. Biological Resources: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any species identified as a candidate, sensitive, or special status species. The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any riparian habitat or other sensitive natural community, (2) any adverse effect on federally protected wetlands, (3) 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, (4) conflicts with any local policies or ordinances protecting biological resources, or (5) conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plan. The Amended Project is proposed for development within the confines of the Initial Project Site (although a smaller portion of that site). A desktop review, which consisted of an inspection of the project plans, a search of the California Natural Diversity Database and other databases describing the occurrence of special-status species in the region, and a review of local regulations and recent biological reports for the area, and survey of the Amended Project Site were conducted, and confirmed that there were no substantial changes to biological resources since certification of the Certified EIR. The Amended Project Site does not support suitable habitat for special-

status plant species, nor are there sensitive plant communities occurring in the immediate vicinity. The Amended Project would not conflict with any local policies protecting biological resources, and is not designated for conservation by the Central and Coastal Orange County Natural Community Conservation Plan (NCCP) and is not located in an HCP, or any other habitat conservation plan.

- e. Geology and Soils: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to exposing people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault or landslides, or (2) soils incapable of supporting septic tanks or alternative waste disposal systems. A Preliminary Geotechnical Investigation conducted in 2017 confirmed that the Amended Project Site is not within an established fault zone. The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR, thus the topography is the same. The Amended Project will not use septic tanks or alternative waste disposal systems.
  
- f. Hazards and Hazardous Materials: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the creation of a significant hazard related to (1) being locating the project within an airport land use plan or within two miles of an airport, (2) being located within the vicinity of a private airstrip, (3) impairing the implementation of or physically interfering with an emergency response or evacuation plan, or (4) the risk of loss, injury or death involving wildland fires. The nearest airport (John Wayne Airport) is approximately 6.5 miles southwest of the Project Site. There are no new private airstrips in the vicinity. The development of the Amended Project Site would not result in land use changes that would result in substantial changes to the circulation patterns or emergency access routes. The proposed uses on the site are consistent (although less intense) with those analyzed in the Certified EIR, which determined that the Initial Project would not impair emergency access, evacuation, or response. The Project Site is not located within a high fire hazard severity zone as designated in Figure IX-1 of the Orange County General Plan.
  
- g. Hydrology and Water Quality: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) groundwater supplies or groundwater recharge, (2) placing housing within a 100-year flood hazard area, (3) placing structures within a 100-year flood hazard area, (4) flooding due to the failure of a levee or dam, or (5) project inundation by seiche, tsunami, or mudflow. The Amended Project eliminates the subterranean garage and would reduce the impervious coverage onsite from 75 to 70 percent. Thus, the Amended Project Site's groundwater recharge capabilities would be marginally improved compared to the Initial Project. The Amended Project is located on a portion of the Initial Project Site analyzed in the Certified EIR, and therefore remains outside the 100-year flood

hazard area. The Amended Project site is located outside of any hazard areas associated with dam or levee failure. The site is approximately 210 to 230 feet above sea level and located a significant distance from any large bodies of water.

- h. Land Use and Planning: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) physically dividing an established community, or (2) any conflict with any applicable habitat conservation or natural community conservation plan. The Amended Project would be developed within the confines of the Initial Project Site considered in the Certified EIR and would not introduce new public roadways or other infrastructure improvements that would bisect or transect the surrounding communities. The Amended Project Site is not designated for conservation by within the Central and Coastal Orange County Natural Community Conservation Plan (NCCP) and is not located in or a habitat conservation plan (HCP).
- i. Mineral Resources: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) the loss of a known mineral resource or (2) the loss of a locally-important mineral resource recovery site. The site does not contain any nonfuel mineral resources of statewide or regional importance. There are no mineral resource recovery sites on the property.
- j. Noise: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to exposure of people to excess airport noise. The nearest airport (John Wayne Airport) is approximately 6.5 miles southwest of the Project Site. There are no private airstrips in the vicinity.
- k. Population and Housing: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) inducing substantial population growth, (2) displacing a substantial number of existing housing, or (3) displacing a substantial number of people. The Amended Project would develop a 100-unit residential senior living community instead of a 153-unit senior living community and would therefore have fewer residents than the Initial Project. The residential structure that existed on the site at the time of certification of the Certified EIR has since been demolished, and the Amended Project does not require the demolition of any additional housing.
- l. Public Services: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to adverse physical impacts associated with the provision of new or altered governmental facilities with respect to schools or parks. The Amended Project, like the Initial Project, is senior housing and would not generate new students. The Amended Project generates a demand of 0.6 acres of local parkland based upon its density, which is a lesser demand than generated by the Initial Project.

Also, unlike typical residential developments, very few of the project's residents are anticipated to utilize local recreational facilities, and not to such an extent as to cause physical deterioration resulting in the need for new government facilities.

- m. Transportation and Traffic: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) safety risks, (2) increased hazards due to a design feature, (3) inadequate emergency access, or (4) any conflict with adopted policies, plans or programs regarding alternative transportation. The Amended Project is reduced in height and there are no unique features that would be expected to impact air traffic patterns, generate an increase in air traffic levels, or result in substantial safety risks related to air traffic. The Amended Project would be accessed in the same manner as the Initial Project. The County's plan check process would ensure that curb return radii are adequate for small service/delivery (FedEx, UPS) trucks, trash trucks, and large trucks. It would also ensure that passenger cars, small trucks, trash trucks, and large trucks can properly access and circulate through the site, as well as the project driveways. The Amended Project would be designed consistent with applicable standards, and would be subject to review by the County and OCFA prior to development. The Amended Project would be accessible to users of public transit through bus stops located along Newport Avenue, within walking distance of the Amended Project Site. The development of the Amended Project Site with senior housing would not interfere with bike, transit, or pedestrian facilities.
  
- n. Utilities and Service Systems: The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to (1) landfill capacity, (2) compliance with regulations related to solid waste, or (3) new or substantially altered electric or natural gas facilities. The Amended Project would generate approximately 35% less solid waste compared to the Initial Project and, as discussed in the EIR Addendum, existing facilities are capable of handling the Amended Project's waste generation. The County is required to recycle at least 50% of all generated solid waste. The Certified EIR determined that the Initial Project would generate a demand of approximately 1.4 million kilowatt hours (1.4 gigawatt hours) of energy per year, for both electrical and natural gas energy. The Amended Project will reduce this energy demand both by reducing the total square footage and residents, as well as through compliance with the more stringent Title 24 energy efficiency requirements (the Initial Project was required to comply with Title 24's 2008 requirements, as analyzed in the Certified EIR). All utilities necessary to serve the site are already extended to the Amended Project Site.

**B. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS**

**a. Aesthetics**

**Impact:** Would the project have a substantial adverse impact on a scenic vista?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to adverse effects on a scenic vista.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Certified EIR concluded that the Initial Project would not have a significant impact on any scenic vistas. The Amended Project would have a lesser impact than the Initial Project. The Amended Project is actually setback further from Newport Avenue (among other setback increases), and would also incorporate landscaping. Furthermore, structures are no longer proposed along Ervin Lane, as those properties are not part of the Amended Project. The Amended Project is substantially less square footage than the Initial Project, and is proposed for a height of 20 feet (28 feet for limited appurtenances), which is 15 feet lower than the height proposed for the Initial Project.

**Impact:** Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any substantial degradation of the existing visual character of the site and its surroundings.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would, like the Initial Project, alter the existing visual character of the site by introducing development. However, the Amended Project would be of a substantially lesser scale than the Initial Project, including with respect to height, setbacks, and total square footage. The Amended Project's reduced building height, reduced square footage, and massing, lessen the already less than significant visual intrusion into adjacent properties compared to the Initial Project. The design of the Amended Project would still be consistent with the Orange County Code and North Tustin Specific Plan, and would be screened by landscaping.

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to creating a new source of substantial light or glare.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would be constructed on an approximately 6.6-acre portion of the Initial Project Site and structures are no longer proposed along Ervin Lane. All structures associated with the Amended Project would be of a lesser overall height than the Initial Project buildings, thus reducing maximum light heights. The Amended Project maintains similar building and landscape setbacks, compared to the Initial Project. All onsite lighting would be designed so as to confine direct rays to the premises, as required by existing regulations.

**b. Agriculture and Forest Resources**

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect any conflicts with existing agricultural zoning or a Williamson Act contract.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The site is not zoned for agricultural use or under a Williamson Act contract. Therefore, development of the Amended Project would also not result in a significant impact on agricultural zoning or a Williamson Act contract.

**c. Air Quality**

**Impact:** Would the project conflict with or obstruct implementation of the applicable air quality plan?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any conflict with, or obstructing the implementation of, the applicable air quality plan.

**Mitigation Measures:** Please refer to Mitigation Measures 6-1 – 6-2, which were incorporated into the Certified EIR, and remain applicable to the Amended Project.

**Explanation:** The Amended Project would, like the Initial Project, be constructed over approximately 21 months. However, unlike the Initial Project, the Amended Project does not include a subterranean parking structure and therefore would not require the degree of on-site grading or offsite hauling as contemplated by the Initial Project. Without the subterranean parking structure, substantially less excavation and grading would be required. This would greatly reduce emissions from construction, which were largely attributed to the grading and excavation phase of the Initial Project.

**Impact:** Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to violating any air quality standard or contribution to an existing or projected air quality violation.

**Mitigation Measures:** Please refer to Mitigation Measures 6-1 – 6-2, which were incorporated into the Certified EIR, and remain applicable to the Amended Project.

**Explanation:** The Amended Project does not include a subterranean parking garage, and would greatly decrease the number of haul trips required during construction from the Initial Project. This would greatly reduce emissions, which were largely attributed to the grading and excavation phase of the Initial Project. The Amended Project would not result in a significant operational impact. The Amended Project would increase the total two-way average daily vehicular trips by approximately 3.3% (a total increase of 12 additional daily trips), which is considered negligible. The Amended Project would not substantially increase vehicular emissions. Also, the Amended Project would reduce the total square footage of the building by 148,382 square feet and would reduce the total number of residents. As such, other operational emission generating characteristics, such as the number of air conditioning units, are also reduced relative to fewer units and less square footage.

**Impact:** Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under and applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under and applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

**Mitigation Measures:** Please refer to Mitigation Measures 6-1 – 6-2, which were incorporated into the Certified EIR, and remain applicable to the Amended Project.

**Explanation:** The Amended Project does not include a subterranean parking garage, and would greatly decrease the number of haul trips required during construction (one day of soil haul instead of four weeks). This would greatly reduce emissions from construction. Also, the Amended Project would reduce the construction site by approximately 0.65 acres. The Amended Project would not result in new or more severe significant environmental operational impacts because the mobile and operation emission generating characteristics of the Amended Project would be similar to, and not greater than, those of the Initial Project. As with the Initial Project, the Amended Project's operational characteristics would not result in any cumulative contribution to air quality impacts.

**Impact:** Would the project expose sensitive receptors to substantial pollutant concentrations?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to exposing sensitive receptors to substantial pollutant concentrations.

**Mitigation Measures:** Please refer to Mitigation Measures 6-3 – 6-5, which were incorporated into the Certified EIR, and remain applicable to the Amended Project.

**Explanation:** The Amended Project would result in lesser construction emissions than the Initial Project with the elimination of the subterranean parking structure. The Amended Project would disturb less soil and would eliminate the subterranean parking. This would result in approximately 8,300 fewer haul trips as compared to the Initial Project. Mitigation Measures 6-3, 6-4, and 6-5 would still apply and would ensure emissions during construction activity would not exceed the SCAQMD's localized significance thresholds for any criteria pollutant.

The Amended Project would not generate operational emissions that would exceed LSTs. The operational characteristics of the Amended Project are assumed to be largely the same as the Initial Project, but for the 12 daily trip increase, because the Amended Project

proposes 53 fewer units, 107 fewer residents, and total building square footage is reduced by 65 percent. As such, other operational emission generating characteristics are also reduced.

**d. Cultural Resources**

**Impact:** Would the project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any historical resources.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR. As with the Initial Project, the Amended Project would not impact any historical resources as there are no historical resources on the Amended Project Site.

**Impact:** Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to a substantial adverse change in the significance of an archaeological resource.

**Mitigation Measures:** Please refer to Mitigation Measures 9-1 – 9-2, which were incorporated into the Certified EIR, and, with minor revisions as identified in the EIR Addendum, remain applicable to the Amended Project.

**Explanation:** The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR and on-site conditions are unchanged. The Amended Project proposes earthmoving during construction. However, due to the elimination of the subterranean parking garage, grading activities of the Amended Project are not anticipated to exceed six feet in depth. Mitigation Measures 9-1 and 9-2 are still applicable to the Amended Project.

**Impact:** Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the destruction of a unique paleontological resource or geologic feature.

**Mitigation Measures:** Please refer to Mitigation Measure 9-3, which was incorporated into the Certified EIR, and, with minor revisions as identified in the EIR Addendum, remains applicable to the Amended Project.

**Explanation:** The earthmoving activities of the Amended Project would have the potential to disturb unknown paleontological resources if earthmoving activities occur at depths beyond six feet. However, the Amended Project eliminates the subterranean parking garage that was proposed for the Initial Project, thus lessening the extent of excavation required. Mitigation Measure 9-3 remains applicable to the Amended Project, and would lessen any impacts to paleontological resources or geologic feature.

**Impact:** Would the project disturb any human remains, including those interred outside of formal cemeteries?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to disturbance of human remains.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR, and existing regulations would ensure that there would be no significant impacts related to human remains.

**e. Geology and Soils**

**Impact:** Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Strong seismic ground shaking?
- ii. Seismic-related ground failure, including liquefaction?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to exposing people or

structures to potential substantial adverse effects, including risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:**

Seismic Ground Shaking: The Certified EIR concluded that nearby faults could cause seismic ground shaking because the larger Southern California region is susceptible to seismic ground shaking. Like the Initial Project, the Amended Project must comply with the CBC. The CBC contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The Amended Project will also incorporate the recommendations identified in the Preliminary Geotechnical Investigation done for the site, which would further limit any hazards associated with seismic shaking.

Ground Failure: The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR, and on-site conditions have not changed. The Amended Project Site continues to not be subject to liquefaction-induced settlement. Prior to any grading or soil disturbance, grading plans and construction-level geotechnical reports must be prepared in accordance with the Orange County Grading and Excavation Code and standard conditions of approval. These plans must address issues associated with potential ground failure.

**Impact:** Would the project result in substantial soil erosion or the loss of topsoil?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to soil erosion or the loss of topsoil.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project involves excavation, grading, and construction activities that would disturb soil and leave exposed soil on the ground surface, although to a lesser extent than the Initial Project. Like the Initial Project, construction activities associated with the Amended Project would be subject to applicable regulations, including SCAQMD Rules 402 and 403 and preparation of a SWPPP. Together, adherence to these regulations would ensure that construction of the Amended Project would not result in any

impacts from soil erosion or the loss of top soil. After project completion, the Amended Project Site would be developed with residential uses, new paved parking lot, and landscape improvements, and would not contain exposed soil. The potential for soil erosion or the loss of topsoil is anticipated to be expected to be extremely low. A Conceptual WQMP was also prepared, and approved by the County, which would reduce runoff and erosion during operations.

**Impact:** Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to being located on a geologic unit or soil that is unstable.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project is on the same general site as the Initial Project, which was determined not to be susceptible to soil instability or failure. Also, the Amended Project would be required to adhere to existing local and State building and grading codes, which would ensure that potential impacts associated with soils would be less than significant. Additionally, technical plans/studies are required to be submitted to and reviewed and approved prior to the commencement of any grading activities.

**Impact:** Would the project 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?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to being located on expansive soil, and creating a substantial risk to life or property.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** A final geotechnical report would be required prior to issuance of grading permits for the Amended Project. This report would include an evaluation of expansive soils and include specific construction and design recommendations, based on existing regulation (CBC), to reduce project impacts associated with expansive soils to a less than significant impact.

**f. Greenhouse Gas Emissions**

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the generation of greenhouse gas emissions.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would result in fewer GHG emissions during construction due to the elimination of grading and excavation associated with the subterranean parking, and fewer emission during operations due to its reduced number of units. Although there would be a negligible increase in total operational daily trips (12 total trips), the Amended Project decreases the size of the development's square footage and the number of units which would serve to reduce the operational GHG emissions.

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any conflict with a plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** As with the Initial Project, the Amended Project be consistent with the CARB Scoping Plan and would not impair or prevent the implementation of any policies intended to reduce GHG emissions. The Amended Project incorporates project-level features and does not contain any features that would prevent implementation of broader GHG-reducing actions within the purview of the County. The Amended Project includes, for instance, recharging stations to support electric vehicles, and would be constructed consistent with applicable Title 24 energy efficiency standards.

**g. Hazards and Hazardous Materials**

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the creation of a significant hazard to the public through the routine transport, use, or disposal of hazardous materials.

**Mitigation Measures:** Please refer to Mitigation Measures 11-1 and 11-2, as incorporated into the Certified EIR, and, with minor revisions as identified in the EIR Addendum, remain applicable to the Amended Project.

**Explanation:** The Amended Project's size is reduced and there are no structures requiring demolition. Therefore, impacts related to removal of asbestos containing materials and lead based paint has been eliminated. A subsequent Phase 1 ESA was prepared and observed a 1,000-gallon storage tank on the Amended Project Site. The tank appeared to be empty and did not exhibit any foul or discerning odors. There was no observed staining in the vicinity of the tank. Mitigation Measure 11-1 requires the appropriate removal of the storage tank. Any potentially dangerous conditions during project construction, including the transport of potentially hazardous materials to the site and the use of these materials on the Amended Project Site, would be conducted in accordance with local, state, and federal regulations.

There is aerial evidence that the Amended Project Site was used for limited agricultural purposes from 2005-2014. As discussed in the Certified EIR, pesticide testing was previously done on the site and determined that pesticide levels were below regulatory requirements. It is not anticipated that any subsequent limited agricultural activities caused pesticide contamination at the site that would exceed regulatory limits. However, Mitigation Measure 11-2 was modified slightly to ensure compliance with all regulatory requirements and limits associated with pesticides. The Amended Project's buildings are to be used for residential uses and would not require the use of hazardous materials. Any hazardous materials, if used, would be subject to standard Orange County EHD, California Department of Toxic Substances Control, Regional Water Quality Control Board, and OCFA policies and permitting procedures.

**Impact:** Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

**Mitigation Measures:** Please refer to Mitigation Measures 11-1 and 11-2, as incorporated into the Certified EIR, and, with minor revisions as identified in the EIR Addendum, remain applicable to the Amended Project.

**Explanation:** Please see discussion above regarding hazardous materials on-site, particularly with respect to storage tanks, construction, and pesticides. The Amended Project would involve the use of typical residential solutions (e.g., solvents, cleaning agents, paints, pesticides), that, when used correctly, would not result in a significant hazard to residents or workers in the vicinity of Amended Project.

**Impact:** Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to

**Mitigation Measures:** Please refer to Mitigation Measures 11-1 and 11-2, as incorporated into the Certified EIR, and, with minor revisions as identified in the EIR Addendum, remain applicable to the Amended Project.

**Explanation:** The Amended Project would not expose people or nearby schools to hazardous materials. Foothill High School is located 0.22 miles north of the Initial Project Site. However, although located within one-quarter mile of the site, construction and operation of the Amended Project would not result in any impacts to the school, as outlined above.

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the project's location on a list of hazardous materials sites.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Certified EIR concluded that the Initial Project Site was not included on a list of hazardous waste sites compiled pursuant to Government Code Section 65962.5.

#### **h. Hydrology and Water Quality**

**Impact:** Would the project violate any water quality standards or waste discharge requirements?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to water quality standard or discharge requirements.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Low Impact Development Practices (LID) best management practices (BMPs) would help to reduce the anticipated pollutants of concern, preventing said pollutants from entering the public storm drain system and into habitat areas. Moreover, with the required preparation of (1) a SWPPP, (2) a Water Quality Management Plan and (3) an Erosion and Sediment Control Plan, the operational and construction phases of the Amended Project would not result in a water quality or waste discharge violations. The SWPPP, ESCP, and WQMP are subject to review and approval by Orange County Development Services. Regarding operations, the Amended Project would implement measures that would limit stormwater pollution. A WQMP will be required for the Amended Project, which will include BMPs designed to reduce and prevent pollutants and prevent degradation of downstream receiving waters.

**Impact:** Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to altering the drainage pattern of the site or area.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Following construction of the Amended Project, there would be no substantial areas of bare or disturbed soil onsite subject to erosion. The Amended Project, like the Initial Project, would have a beneficial impact on flooding conditions by enhancing local infrastructure, including curbs, gutters, and drains, and effectively reducing stormflows onto neighboring properties. The onsite drainage system would also filter and discharge drainage such that drainage would be controlled and would not result in substantial erosion or siltation.

**Impact:** Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to altering the site's drainage pattern or amount of surface runoff.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Compared to the Initial Project, the Amended Project would marginally reduce the amount of impervious surfaces. The Amended Project's stormwater would be collected through a series of catch basins that connect on an underground storm drainage system which conveys the captured storm water into a detention vault that detains and diverts it into a media filtration system for treatment prior to discharging into the existing concrete pipe. All pervious areas would also be planted for erosion control protection, as well as filtration for runoff.

**Impact:** Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to contributing runoff that would exceed existing capacity of stormwater systems.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Please refer to the discussion above regarding the infrastructure to be constructed with the Amended Project. As discussed, and consistent with the Initial Project, development of the Amended Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

**Impact:** Would the project otherwise substantially degrade water quality?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to degradation of water quality.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Certified EIR concluded that impacts related to a degradation of water quality from the Initial Project would be less than significant with the implementation of standard regulatory requirements, including preparation of a SWPPP, ESCP, and WQMP. All of these measures require adherence with BMPs to minimize runoff and water quality impacts. The Amended Project is required to prepare the same plans, and also implement BMPs, to control and minimize runoff that could impact water quality.

**i. Land Use and Planning**

**Impact:** Would the project conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to applicable land use plans, policies, or regulations.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** An amendment to the NTSP was approved to implement the Initial Project. Thus, the Initial Project complied with applicable plans and zoning. The Certified EIR evaluated the Initial Project's consistency with the Orange County General Plan, Orange County Zoning Code, and NTSP and determined there would be a less-than-significant impact related to a conflict with any of these adopted plans. The Amended Project includes an amendment to the NTSP and a zone change in order to implement the development being proposed. With these changes, the Amended Project will be consistent with applicable plans, policies, and regulations governing the site. Please refer to Table 6 of the

EIR Addendum, *General Plan Consistency Analysis*, and Table 7 of the EIR Addendum, *NTSP Consistency Analysis*, for a thorough discussion of the Amended Project's consistency with those plans.

**j. Noise**

**Impact:** Would the project result in the 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?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to noise levels in excess of applicable standards.

**Mitigation Measures:** Please refer to Mitigation Measure 7-1, which was incorporated into the Certified EIR, and remains applicable to the Amended Project:

**Explanation:**

New Residential Units: The Amended Project's main building is set back farther from Newport Avenue compared to the Initial Project, thus reducing the interior noise level from Newport Avenue traffic. Consistent with applicable standards, the Amended Project must achieve a maximum interior noise of 45 dBA CNEL. The County requires the preparation of an acoustical study to demonstrate compliance. The Amended Project would also incorporate MM 7-1, which requires upgraded windows and doors for the eastern façade.

Air Conditioning Units: Like the Initial Project, the Amended Project would utilize stationary noise sources, including HVAC units. HVAC units and other equipment would be acoustically engineered with mufflers and barriers to ensure applicable standards are not exceeded. Also, an acoustical study is required to ensure that such equipment does not exceed standards.

Parking Lot Noise: The location of the drive aisles in relation to nearby sensitive land uses remain the same with the Amended Project as the Initial Project. While the layout and size of the surface parking spaces has changed, a minimum distance to the nearest noise-sensitive residences continues to be at least approximately 35 feet. Thus, the anticipated noise generated from parking lot operations would be similar to the Initial Project.

Truck Loading/Unloading Activities: The truck bay for the Initial Project was located on the northwest corner of the main building, approximately 120 feet from the nearest noise sensitive residence to the north. The Amended Project would locate the deliveries/loading

area within the same area northwest corner, in front of the trash enclosure building, and would also include a 9-foot high screen wall to block loading dock noise. Noise levels from trucks at the Amended Project have the potential to reach exterior noise levels of 54 dBA Leq (63 dBA [at a 120 feet] – 9 dBA barrier attenuation [1 dBA reduction per foot] = 54 dBA Leq) at the noise-sensitive areas of the nearby receptors.

**Impact:** Would the project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to groundborne vibration or noise levels.

**Mitigation Measures:** Please refer to Mitigation Measure 7-2, which was incorporated into the Certified EIR, and remains applicable to the Amended Project:

**Explanation:** The Amended Project's construction boundary is in substantially the same location as that assumed for the Initial Project. Thus, construction vibration impacts would be the same, as the construction mix is assumed to be the same as well. Mitigation Measure 7-2 is required by the Certified EIR, and applicable to the Amended Project, to reduce construction-related vibration impacts at the offsite western and southern residences to under the FTA criteria.

**Impact:** Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to a permanent increase in ambient noise levels.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would not have a significant impact to permanent ambient noise. The 12 daily trip increase in project-related traffic as a result of the Amended Project does not have a measurable impact on traffic volumes, and therefore, would not cause the ambient traffic noise to increase by more than 3 dBA along the most impacted roadway segments.

**Impact:** Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to a temporary or periodic increase in ambient noise levels.

**Mitigation Measures:** Please refer to Mitigation Measures 7-3 – 7-7, which were incorporated into the Certified EIR, and remain applicable to the Amended Project:

**Explanation:**

Construction Equipment Noise: The Certified EIR found that construction activities would result in noise levels ranging from 60 to 77 dBA Leq at the surrounding noise-sensitive receptors, which was found to be a significant and unavoidable impact. Mitigation Measures 7-3 – 7-7 would help to reduce noise generated by construction activities to the extent feasible, but the Certified EIR concluded that construction noise impacts were found to remain significant and unavoidable after mitigation. It is assumed that the same construction equipment mix will be used during the 21-month construction. Therefore, construction equipment associated with the Amended Project could generate noise levels of 60 to 77 dBA at surrounding sensitive receptors.

Construction Worker Vehicles and Material Delivery Trucks: The Amended Project is anticipated to be constructed using the same construction mix and schedule as the Initial Project. Like the Initial Project, the highest number of daily trips generated was estimated to be 93 construction-related trips (from overlap of building construction, architectural coating, and asphalt paving phases). Because project-related construction worker and vendor trips would contribute minimal traffic to existing roadway volumes, impacts are considered less than significant.

Soil Haul Trucks: The Amended Project would require lesser soil hauling, and soil hauling is anticipated to last one day with 171 truck trips. Consequently, truck trips associated with soil haul operations for the Amended Project would not result in significant noise impacts for the noise-sensitive uses along the roadway during grading activities.

Emergency Vehicle Noise: The Amended Project would generate the same average number of overall monthly EMS calls as the Initial Project analyzed in the Certified EIR (10 emergency EMS call per month). As discussed in the Certified EIR, 10 EMS calls per month would amount to an increase the frequency of nighttime EMS calls of one additional call per week, which could expose nearby residents to single-event noise levels that exceed

the nighttime awakenings threshold of 81 dBA SEL. However, residences within the 2,000-foot radius of the Initial Project site already experience one nighttime call per week, and could now experience a total of two nighttime calls per week. Therefore, the same number of nighttime EMS calls can be expected to occur, an average of one call per week.

**k. Public Services**

**Impact:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- i. Fire Protection?
- ii. Police Protection?
- iii. Other Public Facilities?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to adverse physical impacts associated with the provision of new or altered governmental facilities.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:**

Fire Protection: The Amended Project is constructed on the Initial Project Site, and would ultimately result in a lesser square footage of construction and fewer residences. Therefore, with fewer residents and fewer units, fewer calls for OCFA service would be generated by the Amended Project for structural fire protection. The developer to enter into a Secured Fire Protection Agreement with the OCFA to ensure that OCFA would be able to provide adequate fire protection and equipment to serve the Initial Project. OCFA's existing fee program is adequate to fund new equipment and personnel as needs arise.

Police Protection: OCSO staffing levels were considered to be adequate to provide police services to the Initial Project. The community of North Tustin has a low crime rate, which is not expected to change due to development of the Initial Project. OCSO did not identify any public safety concerns for senior facilities. The Amended Project's modifications would reduce the number of residential units and the number of residents, and thus would reduce the number of calls for OCSO calls for service compared to the Initial Project.

Other Public Facilities – Library Services: The Amended Project would reduce the number of units from 153 to 100, and thus, would reduce the demand for library services.

## **l. Recreation**

**Impact:** 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?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to increasing the use of parks such that physical deterioration would be accelerated.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project generates a demand of 0.6 acres of local parkland based upon its density, which is lesser than the Initial Project. The Amended Project will comply with the Local Park Code and provides 0.43 acres of on-site recreational amenities for residents.

**Impact:** Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to the construction or expansion of recreational facilities.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Please see discussion above. The Amended Project would result in fewer residents than the Initial Project, and thus a lesser parkland demand.

## **m. Transportation and Traffic**

**Impact:** Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to

intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to conflicts with an applicable plan, ordinance, or policy establishing measures of effectiveness for the circulation system.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Certified EIR concluded that area intersections would continue to operate at acceptable levels of service during both AM and PM peak hours (during both baseline and future project years). The Amended Project would generate 12 additional daily trips, 4 additional AM peak hour trips and 1 fewer PM peak hour trip than the Initial Project. This amounts to a two-way average increase of 3.3%, which is minor. This increase in trip generation is not measurable as defined by the County of Orange Transportation Implementation Manual.

**Impact:** Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to conflicts with an applicable congestion management program.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Initial Project was expected to generate 392 daily trips, and thus did not meet the criteria required for an Orange County Congestion Management Program (CMP) traffic analysis. Therefore, the Initial Project would not have any significant traffic impacts on the Congestion Management Program Highway System. The Amended Project's marginal increase in trips (12 total trips) is not considered "measurable traffic" under the Orange County Congestion Management Program (CMP) traffic analysis standards.

**Impact:** Would the project result in insufficient parking capacity on-site or off-site?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to insufficient parking capacity off-site.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would provide a total of 91 parking spaces on-site, which is appropriate using the most conservative design parking rates used by the Certified EIR to calculate parking demand. With 91 spaces proposed, there would, in fact, be a surplus of between 17 to 27 spaces.

**n. Tribal Cultural Resources**

**Impact:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to listed or eligible tribal cultural resources.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Please refer to the discussion of impacts to historical, archaeological, and paleontological resources, above. The 6.6-acre portion of the site being developed is vacant and does not contain historic resources. Like the Initial Project, the implementation of the Amended Project would not directly affect any historical resources.

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to any significant tribal cultural resources.

**Mitigation Measures:** Please refer to Mitigation Measures 9-1 – 9-3, which were incorporated into the Certified EIR, and, with minor revisions as identified in the EIR Addendum, remain applicable to the Amended Project.

**Explanation:** Please refer to the discussion of impacts to historical, archaeological, and paleontological resources, above. The Amended Project Site is within the boundary of the Initial Project Site analyzed in the Certified EIR. In accordance with Senate Bill (SB) 18, the NAHC was contacted and a Sacred Land file search was requested. The NAHC replied that there were no known Native American cultural resources within the County and sent a list of Native American contacts with traditional lands or cultural places associated with the area who may have additional information about the Amended Project Site. The County sent invitation letters to representatives of the 12 Native American contacts on July 27, 2017 inviting them to provide information and/or consult with the County in pursuant to SB 18. No responses were received.

**o. Utilities and Service Systems**

**Impact:** Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to wastewater treatment capacity.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would result in lesser residents than the Initial Project, thus reducing wastewater generation. Moreover, existing wastewater treatment facilities have more than adequate space to accommodate the Amended Project's wastewater. The residential land uses proposed by the Amended Project would be typical municipal wastewater discharges and are not the type of uses that generate wastewater that contains harmful levels of toxins that are regulated by the Santa Ana RWQCB and that would cause OCSD to exceed wastewater treatment requirements. A SWPPP and WQMP are also required for the Amended Project.

**Impact:** Would the project 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?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to water or wastewater treatment facilities.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The Amended Project would reduce the square footage and total residents from the Initial Project, thus reducing water demand (by approximately 35%) and wastewater generation (by approximately 35%). The facilities identified in the Certified EIR and EIR Addendum have sufficient capacity to serve the Amended Project.

**Impact:** Would the project 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?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to stormwater drainage and facilities.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Like the Initial Project, the Amended Project includes installation of a subsurface storm drain system that would discharge runoff into an underground detention basin sufficient to maintain existing off-site drainage characteristics. The basin would retain, slow, and filter the runoff before discharge of excess storm water via overflow pipes.

**Impact:** Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to water supplies.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** The water demand from the Amended Project would be substantially less than the Initial Project (due to the reduction in square footage and residents). As was the case for the Initial Project, the TWD 2015 UWMP similarly states that there is sufficient

surplus water to meet demands during single dry-year, multiple dry-year, and average year conditions for the Amended Project.

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

**Finding:** The Amended Project would not have a new significant impact or increase the severity of a previously identified significant impact with respect to wastewater treatment capacity.

**Mitigation Measures:** No mitigation measures were required in the Certified EIR, and none are required for the EIR Addendum.

**Explanation:** Please refer to the discussion above regarding wastewater facilities and capacity relative to the Amended Project.