CYPRESS GROVE

SCH NO. 2025060042

Prepared for:
City of Tustin
300 Centennial Way
Tustin, CA 92780

August 2025

Prepared by

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1. Executive Summary

This Draft Environmental Impact Report (EIR) evaluates the environmental effects that may result from the construction and operation of the Cypress Grove Project (Project). This EIR has been prepared in conformance with State and City of Tustin environmental policy guidelines for the implementation of the California Environmental Quality Act (CEQA).

This Draft EIR is being circulated for review and comment by the public and other interested parties, agencies, and organizations for 45 days in accordance with Section 15087 and Section 15105 of the CEQA Guidelines. During the 45-day review period, the Draft EIR will be available for public review at the City of Tustin website (https://www.tustinca.org/1080/Current-Projects).

A physical copy is available for review at the following locations:

City of Tustin
300 Centennial Way
Tustin, CA 92780

Orange County Library – Tustin Branch
345 E. Main Street
Tustin, CA 92780

Written comments related to environmental issues in the Draft EIR should be addressed to:

Jorge Maldonado, Senior Planner
Community Development Department
300 Centennial Way, Tustin, CA 92780
jmaldonado@tustinca.org

A Notice of Availability of the Draft EIR was published concurrently with distribution of this document.

1.1 PROJECT LOCATION

The Project site is located in the northwestern portion of the City of Tustin, bordered to the west by Prospect Avenue, to the north by 17th Street, to the east by residential uses followed by Howland Way, and to the south by residential uses followed by Arbolada Way. Tustin is situated in the central part of Orange County, surrounded by the City of Irvine to the south and east, City of Santa Ana to the west, and the City of Orange and unincorporated Orange County to the north. To the south and east, the site shares a border with the unincorporated Orange County community of North Tustin. Regional access to the site is available via State Route 55 (SR 55), approximately 0.5 miles west of the site.

The Project site, located at 17852 17th Street in Tustin, spans 8.5 acres and consists of six parcels (APNs 401-401-12 through -17) with multiple addresses: 17772, 17782, 17822, 17852, and 17862 17th Street. Local access to the site is provided via Prospect Avenue and 17th Street.

1.2 PROJECT DESCRIPTION SUMMARY

The Project proposes development of 145 for-sale residential units on 8.5 acres in the City of Tustin. The residential units would consist of 62 single-family detached cluster units and 83 single-family attached townhome units, which would result in an average net density of 17.06 dwelling units per acre (du/ac) across the Project site. The Project would also include reconstruction of one driveway entrance from Prospect Avenue, an internal access drive aisle, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences as well as the closure of two existing driveways on 17th Street.

1.3 PROJECT OBJECTIVES

CEQA Guidelines §15124(b) (14 California Code of Regulations [CCR]) requires "A statement of objectives sought by the proposed project. A clearly written statement of objectives would help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and would aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." The Project strives to achieve the following objectives:

- Provide high-quality residential development that is consistent with the residential density assumptions in the General Plan.
- Establish a well-planned community that provides visual and functional compatibility with adjacent residential neighborhoods.
- Create a walkable and bikeable environment by strategically placing residential uses near commercial uses and transit options.
- Provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified by Southern California Association of Governments (SCAG) and assist in reducing the housing shortage in southern California.
- Provide housing in areas that have existing family services, such as schools and parks.
- Promote a diverse housing stock with products that are offered at a range of sizes and density.

1.4 SUMMARY OF ALTERNATIVES

Two alternatives to the Project have been identified for further analysis as representing a reasonable range of alternatives that attain most of the objectives of the Project, may avoid or substantially lessen any of the significant effects of the Project, and are feasible from a development perspective. The following alternatives are further described and analyzed in Sections 8.6 and 8.7.

Alternative 1: No Build Alternative. This alternative consists of the Project not being approved, and the Project site would remain in the conditions that existed at the time the Notice of Preparation was published (May 30, 2025).

Alternative 2: Reduced Project Alternative. This alternative consists of the Project being constructed, but at a reduced scale with fewer residential units. Under this alternative, the Project would result in demolition of two existing buildings and construction of 63 units on 3.5 acres. The remaining three buildings and 5 acres of the 8.5-acre site would be maintained in its existing condition.

Pursuant to CEQA, Alternative 1, the No Build Alternative, has been identified as the Environmentally Superior Alternative. This alternative would eliminate the Project's only significant and unavoidable impact, which is related to the historic significance of the Tustin Financial Plaza. Additionally, none of the mitigation measures identified for air quality, cultural resources, or tribal cultural resources would be necessary under the No Build Alternative.

Alternative 2, the Reduced Project Alternative, would also be environmentally superior to the proposed Project but would still result in greater impacts than the No Build Alternative. Overall, development would be reduced by approximately 67 percent compared to the proposed Project. As a result of the reduced scope, this alternative would not require implementation of Mitigation Measure AQ-1, as the decreased amount of demolition and grading would reduce diesel emissions to levels below the thresholds established by the South Coast Air Quality Management District (SCAQMD). However, similar to the proposed Project, the Reduced Project Alternative would still require mitigation for historic and tribal cultural resources, and impacts to historic resources would remain significant and unavoidable.

1.5 SUMMARY OF IMPACTS

Table 1-1 summarizes the conclusions of the environmental analysis contained in this Draft EIR. Section 7.0, *Effects Not Found Significant,* establishes that the proposed Project would not result in impacts related to certain thresholds from CEQA Appendix G including Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology, Land Use, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Utilities, and Wildfire. Thus, no further assessment of those impacts was required in the Draft EIR. Therefore, the numbering of impacts shown in Table 1-1 reflects the omission of further evaluation for certain thresholds.

Relevant standard conditions of approval are identified, and mitigation measures are provided for all potentially significant impacts. The level of significance of impacts after the proposed mitigation measures are applied are identified as either significant and unavoidable, less than significant, or no impact.

Table 1-1: Summary of Impacts

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.1 Air Quality				
Impact AQ-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?		Less than Significant	None required	Less than Significant
Impact AQ-2: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard?	**PPP AQ-1: Rule 403.** The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following: All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day. The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less. **PPP AQ-2: Rule 1113.** The Project is required to comply with the provisions of South Coast Air Quality Management District Rule	Less than Significant	None required	Less than Significant

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
	(SCAQMD) Rule 1113. Only "Low-Volatile Organic Compounds" paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used. **PPP AQ-3: Rule 402.** The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.			
Impact AQ-3: Would the Project expose sensitive receptors to substantial pollutant concentrations?		Potentially Significant	**MM AQ-1: Tier 4 Construction Equipment.** The Project shall utilize Tier 4 Final or superior equipment for engines exceeding 100 horsepower (hp). If Tier 4 Final equipment is not available for any specific equipment type, the construction contractor shall submit a written request to the City of Tustin for approval prior to the start of construction. This request must be supported by substantial evidence, such as equipment availability documentation, rental	Less than Significant with Mitigation

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			records, or market verification, demonstrating that Tier 4 Final equipment is not feasible. Potential alternative strategies may encompass the use of Tier 4 Interim equipment, reducing the number and/or horsepower rating of construction equipment, or limiting simultaneous equipment operation to ensure that the alternative strategies achieve the equivalent emissions reduction levels as Tier 4 Final equipment. All equipment must undergo tuning and adhere to the manufacturer's recommended maintenance schedule and specifications. Maintenance records for each piece of equipment, along with those of their contractors, must be available for inspection and kept on-site for a minimum of two years following construction completion.	
Cumulative	**PPP AQ-1: Rule 403,** as listed above. **PPP AQ-2: Rule 1113,** as listed above. **PPP AQ-4: Rule 402,** as listed above.	Potentially Significant	**MM AQ-1: Tier 4 Construction Equipment,** as listed above.	Less than Significant with Mitigation
5.2 Cultural Resources				
Impact CUL-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		Potentially Significant	**MM HIST-1:** Prior to the issuance of a demolition permit, the City of Tustin Planning Department shall verify that the Applicant has completed comprehensive archival documentation of the Tustin	Significant and Unavoidable

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			Financial Plaza. The documentation shall include high-resolution digital photographs taken from historically appropriate viewpoints. The photographs shall be taken from viewpoints consistent with the view guidelines contained within the HABS/HAER/HALS Photography Guidelines (June 2015). Additionally, the photographs shall be accompanied by the Project's Historic Report that evaluates the local historical significance of the Tustin Financial Plaza. The full documentation package shall be submitted to and accepted by the City of Tustin Planning Department prior to issuance of the demolition permit. The City shall post the materials to a permanent webpage on the City's website for public viewing. Additionally, the City shall offer, in the form of donation, the archive to at least one local historic preservation organization, such as the Tustin Area Historical Museum, the Orange County Historical Society, or another comparable entity, prior to Project completion.	
Cumulative		Potentially Significant	**MM HIST-1**, as listed above.	Significant and Unavoidable
5.3 Noise				
Impact NOI-1: Would the Project result in generation of a substantial temporary or	**PPP NOI-1: Construction Hours.** Per the Tustin City Code Section 4616, construction activities are	Less than Significant	None required	Less than Significant

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	allowed only between the hours of 7:00 AM and 6:00 PM, Monday through Friday and between 9:00 AM to 5:00 PM on Saturdays with no activity allowed on Sundays and City-observed federal holiday.			
Impact NOI-2: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?	**PPP NOI-1: Construction Hours**, as listed above.	Less than Significant	None required	Less than Significant
Impact NOI-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?		No Impact	None required	No Impact
Cumulative	**PPP NOI-1: Construction Hours**, as listed above.	Less than Significant	None required	Less than Significant
5.4 Tribal Cultural Resources				
Impact TCR-1: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	**PPP TCR-1:** Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods. **PPP CUL-1: Human Remains.** In the event that human remains are	Potentially Significant	**TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.** Prior to the issuance of demolition or grading permits for any projects that would disturb previously undisturbed soils (native soils) or soils that have native fill, the project applicant/developer shall retain a Native American Monitor, with first preference given to the Gabrieleño Band of Mission Indians – Kizh Nation, who responded to the City's request for	Less than Significant with Mitigation

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	encountered on the Project site, work within 50 feet of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. Prior to the issuance of grading permits, the City Community Department Director, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.		consultation on April 4, 2025. The applicant/developer shall allow 45 days from the initial contact with the first preference tribe to enter into a contract for monitoring services. If the applicant/developer is unable to contact the Kizh Nation after three documented attempts or is unable to secure an agreement, the applicant shall report to the lead agency, and the lead agency will contact the Kizh Nation to validate that the parties were unable to enter into an agreement. The applicant/developer shall have made three documented attempts to directly contact the Kizh Nation to enter into a tribal monitoring agreement. If the applicant/developer can demonstrate they were unable to secure an agreement with the first preference tribe, as validated and documented by the Community Development Department in writing, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the applicant/developer may retain an alternative qualified tribal monitor from a culturally affiliated tribe if approved by the City. The monitor shall be retained prior to the issuance of a demolition permit or grading permit, and the commencement of any development related "ground-disturbing activity" for the subject project at all project locations (i.e.,	

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, auguring, grubbing, boring, grading, excavation, drilling, and trenching for the purposes of reconstruction and new development. "Ground-disturbing activity" shall not include minor maintenance activities such as potholing, tree removal, and parking lot maintenance. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Kizh Nation. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains,	

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the consulting tribe. If a monitor is selected from a tribe other than the Kizh Nation, the Kizh Nation shall be contacted if any discoveries are found. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the consulting tribe from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities and that have the potential to impact local TCRs on the project site or in connection with the project are complete. **TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial).** Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the tribal monitor and consulting	

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			archaeologist. If the consulting tribe is other than the Gabrieleño Band of Mission Indians – Kizh Nation, the Kizh Nation shall be contacted and the consulting tribe will recover and retain all discovered TCRs in the form and/or manner the Kizh Nation deems appropriate, in the Kizh Nation sole discretion, and for any purpose the Kizh Nation deems appropriate, including for educational, cultural and/or historic purposes. **TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.** Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).	

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.	
Impact TCR-2: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	**PPP TCR-1**, as listed above. **PPP CUL-1: Human Remains**, as listed above.	Potentially Significant	**MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities,** as listed above. **MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial),** as listed above. **MM TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects,** as listed above.	Less than Significant with Mitigation
Cumulative	**PPP TCR-1**, as listed above. **PPP CUL-1: Human Remains**, as listed above.	Potentially Significant	**MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities,** as listed above.	Less than Significant with Mitigation

Impact	Applicable Standard Condition, Plan, Program, or Policy (PPP)	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
			MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial), as listed above. **MM TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects,** as listed above.	

2. Introduction

This Draft Environmental Impact Report (EIR) is an informational document that evaluates the environmental effects that may result from the planning, construction, and operation of the proposed Cypress Grove Project (Project), which requires approval of the following entitlements: Design Review, Vesting Tentative (Condo) Tract Map, and Zone Change.

2.1 PURPOSE OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) requires that all State and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority prior to taking action on those projects. The CEQA Guidelines provide the following information regarding the purpose of an EIR:

- **Project Information and Environmental Effects.** An EIR is an informational document that will inform public agency decision makers and the public generally of the potential significant environmental effect(s) of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information that may be presented to the agency (State CEQA Guidelines Section 15121(a)).
- **Standards for Adequacy of an EIR.** An EIR should be prepared with a sufficient degree of analysis to enable decision makers to make an intelligent decision that takes into account environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure (State CEQA Guidelines Section 15151).

As a public disclosure document, the purpose of an EIR is not to recommend either approval or denial of a project, but to provide information regarding the physical environmental changes that would result from an action being considered by a public agency to aid in the agency's decision-making process.

2.2 LEGAL AUTHORITY

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

Pursuant to CEQA Section 21067 and State CEQA Guidelines Article 4 and Section 15367, the City of Tustin is the Lead Agency under whose authority this Draft EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action on any approvals for the Project, the City of Tustin has the obligation to: (1) ensure that this Draft EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this Draft EIR as part of its decision-making process; (3) make a statement that this Draft EIR reflects the City of Tustin's independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary, (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or Project alternatives identified in this Draft EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (State CEQA Guidelines Sections 15090 through 15093).

Pursuant to State CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City of Tustin will have the legal authority to do any of the following:

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

2.3 EIR SCOPE AND CONTENT

Impacts Found to be Potentially Significant. The City prepared an Initial Study (IS) and determined that an EIR should be prepared for the Project. As a result, and pursuant to the requirements of CEQA, the IS and a Notice of Preparation (NOP) were prepared and circulated between May 30, 2025 and June 30, 2025, for the required 30-day public review period. The purpose of the NOP was to solicit early comments from public agencies with expertise in subjects that are discussed in this Draft EIR and to solicit comments from the public regarding potential Project environmental impacts. The IS, NOP, and any written responses to the NOP are included in Appendix A of this Draft EIR. Topics requiring a detailed level of analysis evaluated in this Draft EIR have been identified based upon the responses to both the IS/NOP and a review of the Project by the City. The City determined through the initial review process that impacts related to the following topics are potentially significant as discussed in the IS and require a detailed level of analysis in this Draft EIR.

- Air Quality
- Cultural Resources
- Noise
- Tribal Cultural Resources

Impacts Found Not to be Significant. CEQA Guidelines Section 15126.2(a) states that "[a]n EIR shall identify and focus on the significant effects on the environment." Topics that have been determined not to be significant and are therefore not discussed in detail in the Draft EIR were identified based upon the responses to the IS/NOP and a review of the Project by the City. As further detailed in Section 7, *Impacts Found Not to Be Significant*, of this Draft EIR, and as discussed in the IS, the City determined through the initial review process that certain impacts related to the following topics are not potentially significant and are not required to be analyzed in this Draft EIR.

- Aesthetics
- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

2.4 ENVIRONMENTAL IMPACT REPORT PROCESS

A project-level analysis has been provided pursuant to State CEQA Guidelines Section 15161. This Draft EIR meets the content requirements discussed in State CEQA Guidelines Article 9, beginning with State CEQA Guidelines Section 15120.

2.4.1 Notice of Preparation

The NOP requested members of the public and public agencies to provide input on the scope and content of environmental impacts that should be included in the EIR being prepared. Comments received on the NOP are included in Appendix A and are summarized in Table 2-1, which also includes a reference to the Draft EIR sections in which issues raised in the comment letters are addressed.

Table 2-1: Summary of NOP Comment Letters

Comment	Relevant Draft EIR Sections
State and Local Agencies	
Native American Heritage Commission (NAHC), June 6, 2025	
The comment includes a description of requirements regarding preparation of an Environmental Impact Report (EIR) pursuant to CEQA Guidelines Section 15064. Additionally, the commenter provides requirements and project applicability under Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). The commenter recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project as early as possible. The commenter provides a summary of requirements for AB 52 and SB 18 process.	Section 5.10, *Tribal Cultural Resources*
Orange County Fire Authority (OCFA), June 18, 2025	
The comment confirms receipt of the NOP and indicates that the project will have less than a significant impact regarding need for new or physically altered fire protection and emergency medical service facilities.	Initial Study, Section 5.15, *Public Services*
Orange County Sanitation District (OC San), June 23, 2025	
The comment confirms receipt of the NOP. Additionally, the comment provides clarification that the sanitary sewer facilities in Prospect Avenue are owned by OC San and that the line is 27 inches in diameter as opposed to the stated 18 inches. The comment also notes that the applicant must work with their local sewer provider for a sewer connection permit.	Section 3.0, *Project Description*
Public Comments	
Thomas Cole Baron, June 3, 2025	
The commenter states that they reside in proximity to the Project site. The commenter further states they have reviewed the documents provided and expresses their support for the proposed Project as it will contribute to the housing market at the local, regional, and state level.	Section 3.0, *Project Description*.

2.4.2 Public Scoping Meeting

Pursuant to Section 15082(c)(1) of the CEQA Guidelines, the City of Tustin hosted a public scoping meeting for members of the public and public agencies to provide input as to the scope and content of the environmental information and analysis to be included in the Draft EIR for the Project. A scoping meeting was held on June 16, 2025 at:

Orange County Library – Tustin Branch
345 E. Main Street
Tustin, CA 92780

2.4.3 Public Review of Draft EIR

The City of Tustin has filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research State Clearinghouse, indicating that this Draft EIR has been completed and is available for review and comment. A Notice of Availability (NOA) of the Draft EIR was published concurrently with distribution of this document. The Draft EIR is being circulated for review and comment by the public and other interested parties, agencies, and organizations for 45 days in accordance with State CEQA Guidelines Sections 15087 and 15105. During the 45-day review period, the Draft EIR is available for public review digitally on the City of Tustin's website at:

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Jorge Maldonado, Senior Planner
City of Tustin
300 Centennial Way
Tustin, CA 92780
(714) 573-3174
JMaldonado@tustinca.org

2.4.4 Final EIR

Upon completion of the 45-day review period, written responses to all comments related to the environmental issues in the Draft EIR will be prepared and incorporated into a Final EIR. The written responses to comments will be made available at least 10 days prior to the public hearing at which the certification of the Final EIR will be considered by the City of Tustin. These comments, and their responses, will be included in the Final EIR for consideration by the City of Tustin, as well as other responsible and trustee agencies per CEQA. The Final EIR may also contain corrections and additions to the Draft EIR and other information relevant to the environmental issues associated with the Project. The Final EIR will be available for public review prior to its certification by the City of Tustin. Notice of the availability of the Final EIR will be sent to all who comment on the Draft EIR.

2.5 ORGANIZATION OF THIS DRAFT EIR

This Draft EIR is organized into the following sections. To help the reader locate information of interest, a brief summary of the contents of each section is provided.

- **Section 1, Executive Summary:** This section provides a brief summary of the Project area, the Project, and alternatives. This section also provides a summary of the potential environmental impacts and mitigation measures, applicable Project design features, applicable regulatory requirements, and the level of significance after implementation of the mitigation measure. The level of significance after implementation of the proposed mitigation measure(s) will be characterized as either *less than significant* or *significant and unavoidable*.
- **Section 2, Introduction:** This section provides an overview of the purpose and use of the EIR, the scope of this Draft EIR, a summary of the legal authority for the Draft EIR, a summary of the environmental review process, and the general format of this document.
- **Section 3, Project Description:** This section provides a detailed description of the Project, its objectives, and a list of Project-related discretionary actions.
- **Section 4, Environmental Setting:** This section provides a discussion of the existing conditions within the Project area.
- **Section 5, Environmental Impact Analysis:** This section is divided into sub-sections for each environmental impact area. Each section includes a summary of the existing statutes, ordinances, and regulations that apply to the environmental impact area being discussed; the analysis of the Project's direct and indirect environmental impacts on the environment, including potential cumulative impacts that could result from the Project; applicable Project design features, standard conditions, and plans, policies, and programs that could reduce potential impacts; and feasible mitigation measures that would reduce or eliminate the significant adverse impacts identified. Impacts that cannot be mitigated to *less than significant* are identified as *significant and unavoidable*.
- **Section 6, Other CEQA Considerations:** This section summarizes the significant and unavoidable impacts that would occur from implementation of the Project. Additionally, this section provides a discussion of various CEQA-mandated considerations including growth-inducing impacts and the identification of significant irreversible changes that would occur from implementation of the Project.
- **Section 7, Effects Found Not to Be Significant:** This section summarizes the potential environmental effects related to the Project that were determined not to be significant during preparation of this EIR.
- **Section 8, Alternatives:** This section describes and analyzes a reasonable range of alternatives to the Project. The CEQA-mandated No Project Alternative is included along with alternatives that would reduce one or more significant effects of the proposed Project. As required by the CEQA Guidelines, the environmentally superior alternative is also identified.
- **Section 9, Report Preparation and Persons Contacted:** This section lists authors of the Draft EIR and City of Tustin staff that assisted with the preparation and review of this document. This section also lists other individuals and/or organizations that were contacted for information that is included in this Draft EIR document.

2.6 INCORPORATION BY REFERENCE

State CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this Draft EIR. Where this Draft EIR incorporates a document by reference, the document is identified in the body of the Draft EIR,

citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this Draft EIR.

3. Project Description

"Project," as defined by the State CEQA Guidelines, means "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: (1)… enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700." (14 California Code of Regulations [CCR] Section 15378(a).)

The Project analyzed in this Draft EIR would be developed in one phase and constructed over approximately 17 months. The Draft EIR analyzes buildout at a Project-level of detail, based upon entitlement applications being considered by the City of Tustin, compared to the existing conditions.

3.1 PROJECT LOCATION

The Project site is located in the northwestern portion of the City of Tustin, bordered to the west by Prospect Avenue, to the north by 17th Street, to the east by residential uses followed by Howland Way, and to the south by residential uses followed by Arbolada Way. Tustin is situated in the central part of Orange County, surrounded by the City of Irvine to the south, City of Santa Ana to the west, City of Orange and unincorporated Orange County to the north, and City of Irvine to the east. The Project site borders the unincorporated Orange County community of North Tustin along its south and east property lines.

The Project site, located at 17852 17th Street in Tustin, spans 8.5 acres and consists of six parcels (APNs 401-401-12 through -17) with multiple addresses: 17772, 17782, 17822, 17852, and 17862 17th Street. Regional access to the site is available via State Route 55 (SR 55), approximately 0.5 miles west of the site. Local access to the site is provided via Prospect Avenue and 17th Street. Regional location and local vicinity maps are provided in Figure 3-1, *Regional Location*, Figure 3-2, *Local Vicinity*, and Figure 3-3, *Aerial*.

3.2 EXISTING CONDITIONS

The Project site currently contains the "Tustin Financial Plaza," which is developed with five buildings that provide a total of 193,000 square feet (SF) of office use. Four outer buildings are two stories in height and are located at each corner of the Project site. The central building is four stories in height, with a height of approximately 55 feet.

Vehicle parking is sited between each of the corner buildings within the north, east, south, and west areas of the Project site, surrounding the central building. The Project site is currently accessible via three driveways, one on the west side of the Project site along Prospect Avenue, and two on the north side of the Project site along 17th Street. The site contains ornamental landscaping within parking lot medians, around the central structure, and along the perimeter of the Project site. Existing site photos are provided in Figures 3-4 through 3-6, *Existing Site Photos A-C*.

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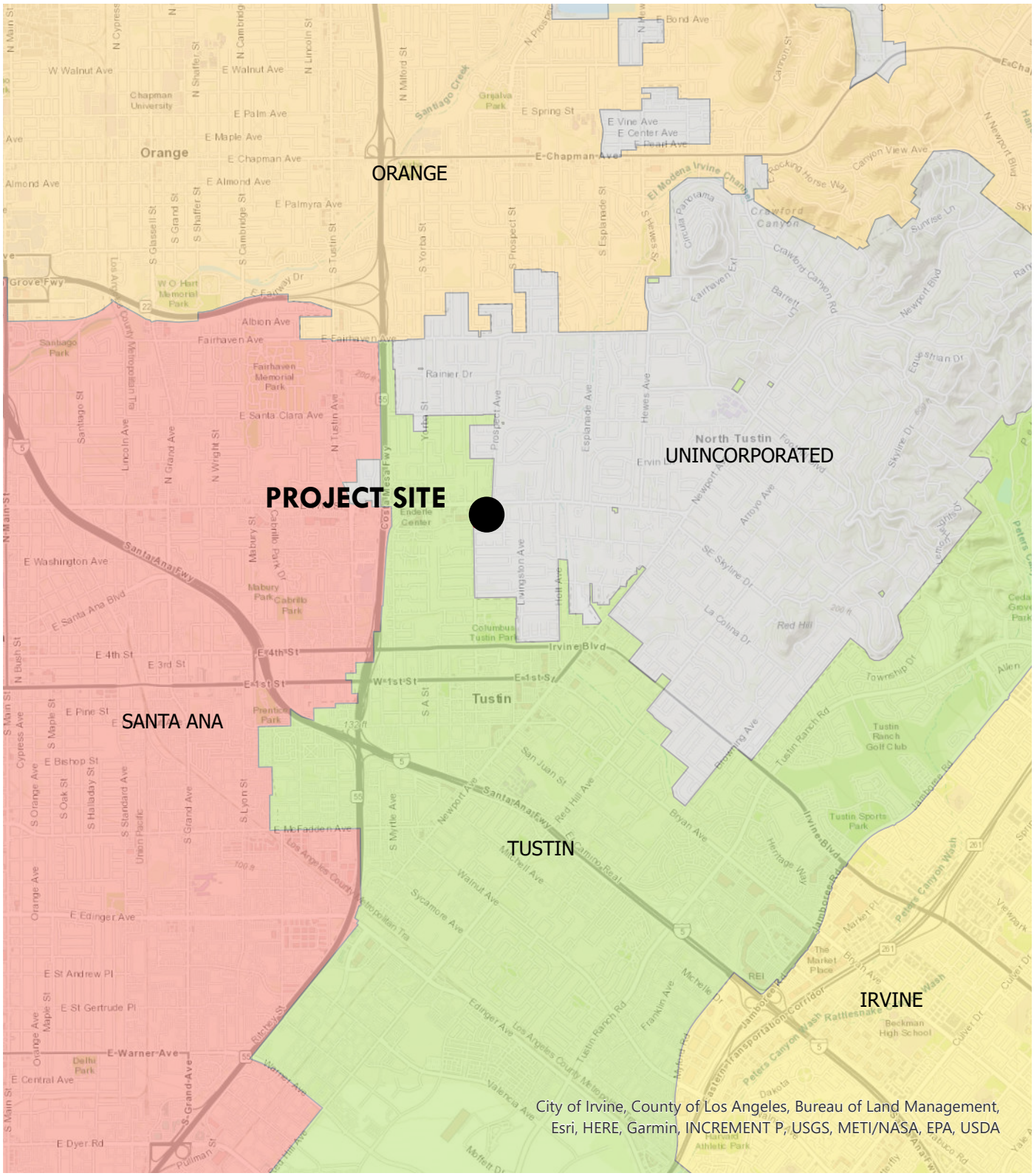
Regional Location



Cypress Grove
City of Tustin

Figure 3-1

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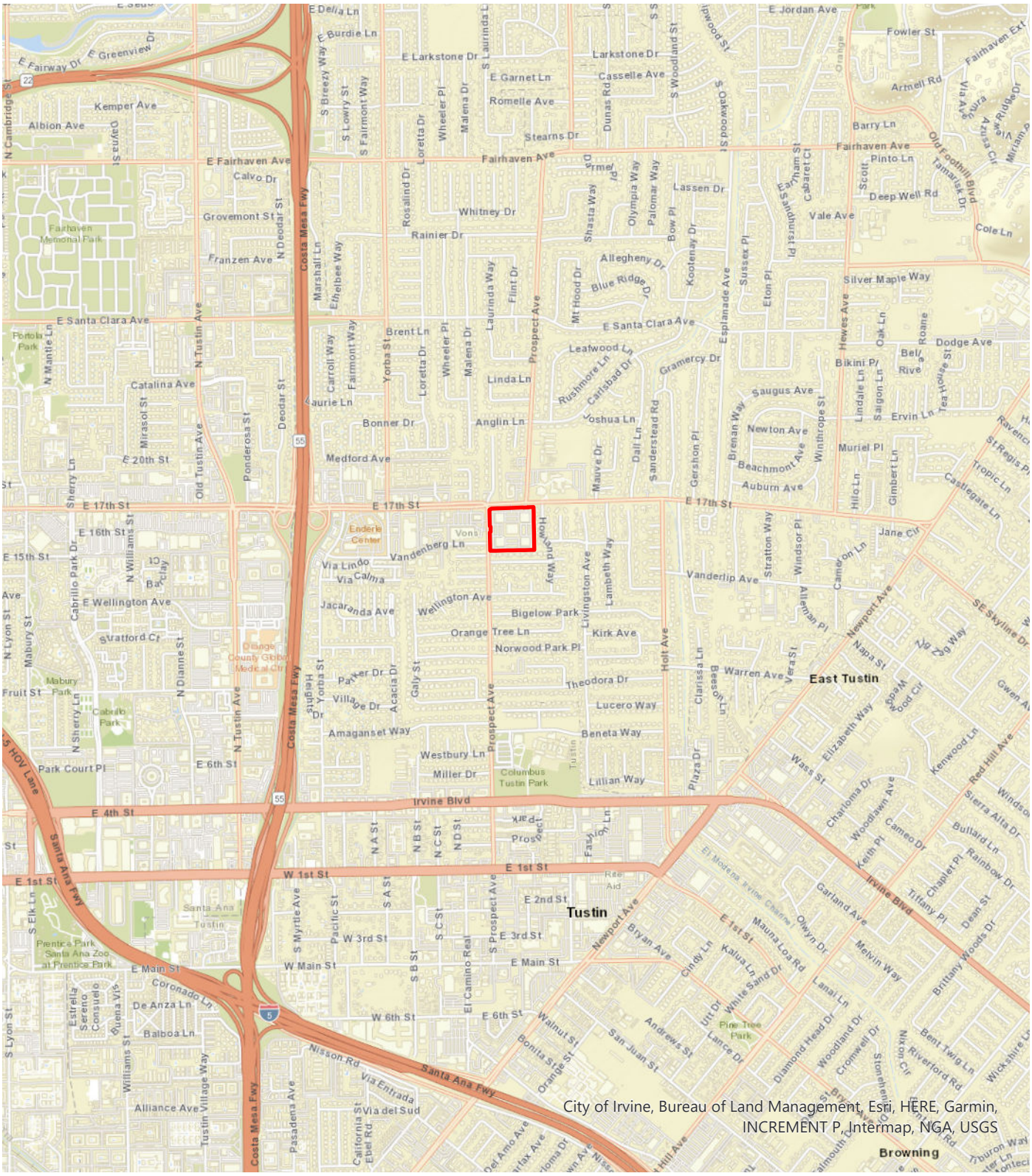
Local Vicinity



Legend

Project Site

0 0.5 1 Miles

N

Cypress Grove
City of Tustin

Figure 3-2

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Aerial

Legend

Project Site

0 250 500 Feet

N

Cypress Grove
City of Tustin

Figure 3-3

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Existing Site Photo A

Key

Viewpoint location

Direction of sight

View of existing driveway to the Project site from Prospect Avenue.

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Existing Site Photo B

Key

Viewpoint location

Direction of sight

View of the Project site from 17th Avenue.

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Existing Site Photo C

Key

Viewpoint location

Direction of sight

View of the Project site from the intersection of Prospect Avenue and 17th Street.

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3.2.1 Existing Land Use and Zoning

The Project site has a General Plan land use designation of Planned Community Commercial/Business (PCCB) and a zoning designation of Planned Community Business Park (PC BUS PARK). The PCCB land use designation provides opportunities for residential development in addition to a variety of miscellaneous retail, professional office, and service-oriented business activities. The PC BUS PARK zoning classification is intended to allow diversification of the relationships of various buildings, structures, and open spaces in planned building groups while ensuring substantial compliance with the district regulations and other provisions of the Planned Community District zone.

The Project site's existing General Plan land use and zoning designations are shown in Figure 3-7, *Existing General Plan Land Use*, and Figure 3-8, *Existing Zoning*.

3.2.2 Surrounding General Plan and Zoning Designations

The surrounding land uses are shown on Figure 3-1, *Regional Location*, and described in Table 3-1 below.

Table 3-1: Surrounding Existing Land Use and Zoning Designations

	Existing Land Use	General Plan Designation	Zoning Designation
North	17th Street followed by commercial and office uses	Planned Community Commercial/Business Park (PCCB) Professional Office (PO)	Planned Community Professional (PCPR) Professional Office (PR)
East	Single-family residential followed by Howland Way	Planned Community Residential (PCR) (Unincorporated Orange County)	North Tustin Specific Plan – Single Family Residential (100-RSF) (Unincorporated Orange County)
South	Single-family residential followed by Arbolada Way	Low Density Residential (LDR) (Unincorporated Orange County)	Small Estates (E4) (Unincorporated Orange County)
West	Prospect Avenue followed by commercial and single-family residential uses	Planned Community Commercial/Business (PCCB) Low Density Residential (LDR)	Planned Community Commercial (PC COM) Residential Estate (E4)

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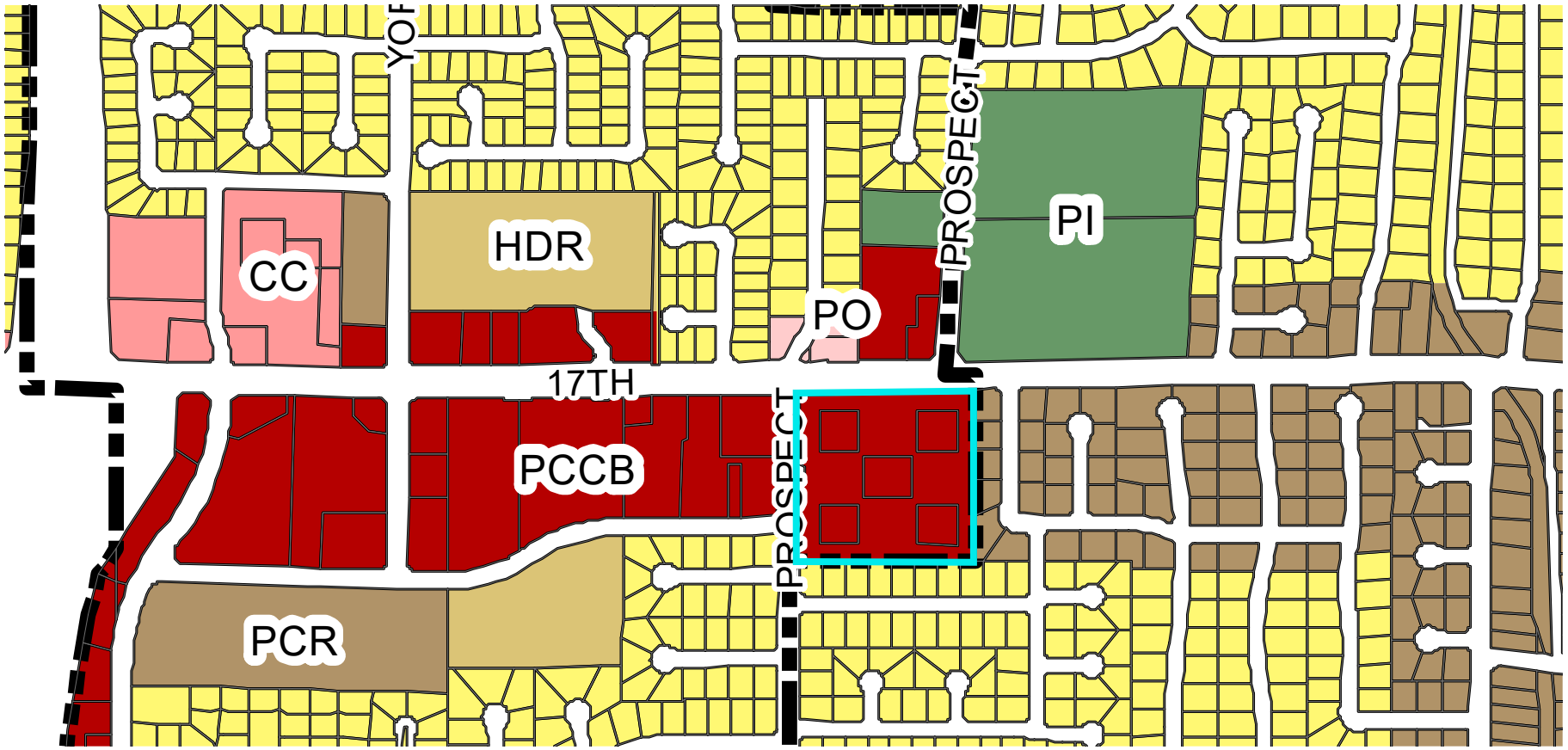
Existing General Plan Designation



LEGEND

Project Site

GeneralPlan

- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- PCR - Planned Community Residential
- MHP - Mobile Home Park
- PO - Professional Office
- CC - Community Commercial
- OTC - Old Town Commercial
- I - Industrial
- PCCB - Planned Community Commercial/Business
- PI - Public/Institutional
- PCPI - Planned Community Public/Institutional
- SP 1 - Tustin Legacy Specific Plan
- DCCSP - Downtown Commercial Core Specific Plan
- RHASP - Red Hill Avenue Specific Plan

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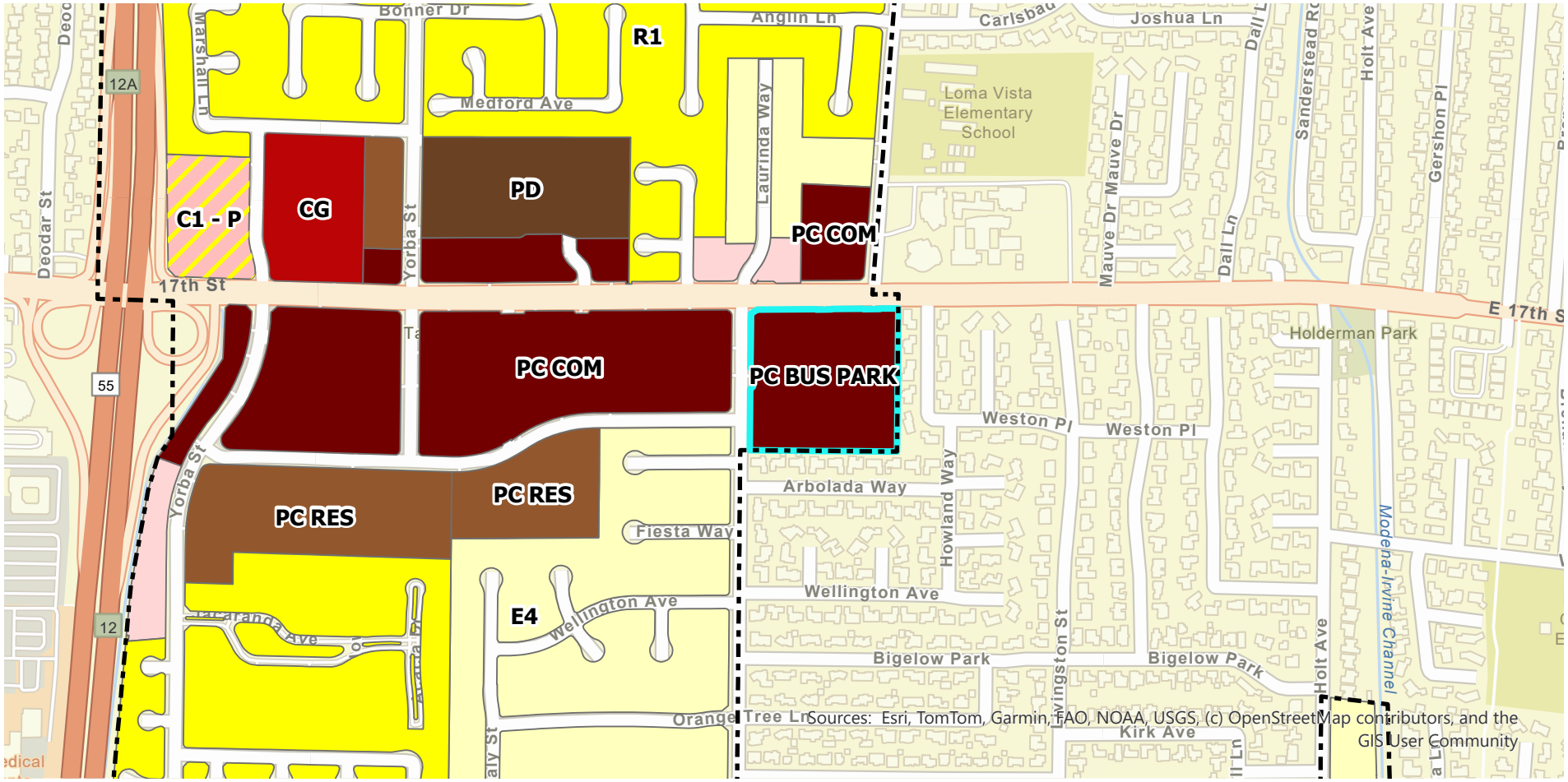
Existing Zoning



Legend

- Project Site
- City Boundary

Zoning

- Retail Commercial - Parking Overlay (C1 - P)
- Commercial General (CG)
- Residential Estate (E4)
- Planned Community Commercial (PC COM)
- Planned Community Residential (PC RES)
- Planned Development (PD)
- Professional (PR)
- Single Family Residential (R1)
- Planned Community - Business Park (PC BUS PARK)

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3.3 PROJECT OBJECTIVES

CEQA Guidelines §15124(b) (14 California Code of Regulations [CCR]) requires "a statement of objectives sought by the proposed project. A clearly written statement of objectives would help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and would aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." The Project strives to achieve the following objectives:

- Provide high quality residential development that is consistent with the residential density assumptions in the General Plan.
- Establish a well-planned development that provides visual and functional compatibility with adjacent residential neighborhoods.
- Create a walkable and bikeable environment by strategically placing residential uses near commercial uses and transit options (such as the existing bus stop adjacent to site).
- Provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified by Southern California Association of Governments (SCAG) and assist in reducing the housing shortage in southern California.
- Provide housing in areas that have existing family services, such as schools and parks.
- Promote a diverse housing stock with products that are offered at a range of sizes and density.

3.4 DESCRIPTION OF THE PROJECT

3.4.1 Project Overview

The Project proposes development of 145 for-sale residential units on 8.5 acres in the City of Tustin. The residential units would consist of 62 single-family detached cluster units and 83 single-family attached townhome units, which would result in an average net density of 17.06 dwelling units per acre (du/ac) across the Project site. The Project includes a rezone of PC BUS PARK to PC RES (Planned Community Residential), which would be consistent with the underlying General Plan land use designation of PCCB that allows residential uses up to a density of 54 persons per acre. The Project would also include the reconstruction of one driveway entrance from Prospect Avenue, an internal access drive aisle, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences, as well as the closure of two existing driveways on 17th Street. The Project design concept is illustrated in Figure 3-9, *Conceptual Site Plan.*

3.4.2 Zone Change

The Project would include a zone change from PC BUS PARK to PC RES to allow for residential uses on the Project site. In 1971, the site was zoned PC BUS PARK through adoption of Ordinance No. 507, and under Planning Commission Resolution No. 1245, a Use Permit was adopted to develop the site with a business park. Pursuant to Tustin City Code Section 9244, the Project would adopt the proposed Development Plan and text setting forth land use relationships and development standards that would allow for the Project's proposed residential uses. Figure 3-10, *Proposed Zone Change*, shows the proposed zoning.

3.4.3 Building Summary and Architecture

The proposed 145 residential units would be developed in various styles, including single-family detached cluster-style housing and attached townhome-style housing. The Project would include construction of one 3-

plex, one 5-plex, five 6-plexes, four 7-plexes, one 8-plex, and one 9-plex, for a total of 83 townhome-style units across 13 townhome buildings in the northern and western portions of the site. Additionally, the Project would result in 62 new single-family detached cluster units in the central and southeast portions of the site.

Each housing product type would include several design variations. Townhomes would include two 3-bedroom options and one 4-bedroom option. Single-family detached units would include three 4-bedroom options and one 5-bedroom option. All proposed structures would be three stories and would be up to 39 feet and 11 inches in height. Total cumulative living footprint of the Project would be 322,456 SF. The proposed units are shown below in Table 3-2.

Table 3-2: Proposed Development

Plan Type	Floor Area (SF)	Bedroom	Bath	Units
SFR Plan 1	2,280	4	3.5	11
SFR Plan 2	2,550	4	3.5	17
SFR Plan 3	2,590	4	3.5	15
SFR Plan 4	2,920	5	4.5	19
TH Plan 1	1,782	3	2.5	26
TH Plan 2	1,908	4	3.5	33
TH Plan 3	2,100	3	2.5	24

SFR = single-family residential; TH = townhome; SF = square feet

All proposed townhouse structures would be three stories and would be up to 38 feet and 4 inches in height. Single-family detached cluster units would also be three stories and would be up to 39 feet and 11 inches.

The proposed single-family attached townhome buildings would be constructed in a Spanish architectural style, with stucco architectural treatment, clay roofs, gables, and decorative blue and green accents, as shown on Figure 3-11, *Building A Elevations,* Figure 3-12, *Building B Elevations*, and Figure 3-13, *Building C Elevations*.

The proposed single-family detached cluster units would be constructed in farmhouse, craftsman, and abstract traditional architectural styles. Abstract traditional units would be treated with stucco and lap siding exterior with brick accents. Craftsman units would be treated with stucco exterior and stone veneer accents. Farmhouse units would be treated with stucco exterior with decorative board and batten. Figure 3-11, *Building A Elevations*, Figure 3-12, *Building B Elevations*, and Figure 3-13, *Building C Elevations*, illustrate the proposed architectural styles.

3.4.4 Circulation and Street Improvements

Access to the site would be provided via one driveway on Prospect Avenue. The existing driveways on 17th Street would be closed off and no longer accessible and would be replaced with sidewalks and a Class I bike path. The on-site drive aisle would loop around the Project site to provide residents and guests with access to visitor spaces and individual resident driveways. The Project would provide two enclosed garage residential parking spaces per unit, for a total of 290 enclosed residential parking spaces and 40 designated visitor parking spaces via street parking along the internal drive aisle.

3.4.5 Landscaping

The Project would include ornamental landscaping throughout the Project site. Landscaped areas would entail both private and communal open spaces. Overall, the Project would provide 46,131 SF of common open space. A 0.19-acre recreational area would be provided near the center of the proposed residential community and would contain a community gathering space, lawn area, nature and adventure play area, seating and bicycle racks, and would have accent trees throughout. Parking and a walking path to adjacent homes would also be provided. Additionally, private open space would include grass lawns, trees, and shrubs, as shown in Figure 3-14, *Conceptual Landscape Plan*.

Proposed landscaping would contain a mixture of trees and shrubs that comply with the City's Water Efficient Landscape Ordinance and with the *Guidelines for Implementation of the Water Efficient Landscape Ordinance*. Trees would be planted along Prospect Avenue and 17th Street, which would include strawberry, camphor, carrotwood, Brisbane box, and California sycamore trees. On-site trees would contain a range of species that are consistent with, and complimentary to, the treescape within the public right-of-way along Prospect Avenue and 17th Street. Ornamental shrubs would be dispersed throughout the site and include a large variety of species, creating visual diversity and interest.

A 6-foot block screening wall, with a three-to-four-foot retaining wall, would be maintained along the east and south sides of the Project site, between the proposed Project and existing residences. Partial fence and walls at each individual unit would delineate the private outdoor patio spaces from public areas.

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Conceptual Site Plan

LEGEND

- Townhomes
- Cluster

Cypress Grove
City of Tustin

Figure 3-9

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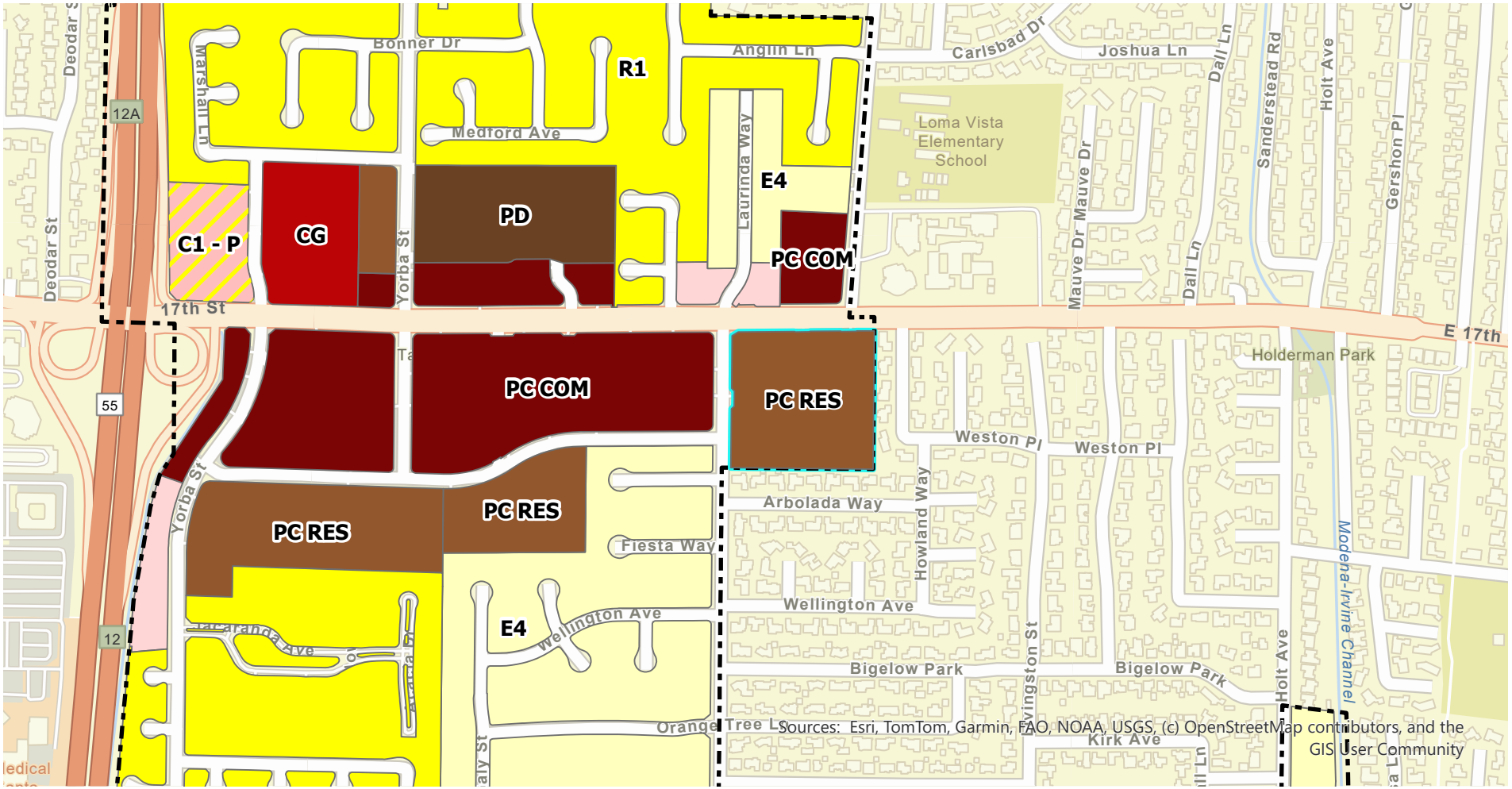
Proposed Zoning



Legend

City Boundary

Project Site

Zoning

Retail Commercial - Parking Overlay (C1 - P)

Commercial General (CG)

Residential Estate (E4)

Planned Community Commercial (PC COM)

Planned Community Residential (PC RES)

Planned Development (PD)

Professional (PR)

Single Family Residential (R1)

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Building A Elevations

FRONT

RIGHT

REAR

LEFT

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Building B Elevations

© 2025 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

FRONT

RIGHT

REAR

LEFT

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Building C Elevations

FRONT

RIGHT

REAR

LEFT

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Conceptual Landscape Plan

Legend

1. PROJECT SIGNAGE
2. PEDESTRIAN CROSSING
3. GROUP MAILBOXES
4. BICYCLE RACKS
5. RECREATION AREA
6. PRIVATE PATIO
7. PRIVATE YARD
8. LANDSCAPED PASEO
9. LANDSCAPE BUFFER
10. ACCENT TREES AT ENTRY

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3.4.6 Infrastructure Improvements

The proposed Project would construct on-site infrastructure including new internal drive aisles, curb, gutter, sidewalk, and storm drain improvements, wet and dry utility connections, and related infrastructure improvements.

Water

The Project would abandon the existing onsite 8-inch drinking water connections in the eastern and southern portions of the Project site and would construct new lines that would connect to the existing 8-inch water line in Prospect Avenue. Potable water would be conveyed throughout the site via new 4-inch pipes.

Sewer

The Project would connect to the existing 18-inch sanitary sewer system in Prospect Avenue. All Project sewage would be conveyed via an 8-inch sanitary sewer system that would be constructed beneath the internal drive aisle.

Energy

The Project would implement photovoltaic (PV) solar panels on the rooftop of each residence in compliance with California Title 24 Building Energy Efficiency Standards.

Drainage

A series of on-site storm drain facilities with low impact development (LID) and peak storm elements are proposed. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events, when the proposed biofiltration vaults are at capacity, stormwater would pond within the catch basins near the Project driveway, which would discharge into the public right-of-way on Prospect Avenue at pre-developed flow rates to follow the existing drainage pattern south to the Upper Newport Bay/Pacific Ocean.

Roadway Improvements

As mentioned previously, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the 17th street driveways. A Class I off-street bike path is proposed within the existing public right-of-way along 17th Street. A Class II bike lane will be striped northbound along the project frontage on Prospect Avenue.

3.4.7 Construction

Construction activities for the proposed Project would occur over one phase and would include demolition, site preparation, grading, building construction, paving, and architectural coating. Demolition activities are expected to generate approximately 48,000 cubic yards (CY) of cut and require 5,000 CY of fill, for a net export of 43,000 CY of soil. Additionally, demolition of the existing structures on the Project site is anticipated to result in 37,566 tons of debris that would be hauled off-site.

Construction is expected to occur five days per week for 8 hours per day over an approximate duration of 17 months, beginning in June 2026 and concluding approximately November 2027. Construction would

occur within the hours allowed by the Tustin City Code Section 4617, which states that construction is exempt from noise restrictions between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and the hours of 9:00 a.m. and 5:00 p.m. on Saturdays, excluding City-observed federal holidays.

Table 3-3, *Proposed Construction Schedule*, provides the construction duration by construction phase anticipated for the Project.

Table 3-3: Proposed Construction Schedule

Construction Activity	Number of Days
Demolition	75
Site Preparation	10
Grading	20
Building Construction	230
Paving	20
Architectural Coating	25
Total	**380**

3.4.8 Operations

The Project would be operated as for-sale single-family detached cluster units and single-family attached townhome units with private and common open space areas and amenities. Typical operational characteristics of this type of residential development include residents traveling to and from the site, general landscaping and maintenance, and delivery of materials and supplies to the site. Operation would be anticipated to occur 24 hours per day, 7 days per week, with higher level of activities occurring during peak daytime hours.

3.4.9 Project Design Features and Existing Plans, Programs, or Policies

Throughout the impact analysis in this Draft EIR, reference is made to existing Plans, Programs, or Policies (PPPs) currently in place and Project Design Features (PDFs) which effectively reduce environmental impacts. Where applicable, PPPs and PDFs are listed to show their effect in reducing potential environmental impacts. Where the application of these measures does not reduce an impact to below a level of significance, Project-specific mitigation is introduced. The City of Tustin will include these PPPs and PDFs along with Mitigation Measures in the Mitigation Monitoring and Reporting Program (MMRP) for the Project to ensure their implementation.

3.5 DISCRETIONARY APPROVALS AND PERMITS

The City of Tustin has primary approval responsibility for the Project. As such, the City serves as the Lead Agency for the EIR pursuant to CEQA Guidelines §15050. The Tustin Planning Commission will evaluate the EIR and the Project and make a recommendation to the City Council whether the Project should be approved and the EIR be certified. The City Council is the decision-making authority for the Project and will consider the Project along with the Planning Commission's recommendations, and will make a final decision to approve, approve with changes, or deny the Project. The City, including the Planning Commission and the City Council, will consider the information in the EIR and the Project's administrative record in its decision-making processes. In the event of approval of the Project and certification of the EIR, the City would conduct administrative and

discretionary review and grant ministerial and discretionary permits and approvals to implement Project requirements and conditions of approval.

Approval and implementation of the Project requires City approval of the following discretionary actions:

- Design Review;
- Vesting Tentative (Condo) Tract Map;
- Zone Change from PC BUS PARK to PC RES on 8.5 acres; and
- Certification of the EIR.

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4. Environmental Setting

The purpose of this section is to provide a description of the environmental setting of the Project site and surrounding area as it existed at the time the Notice of Preparation (NOP) was published, from both a local and regional perspective. In addition to the summary below, detailed environmental setting descriptions are provided in each subsection of Section 5 of this Draft EIR.

4.1 REGIONAL SETTING

The Project site is located in the city of Tustin. The city of Tustin encompasses approximately 11.08 square miles and is surrounded by the cities of Irvine to the south and east, Santa Ana to the west, and Orange and unincorporated Orange County to the north. Regional access is provided by Interstate (I) 5 through the center of the city, State Route (SR) 55 to the west, SR-261 to the east, and the I-405 freeway to the south.

4.2 LOCAL SETTING AND PROJECT LOCATION

The Project site, located at 17852 17th Street in Tustin spans 8.5 acres and consists of six parcels (Assessor's Parcel Numbers [APNs] 401-401-12 through -17) with multiple addresses: 17772, 17782, 17822, 17852, and 17862 17th Street. Regional access to the site is available via SR-55, approximately 0.5 miles west of the site. Local access to the site is provided via Prospect Avenue and 17th Street. Regional location and local vicinity maps are provided in Figure 3-1, *Regional Location*, Figure 3-2, *Local Vicinity*, and Figure 3-3, *Aerial*.

4.3 EXISTING LAND USE AND ZONING

The Project site has a General Plan land use designation of Planned Community Commercial/Business (PCCB) and a zoning designation of Planned Community Business Park (PC BUS PARK). The PCCB land use designation provides opportunities for residential development in addition to a variety of miscellaneous retail, professional office, and service-oriented business activities. The PC BUS PARK zoning classification is intended to allow diversification of the relationships of various buildings, structures, and open spaces in planned building groups while ensuring substantial compliance with the district regulations and other provisions of the Planned Community District zone.

The Project site's existing General Plan land use and zoning designations are shown in Figure 3-7, *Existing General Plan Land Use*, and Figure 3-8, *Existing Zoning*.

4.4 SURROUNDING LAND USES AND DEVELOPMENT

The surrounding land uses are shown in Figure 3-1, *Regional Location*, and described in Table 4-1 below.

Table 4-1: Surrounding Existing Land Use and Zoning Designations

	Existing Land Use	General Plan Designation	Zoning Designation
North	17th Street followed by commercial and office uses	Planned Community Commercial/Business Park (PCCB) Professional Office (PO)	Planned Community Professional (PCPR) Professional Office (PR)
East	Single-family residential followed by Howland Way	Planned Community Residential (PCR) (Unincorporated Orange County)	North Tustin Specific Plan – Single Family Residential (100-RSF) (Unincorporated Orange County)

	Existing Land Use	General Plan Designation	Zoning Designation
South	Single-family residential followed by Arbolada Way	Low Density Residential (LDR) (Unincorporated Orange County)	Small Estates (E4) (Unincorporated Orange County)
West	Prospect Avenue followed by commercial and single-family residential uses	Planned Community Commercial/Business (PCCB) Low Density Residential (LDR)	Planned Community Commercial (PC COM) Residential Estate (E4)

4.5 PHYSICAL ENVIRONMENTAL CONDITIONS

CEQA Guidelines Section 15125(a)(1) states that the physical environmental condition in the vicinity of the Project as it existed at the time the EIR's NOP was released for public review can normally be used as the comparative baseline for the EIR. The NOP for this EIR was released for public review on May 30, 2025. The following pages include a description of the physical environmental conditions ("existing conditions") on a regional and local basis at the approximate time the NOP was released. More information regarding the Project site's environmental setting is provided in the specific subsections of EIR Section 5, *Environmental Analysis*.

4.5.1 Air Quality

The Project site is located within the South Coast Air Basin (Basin), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is a 6,600-square-mile coastal plain bounded by the Pacific Ocean to the southwest and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Basin includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, and all of Orange County.

Air quality monitoring stations are located throughout the nation and are maintained by the local air pollution control district and State air quality regulating agencies. The SCAQMD, together with the California Air Resources Board (CARB), maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the Project site is located at 1630 Pampas Lane in Anaheim, California.

Pollutant monitoring results for the years 2020 to 2022 at the Anaheim ambient air quality monitoring station indicate that air quality in the Project vicinity has generally been moderate. As indicated in monitoring results, the federal PM_{10} standard was not exceeded during the 3-year period. The State PM_{10} standard was exceeded five times in 2020, once in 2021, and once in 2022. Similarly, the federal $PM_{2.5}$ standard had 12 exceedances in 2020, 10 exceedances in 2021, and no exceedances in 2022. The State 1-hour ozone standards were exceeded six times in 2020, no times in 2021, and once in 2022. The State 8-hour ozone standards were exceeded 16 times in 2020, no times in 2021, and once in 2022. The federal 8-hour standards were exceeded 15 times in 2020, no times in 2021, and once in 2022. The CO and NO_2 standards were not exceeded in the Project vicinity during the 3-year period. SO_2 data was not available from 2020 to 2022 at air quality monitoring stations in Orange County (Appendix B).

Sensitive Land Uses

Land uses such as schools, children's daycare centers, hospitals, and convalescent homes are considered to be more sensitive to poor air quality than the general public, because the population groups associated with these uses have increased susceptibility to respiratory distress. In addition, residential uses are considered more sensitive to air quality conditions than commercial and industrial uses, because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. Recreational land uses are considered moderately sensitive to air pollution. Exercise places a high demand

on respiratory functions, which can be impaired by air pollution, even though exposure periods during exercise are generally short. In addition, noticeable air pollution can detract from the enjoyment of recreation. The closest sensitive receptors to the Project site include residential uses (see Figure 3-3, *Aerial*).

4.5.2 Cultural Resources

Tustin History

In the late 18th century, the Spanish began colonizing the California region and developing Missions from San Diego to San Francisco. Development of the city of Tustin began during the late 18th century. In 1810, José Antonio Yorba and his cousin Juan Pablo Peralta were granted 78,941 acres of grazing land, known as the Rancho Santiago de Santa Ana, which were subdivided within the family over the next 50 years. In 1868, Petaluma carriage maker and property developer Columbus Tustin purchased a portion of the Rancho, shipped about 15,000 trees to the site consisting of apple, peach, pear, plum, nectarine, walnut, and orange, and settled on the property. Columbus Tustin gave plots of land away in order to aid the development of his city; however, when Santa Ana was chosen as the terminus of the Southern Pacific Railroad, growth within the city of Tustin declined. On July 23, 1883, Columbus Tustin died and thereafter, the city of Tustin experienced an economic boom due to the establishment of a bank and large hotel by the Tustin Improvement Association.

By 1888, the Southern Pacific Railroad had set up a station in Tustin, which ran two trains daily between Tustin and Los Angeles, which led to the establishment of the Utt Juice Company and the San Joaquin Fruit Company in the city. However, the Panic of 1893 led to the demise of several businesses in town and closure of the bank. Then, with the new century came a gradual rebuilding of the economy and the successful additions of the First National Bank of Tustin, the Tustin Lumber Company, Tustin Garage, Tustin Hardware, Piepers Feed Store, the Utt Juice Company, and three large citrus association packing houses.

In 1927, Tustin was incorporated into Orange County as a small agricultural community of approximately 200 acres and 900 residents, but growth within the community was slow through the 1930s and 1940s due to the Great Depression and World War II. In 1942, the United States Navy built its Lighter-Than-Air Base on nearby beanfields. By the 1960s, rising land values and falling grove production induced agricultural landowners to sell their land for urban development. As a result of new development and annexations, the city's population jumped from 2,000 in 1960 to 21,000 in 1970 and has continued to grow at a steady pace over the last 50 years (Appendix C).

Project Site History

Currently, the 8.5-acre Project site contains the "Tustin Financial Plaza," formerly known as the Meredith Financial Centre, which is developed with five buildings that provide a total of 193,000 square feet (SF) of office use. The four outer buildings are two stories high, and the central building is four stories high with an approximate maximum building height of 55 feet. Parking is provided in between each of the structures on the north, east, south, and west sides of the Project site. The site is currently accessible via three driveways, one from Prospect Avenue on the western boundary of the site and two from 17th Street on the northern boundary of the site. The site contains ornamental landscaping within parking lot medians, around the central structure, and along the perimeter of the Project site.

Based on historical aerial images, a structure, likely a single-family residence, was present on the property by 1896 and the property also contained an agricultural grove of trees. The property appears to have remained agricultural until the 1972 aerial image which depicts the property entirely cleared and under development for the existing Tustin Financial Plaza, originally the Meredith Financial Centre. Although not listed in the National Register of Historic Places (NRHP) index, the Built Environment Resources Directory

(BERD), or on file with the South Central Coastal Information Center (SCCIC), the Tustin Financial Plaza is identified in the City of Tustin Citywide Historic Resources Survey Update as a potential historical resource.

Tustin Financial Plaza (Meredith Financial Centre). The Historical Resources Analysis Report (HRAR), included as Appendix E, describes that the Tustin Financial Plaza, formerly known as the Meredith Financial Centre, was first proposed in March 1971 by Owner Eddy Meredith. A permit for the project's use and the development of five buildings was thereafter obtained in December 1971 (Appendix E).

As detailed by the HRAR, Leason F. Pomeroy III, a local architect and principal of LPA, Inc., was the architect for two of the office buildings: 17772 17th Street (northwest corner building), and 17862 17th Street (northeast corner building). Larry A. Bivens, a structural engineer by trade, was the architect for the other three buildings: 17782 17th Street (southwest corner building), 17852 17th Street (southeast corner building), and 17822 17th Street (center building). While Pomeroy designed the overall complex, the Meredith Company served as general contractor for the project. Construction began in 1972 and was completed in 1974. As illustrated in Figure 3-4, Existing Site Photo A, all five buildings are constructed in the New Formalism style. As described in the HRAR, the New Formalism style exhibits many Classical elements including strict symmetrical elevations, building proportion and scale, Classical columns, highly stylized entablatures and colonnades; and was primarily used for high-profile cultural, institutional and civic buildings.

As shown in Appendix E (pages 32-34), historical aerial images do not indicate that there have been substantial alterations to the property. All five buildings exist in the same configuration as that of construction, and an in-person survey indicates that there have not been any significant alterations to the exterior. The City of Tustin permit records indicate that most of the alterations to the buildings occurred in the interior, for the addition or removal of partitions and walls, for new lighting, for tenant improvements, and other general remodel work. Further, there were few permits related to the exterior of the buildings, that consisted of reroofing the buildings, the addition of a block wall on the property, the addition and changes in tenant signage, the addition of an EV charging station, and the addition of roof mounted solar.

4.5.3 Noise

Existing Noise Levels

To assess existing noise levels of the environment, long-term (24-hour) noise level measurements were conducted on February 25 and 26, 2025, at two locations. The background ambient noise levels in the Project area are dominated by the transportation-related noise associated with surface streets and surrounding commercial and office uses. Table 5.3-4 in Section 5.3, *Noise*, provides a summary of the measured hourly noise levels and calculated community noise equivalent level (CNEL) from the long-term noise level measurements which range from 67.4 dBA CNEL to 70.2 dBA CNEL.

Existing Vibration

Aside from periodic construction work that may occur in the vicinity of the Project area, the Project site and adjacent land uses are not currently exposed to sources of groundborne vibration.

Existing Airport Noise

The John Wayne Airport (SNA) is located approximately 5.58 miles southwest of the Project site. The Project site is located outside of the airport's 60 dBA CNEL noise contour. In addition, the General Aviation Noise Ordinance restricts airport operations between 11:00 p.m. and 7:00 a.m., to limit the hours of noise generated by SNA. The airport noise contours are shown in Figure 5.3-2, *Airport Noise Contours*.

Sensitive Receivers

Sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include: residences, schools, hospitals, and recreation areas. Existing off-site sensitive noise receptors where someone can remain for 24 hours in the vicinity of the Project site consists of residences. The closest off-site residences are located immediately adjacent east and south of the Project site.

4.5.4 Tribal Cultural Resources

A records search from the South Central Coastal Information Center (SCCIC) at California State University, Fullerton was completed for the Project site with a 1-mile radius (Appendix C). Based on the records search results, no resources are recorded within the Project site. However, the records search identified four previously recorded historical resources within the 1-mile radius. These resources include the Red Hill Water Company Pumping Plant, a single-family residence, the Tustin Old Town Historic Resources District, and a historic church. The records search results also indicated that 18 cultural resource studies have been conducted within a 1-mile radius of the Project site, none of which included any portion of the Project site boundaries.

Tribal cultural resources (TCRs) can include archaeological sites, built environment resources, locations of events or ceremonies, resource procurement areas, and natural landscape features with special significance to one or more indigenous groups. A Sacred Lands File (SLF) search was requested from the Native American Heritage Commission (NAHC) on February 18, 2025. On March 4, 2025, the NAHC responded with a list of Native American tribes affiliated with the area and that the SLF search yielded negative results for known TCRs or sacred lands within a 1-mile radius of the Project site.

4.6 REFERENCES

BFSA Environmental Services. (2025). *Archaeological Resources Study for the Prospect and 17th Project*. Appendix C.

EPD Solutions, Inc. (2025). *Cypress Grove Air Quality Impact Analysis*. Appendix B.

Urbana Preservation & Planning, LLC. (2024). *Historical Resource Analysis Report - Meredith Financial Centre*. Appendix E.

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5. Environmental Impact Analysis

This chapter examines the environmental setting of the Project, analyzes its effects and the significance of its impacts, and recommends mitigation measures to reduce or avoid impacts. This chapter is divided into subsections for each environmental issue area that was determined to need further study in the Draft EIR through the NOP review and comment process (see Appendix A). Environmental topic areas discussed in this Draft EIR include the following:

5.1 Air Quality
5.2 Cultural Resources
5.3 Noise
5.4 Tribal Cultural Resources

This Draft EIR evaluates the direct and indirect impacts resulting from the planning, construction, and operations of the Project. Under CEQA, EIRs are intended to focus their discussion on significant impacts and may limit discussion of other impacts to a brief explanation of why the impacts are not significant.

FORMAT OF ENVIRONMENTAL TOPIC SECTIONS

Each environmental topic section generally includes the following main subsections:

- **Introduction.** This describes the purpose of analysis for the environmental topic and referenced documents used to complete the analysis. This subsection may define terms used.
- **Regulatory Setting.** This subsection describes applicable federal, state, and local plans, policies, and regulations that the Project must address and may affect its implementation.
- **Environmental Setting.** This subsection describes the existing physical environmental conditions (environmental baseline) related to the environmental topic being analyzed.
- **Thresholds of Significance.** This subsection sets forth the thresholds of significance (significance criteria) used to determine whether impacts are "significant." The thresholds of significance used to assess the significance of impacts are based on those provided in Appendix G of the CEQA Guidelines.
- **Methodology.** This subsection provides a description of the methods used to analyze the impact and determine whether it would be significant or less than significant.
- **Environmental Impacts.** This subsection provides an analysis of the impact statements for each identified significance threshold. The analysis of each impact statement is organized as follows:
    - A statement of the CEQA threshold being analyzed,
    - The Draft EIR's conclusion as to the significance of the impact.
    - An impact assessment that evaluates the changes to the physical environment that would result from the Project.
    - An identification of significance comparing identified impacts of the Project to the significance threshold with implementation of existing regulations, prior to implementation of any required mitigation.
- **Cumulative Impacts.** This subsection describes the potential cumulative impacts that would occur from the Project's environmental effects in combination with other cumulative projects (See Table 5-1).
- **Existing Regulations and Plans, Programs, or Policies.** A list of applicable laws and regulations that would reduce potentially significant impacts.
- **Level of Significance Before Mitigation.** A determination of the significance of the impacts after the application of applicable existing regulations and regulatory requirements.

- **Mitigation Measures.** For each impact determined to be potentially significant after the application of applicable laws and regulations, feasible mitigation measure(s) to be implemented are provided. Mitigation measures include enforceable actions to:
    - avoid a significant impact;
    - minimize the severity of a significant impact;
    - rectify an impact by repairing, rehabilitating, or restoring the affected physical environment;
    - reduce or eliminate the impact over time through preservation and/or maintenance operations during the life of the Project; and/or
    - compensating for the impact by replacing or providing substitute resources or environmental conditions.
- **Level of Significance After Mitigation.** This section provides the determination of the impact's level of significance after the application of regulations, regulatory requirements, and mitigation measures.

CUMULATIVE IMPACTS

Cumulative impacts refer to the combined effect of the proposed Project's impacts with the impacts of other past, present, and reasonably foreseeable probable future projects. Both CEQA and the CEQA Guidelines require that cumulative impacts be analyzed in an EIR. As set forth in the CEQA Guidelines Section 15130(b), "the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone." The CEQA Guidelines direct that the discussion should be guided by practicality and reasonableness and focus on the cumulative impacts that would result from the combination of the proposed project and other projects, rather than the attributes of other projects which do not contribute to cumulative impacts.

According to Section 15355 of the CEQA Guidelines, "cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

a) The individual effects may be changes resulting from a single project or a number of separate projects.
b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Therefore, the cumulative discussion in this Draft EIR focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of impacts caused by other past, present, and reasonably foreseeable future projects. Additionally, pursuant to the CEQA Guidelines Section 15130(a)(1), an EIR should not discuss cumulative impacts that do not result at least in part from the project being evaluated in the EIR. Thus, cumulative impact analysis is not provided for any environmental issue where the proposed Project would have no environmental impact. Analysis of cumulative impacts is, however, provided for all Project impacts that are evaluated within this Draft EIR.

CEQA Guidelines Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of the following, or a reasonable combination of the two:

- A list of past, present, and probable future projects producing related or cumulative impacts, including those projects outside the control of the lead agency; or
- A summary of projections contained in an adopted local, regional, or statewide plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

The cumulative analysis for air quality, greenhouse gas emissions, and transportation relies on projections contained in adopted local, regional, or statewide plans or related planning documents, such as the Southern California Regional Transportation Plan, Southern California Association of Governments (SCAG) growth projections, and the Orange County Transportation Analysis Model (OCTAM). The cumulative analyses for other environmental issues use the list of projects approach.

Different types of cumulative impacts occur over different geographic areas. For example, the geographic scope of the cumulative air quality analysis, where cumulative impacts occur over a large area, is different from the geographic scope considered for cumulative analysis of aesthetic resources, for which cumulative impacts are limited to project area viewsheds. Thus, in assessing aesthetic resources impacts, only development within and immediately adjacent to the Project area that would contribute to a cumulative visual effect is analyzed, whereas cumulative transportation impacts are based upon annual growth projections and the other proposed and/or foreseeable development within the traffic study area of roadways and intersections. Because the geographic scope and other parameters of each cumulative analysis discussion can vary, the cumulative geographic scope, and the cumulative projects included in the geographic scope (when the list of projects approach is used), are described for each environmental topic. Table 5-1 provides a list of projects considered in this cumulative environmental analysis, which was compiled per information provided by each agency, and Figure 5-1 shows the locations of these projects.

Table 5-1: Cumulative Projects List

No.	Project	Address	Land Use/ Project Type	Size
1	KB Home Live/Work	14042 Newport Ave Tustin, CA	Residential	42 residential units
2/3	Jessup by Intracorp	17802 & 17842 Irvine Blvd Tustin, CA	Residential	Redevelopment of commercial center to construct 40 residential units (36 attached duplexes, 4 SFDs)
4	Bonita Townhomes	1052 Bonita St Tustin, CA	Residential	Redevelopment of 1 SFD to construct 4 condominium townhomes
5	Yorba Residential Project	14851 Yorba St & 165 N. Myrtle Ave Tustin, CA	Residential	3 residential units
6	Urgent Care	535 E. Main St Tustin, CA	Commercial	3,449 SF addition to existing commercial building
7	Convalescent Hospital	14851 Yorba St & 165 N. Myrtle Ave Tustin, CA	Institutional	121-bed skilled nursing facility within an existing vacant medical building
8	Church in Office Suite	155 El Camino Real Tustin, CA	Institutional	5,000 SF of worship, space and 1,868 SF of assembly space
9	Revere House	900 W. First St Tustin, CA	Commercial	1,372 SF addition to an existing 10,795 SF commercial building
10	Genie Car Wash	1501 Nisson Rd Tustin, CA	Commercial	7 vacuum parking stall addition to a self-service car wash

No.	Project	Address	Land Use/ Project Type	Size
11	Chevron Car Wash Expansion	13561 Newport Ave Tustin, CA	Commercial	Convert full-service car wash to automated car wash by extending car wash tunnel by 30 feet and adding 17 vacuum stalls. Located on a site with an existing service station and convenience store
12	Santa Ana Lyon Towns	717 S. Lyon Street Santa Ana, CA	Residential	51 townhomes with 15,000 SF of open space and 105 parking spaces.
13	MLC Holdings/Meritage Homes	2020 E. First St Santa Ana, CA	Residential	Redevelopment of site to construct 80 townhomes and 194 parking spaces.
14	Cabrillo Crossing Townhomes	1814 and 1818 E. First St Santa Ana, CA	Residential	35 townhomes (6 of which are live/work)
15/16	The Madison	200 N. Cabrillo Park Dr Santa Ana, CA	Commercial/Residential	260 residential units (4 of which are live/work), 445 parking spaces, and 6,600 SF of commercial space
17/18	Central Pointe Mixed-Use Development	1801 E. 4th St Santa Ana, CA	Commercial/Residential	644 residential units and 15,130 SF of commercial space
19	Think Together Residential Development	2101 E. 4th St Santa Ana, CA	Commercial/Residential	270 residential units and 6,760 SF of non-residential space for live/work units
20	Baja Fish Tacos	2107 17th Street Santa Ana, CA	Commercial	5,005 SF multi-tenant commercial building
21	Service Station	2230 Tustin Ave Santa Ana, CA	Commercial	Service station with 6 stations with 12 fueling pumps and a 2150 SF convenience store
22	McDonald's Drive Thru	2101 Santa Clara Santa Ana, CA	Commercial	Redevelopment of 2 SFD to construct 3,975 SF drive thru restaurant
23	New ARCO	2301 17th St Santa Ana, CA	Commercial	Redevelopment of multi-tenant commercial building to construct 4,000 SF service station with a convenience store to include fast food/retail space and eight (8)

No.	Project	Address	Land Use/ Project Type	Size
				gasoline dispensers. Scope of work to include underground storage tanks, 33 parking stalls, new landscaping, and a trash enclosure
24	Park Court Office Bldg	1801 Parkcourt Place Santa Ana, CA	Commercial	3,974 SF office building within an existing office park
25/26	Russell Fischer Center	301 Tustin Ave Santa Ana, CA	Commercial	Redevelopment of two commercial buildings to construct a service station with four stations and eight dispensing pumps, a 2,775 SF convenience store, and a 7,368 SF multi-tenant commercial building
27	Chapman Yorba VIII	2502 E. Chapman Ave Orange, CA	Residential/Commercial	158 senior apartments and storage facility
28 & 29	Earlham Duplex and ADU	221 S. Earlham St Orange, CA	Residential	2 new detached units and an attached ADU
30 & 31	The Hill Mixed Use	13751 & 13841 Red Hill Avenue Tustin, CA	Residential	137 residential rental units and 7,000 SF of retail space
32	Medical Office Building	17631 17th St Tustin, CA	Commercial	Demolition of restaurant building to construct an 11,323 SF medical office building
33	Compass at Red Hill (Meritage Homes)	13751 & 13841 Red Hill Avenue Tustin, CA	Residential	73 for-sale townhomes
34	Popeyes Drive Thru	14982 Prospect Avenue Tustin, CA	Commercial	Demolish an abandoned service station to construct a drive-thru restaurant

Notes: SF= Square Feet
Source: City of Tustin, 2025

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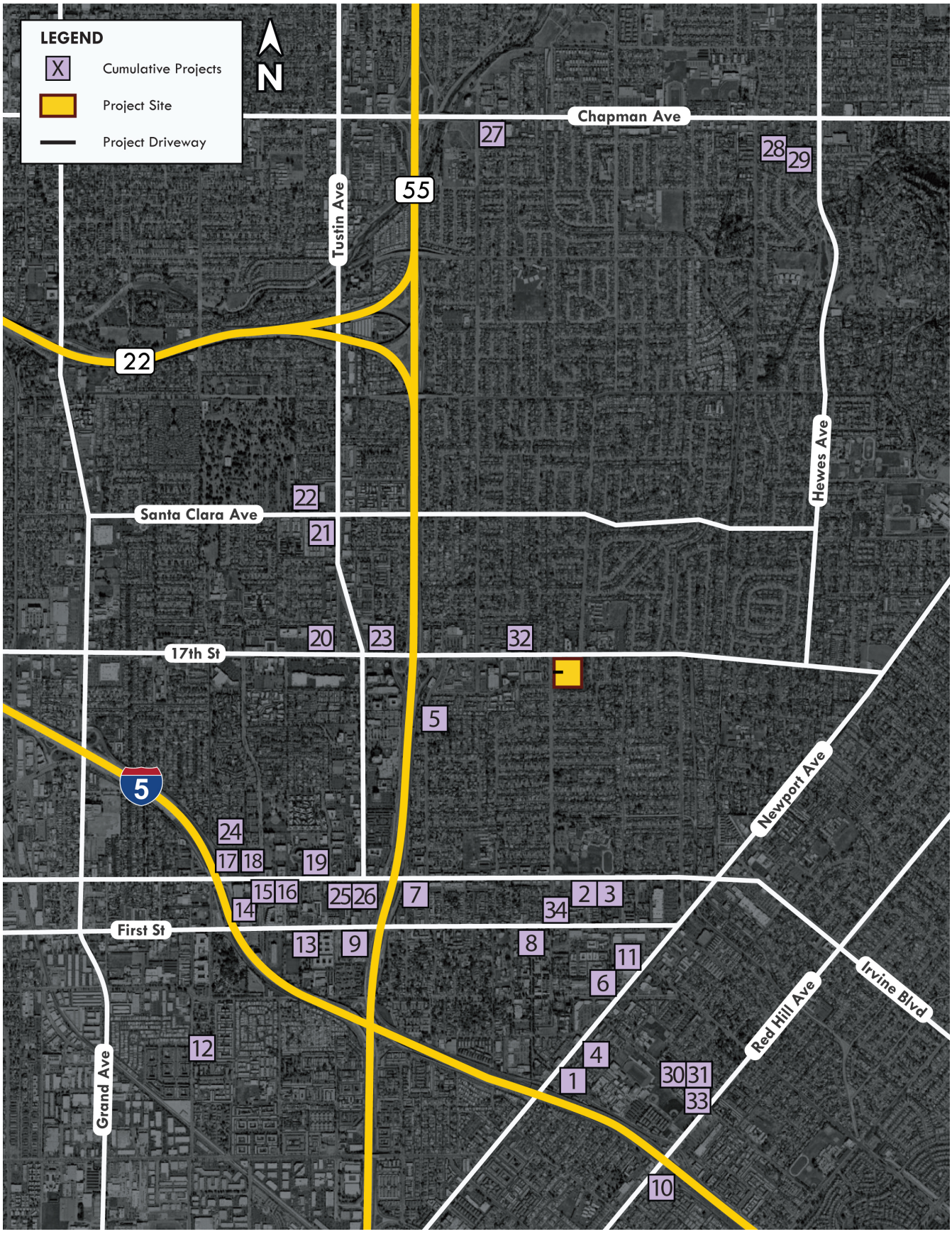
Cumulative Projects



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IMPACT SIGNIFICANCE CLASSIFICATIONS

The below classifications are used throughout the impact analysis in this Draft EIR to describe the level of significance of environmental impacts. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines.

- **No Impact.** The Project would not change the environment.
- **Less Than Significant.** The Project would not cause any substantial, adverse change in the environment.
- **Less Than Significant with Mitigation Incorporated.** The Draft EIR includes mitigation measures that avoid substantial adverse impacts on the environment.
- **Significant and Unavoidable.** The Project would cause a substantial adverse effect on the environment, and no feasible mitigation measures are available to reduce the impact to a less than significant level.

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5.1 Air Quality

5.1.1 INTRODUCTION

This section provides an overview of the existing air quality within the City of Tustin and surrounding region, a summary of applicable regulations, and analyses of potential short-term and long-term air quality impacts from implementation of the proposed Project. Mitigation measures are recommended as necessary to reduce significant air quality impacts. This section is based upon the following:

- *City of Tustin General Plan*, adopted November 2018
- Tustin City Code
- *Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*, adopted April 2024
- *Cypress Grove Project Air Quality Impact Analysis*, prepared by EPD Solutions, Inc., March 2025, included as Appendix B
- *Cypress Grove Project Health Risk Assessment*, prepared by EPD Solutions, Inc., March 2025, included as Appendix D

5.1.2 REGULATORY SETTING

5.1.2.1 Federal Regulation

United States Environmental Protection Agency

Criteria Air Pollutants

At the federal level, the United States Environmental Protection Agency (USEPA) has been charged with implementing national air quality programs. The USEPA's air quality mandates are drawn primarily from the Federal Clean Air Act (CAA), which was enacted in 1970. The most recent major amendments to the CAA were made by Congress in 1990.

The CAA requires the USEPA to establish National Ambient Air Quality Standards (NAAQS). The USEPA has established primary and secondary NAAQS for the following criteria air pollutants: ozone, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead. Table 5.1-1 shows the NAAQS for these pollutants. The CAA also requires each state to prepare an air quality control plan, referred to as a State Implementation Plan (SIP). The CAA Amendments of 1990 (CAAA) added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is modified regularly, and the interval can vary between one to a few years, to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins, as reported by their jurisdictional agencies. The USEPA is responsible for reviewing all SIPs to determine whether they conform to the mandates of the CAA and its amendments, and to determine whether implementing the SIPs will achieve air quality goals. If the USEPA determines a SIP to be inadequate, a federal implementation plan that imposes additional control measures may be prepared for the nonattainment area.

The USEPA also has regulatory and enforcement jurisdiction over emission sources beyond state waters (outer continental shelf), and those that are under the exclusive authority of the federal government, such as aircraft, locomotives, and interstate trucking. The USEPA's primary role at the state level is to oversee state air quality programs. The USEPA sets federal vehicle and stationary source emissions standards and provides research and guidance in air pollution programs.

Table 5.1-1: Ambient Air Quality Standards for Criteria Pollutants

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when ROG and NOx react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial / industrial mobile equipment.
	8 hours	0.07 ppm	0.075 ppm		
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide (NO_2)	1 hour	0.18 ppm	0.100 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Arithmetic Mean	0.030 ppm	0.053 ppm		
Sulfur Dioxide (SO_2)	1 hour	0.25 ppm	75 ppb	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.50 ppm		
	24 hours	0.04 ppm	0.14 ppm		
	Annual Arithmetic Mean	---	0.03 ppm		
Respirable Particulate Matter (PM_{10})	24 hours	50 µg/m³	150 µg/m³	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Arithmetic Mean	20 µg/m³	---		
Fine Particulate Matter ($PM_{2.5}$)	24 hours	---	35 µg/m³	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NOx, sulfur oxides, and organics.
	Annual Arithmetic Mean	12 µg/m³	12 µg/m³		
Lead (Pb)	30 Day Average	1.5 µg/m³	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction (in severe cases).	*Present source:* lead smelters, battery manufacturing and recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarter	---	1.5 µg/m³		
	Rolling 3-Month Average	---	0.15 µg/m³		
Hydrogen Sulfide	1 hour	0.03 ppm	No National Standard	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal power plants, petroleum production and refining
Sulfates (SO_4)	24 hour	25 µg/m³	No National Standard	Decrease in ventilatory functions; aggravation of asthmatic symptoms; aggravation of cardio-pulmonary disease; vegetation damage; degradation of visibility; property damage.	Industrial processes.
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	No National Standard	Reduces visibility, reduced airport safety, lower real estate value, and discourages tourism.	See $PM_{2.5}$.

Notes: ppm = parts per million; ppb = parts per billion; µg/m³ = micrograms per cubic meter.

Hazardous Air Pollutants

The USEPA has programs for identifying and regulating hazardous air pollutants (HAPs). Title III of the CAA directed the USEPA to promulgate national emissions standards for HAPs (NESHAP). Major sources are defined as stationary sources with potential to emit more than 10 tons per year (tpy) of any HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources. The emissions standards are to be promulgated in two phases. In the first phase (1992–2000), the USEPA developed technology-based emission standards designed to produce the maximum emission reduction achievable. These standards are generally referred to as requiring maximum achievable control technology (MACT). For area sources, the standards may be different, based on generally available control technology. In the second phase (2001–2008), the USEPA promulgated health-risk-based emissions standards when deemed necessary, to address risks remaining after implementation of the technology-based NESHAP standards.

The CAA also required the USEPA to promulgate vehicle or fuel standards containing reasonable requirements that control toxic emissions of, at a minimum, benzene and formaldehyde. Performance criteria

were established to limit mobile-source emissions of toxics, including benzene, formaldehyde, and 1,3-butadiene. In addition, Section 219 required the use of reformulated gasoline in selected areas with the most severe ozone nonattainment conditions to further reduce mobile-source emissions.

5.1.2.2 State Regulations

California Air Resources Board (CARB)

Criteria Air Pollutants

The California Air Resources Board (CARB), a department of the California Environmental Protection Agency (CalEPA), oversees air quality planning and control throughout California. CARB is responsible for coordination and oversight of State and local air pollution control programs in California and for implementation of the California Clean Air Act (CCAA). The CCAA, which was adopted in 1988, requires CARB to establish the California Ambient Air Quality Standards (CAAQS). CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and the above-mentioned criteria air pollutants. Applicable CAAQS are shown in Table 5.1-1.

The CCAA requires all local air districts in the state to endeavor to achieve and maintain the CAAQS by the earliest practical date. The act specifies that local air districts shall focus particular attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources.

Among CARB's other responsibilities are overseeing compliance by local air districts with California and federal laws, approving local air quality plans, submitting SIPs to the USEPA, monitoring air quality, determining and updating area designations and maps, and setting emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

The California Air Resources Board Handbook

CARB has developed an Air Quality and Land Use Handbook which is intended to serve as a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process (California Air Resources Board, 2005). According to the CARB Handbook, air pollution studies have shown an association between respiratory and other non-cancer health effects and proximity to high traffic roadways. Other studies have shown that diesel exhaust and other cancer-causing chemicals emitted from cars and trucks are responsible for much of the overall cancer risk from airborne toxics in California. The CARB Handbook recommends that county and city planning agencies strongly consider proximity to these sources when finding new locations for "sensitive" land uses such as homes, medical facilities, daycare centers, schools, and playgrounds.

Land uses that can produce air pollution sources of concern include freeways, rail yards, ports, refineries, distribution centers, chrome plating facilities, dry cleaners, and large gasoline service stations. Key recommendations in the CARB Handbook include taking steps to avoid siting new, sensitive land uses:

- Within 500 feet of a freeway, urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day;
- Within 1,000 feet of a major service and maintenance rail yard;
- Immediately downwind of ports (in the most heavily impacted zones) and petroleum refineries;
- Within 300 feet of any dry cleaning operation (for operations with two or more machines, provide 500 feet); and
- Within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater).

The CARB Handbook specifically states that its recommendations are advisory and acknowledges land use agencies must balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.

The recommendations are generalized and do not consider site-specific meteorology, freeway truck percentages, or other factors that influence risk for a particular project site. The purpose of this guidance is to help land use agencies determine when to further examine project sites for actual health risk associated with the location of new sensitive land uses.

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances capable of causing short-term (acute) and long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). Air quality regulations also focus on TACs. In general, for those TACs that may cause cancer, there is no concentration that does not present some risk. In other words, there is no safe level of exposure. This contrasts with the criteria for air pollutants, for which acceptable levels of exposure can be determined and for which ambient standards have been established. Instead, the USEPA and CARB regulate HAPs and TACs, respectively, through statutes and regulations that generally require the use of the maximum achievable control technology or best available control technology for toxics and to limit emissions. These statutes and regulations, in conjunction with additional rules set forth by the districts, establish the regulatory framework for TACs.

TACs in California are regulated primarily through the Tanner Air Toxics Act (Assembly Bill [AB] 1807 [Chapter 1047, Statutes of 1983]) and the Air Toxics Hot Spots Information and Assessment Act (Hot Spots Act) (AB 2588 [Chapter 1252, Statutes of 1987]). AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted the USEPA's list of HAPs as TACs. Most recently, diesel PM was added to the CARB list of TACs. Once a TAC is identified, CARB then adopts an airborne toxics control measure for sources that emit that particular TAC. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate best available control technology to minimize emissions.

The Air Toxics Hot Spots Information and Assessment Act requires existing facilities emitting toxic substances above a specified level to prepare a toxic-emission inventory, prepare a risk assessment if emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

CARB published the Air Quality and Land Use Handbook: A Community Health Perspective (Handbook), which provides guidance concerning land use compatibility with TAC sources (CARB, 2005). Although it is not a law or adopted policy, the Handbook offers advisory recommendations for the siting of sensitive receptors near uses associated with TACs, such as freeways and high-traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations, and industrial facilities, to help keep children and other sensitive populations out of harm's way. In addition, CARB has promulgated the following specific rules to limit TAC emissions:

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

California Assembly Bill 1493– Pavley

In 2002, the California Legislature adopted AB 1493 requiring the adoption of regulations to develop fuel economy standards for the transportation sector. In September 2004, pursuant to AB 1493, the CARB approved regulations to reduce fuel use and emissions from new motor vehicles beginning with the 2009 model year (Pavley Regulations). CARB, EPA, and the United States Department of Transportation's National Highway Traffic and Safety Administration (NHTSA) have coordinated efforts to develop fuel economy standards for model 2017-2025 vehicles, which are incorporated into the "Low Emission Vehicle" (LEV) Regulations.

California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3)

No vehicle or engines subject to this regulation may idle for more than 5 consecutive minutes. The idling limit does not apply to:

- Idling when queuing;
- Idling to verify that the vehicle is in safe operating condition;
- Idling for testing, servicing, repairing or diagnostic purposes;
- Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane);
- Idling required to bring the machine system to operating temperature; and
- Idling necessary to ensure safe operation of the vehicle.

Title 24, California Building Code

Energy consumption by new buildings in California is regulated by the Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations (CCR), known as the California Building Code (CBC). The CEC first adopted the Building Energy Efficiency Standards for Residential and Non-residential Buildings in 1978 in response to a legislative mandate to reduce energy consumption in the State. The CBC is updated every 3 years, with the most recent update consisting of the 2022 CBC that became effective January 1, 2023. The efficiency standards apply to both new construction and rehabilitation of both residential and non-residential buildings, and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. The building efficiency standards are enforced through the local building permit process. Local government agencies may adopt and enforce energy standards for new buildings, provided these standards meet or exceed those provided in CCR Title 24.

California Green Building Standards Code (CALGreen Code)

In 2010, the California Building Standards Commission (CBSC) adopted Part 11 of the Title 24 Building Energy Efficiency Standards, referred to as the California Green Building Standards Code (CALGreen Code). The CALGreen Code took effect on January 1, 2011. The CALGreen Code is updated on a regular basis, with the most recent update consisting of the 2022 CALGreen Code standards that became effective January 1, 2023. The CALGreen Code established mandatory measures for residential and non-residential building construction and encouraged sustainable construction practices in the following five categories: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) environmental quality. Although the CALGreen Code was adopted as part of the State's efforts to reduce greenhouse gas (GHG) emissions, the CALGreen Code standards have co-benefits of reducing energy consumption from residential and non-residential buildings subject to the standard.

The 2022 CALGreen standards that are applicable to the proposed Project include, but are not limited to, the following:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided is contained within Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  a. Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  b. Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  c. Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combined flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  d. Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate of not more than 0.20 gallons per cycle (5.303.3.4.5).

- Outdoor potable water used in landscaped areas. Nonresidential developments shall comply with the local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 SF or for excess consumption where any tenant within a new building or within an addition is projected to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 SF. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 SF requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 SF and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

The 2022 CALGreen Code has been adopted by the Tustin City Code pursuant to Ordinance No. 1529.

5.1.2.3 Regional Regulations

South Coast Air Quality Management District

Criteria Air Pollutants

The South Coast Air Quality Management District (SCAQMD) attains and maintains air quality conditions in the South Coast Air Basin (Basin) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of SCAQMD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. SCAQMD also inspects stationary sources of air pollution and responds to citizen complaints; monitors ambient air quality and meteorological conditions; and implements programs and regulations required by the CAA, CAA Amendments, and CCAA. Air quality plans applicable to the proposed Project are discussed below.

Air Quality Management Plan

SCAQMD and the Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and State CAA requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin.

The 2012 AQMP was adopted by the SCAQMD Governing Board on December 12, 2012. The purpose of the 2012 AQMP for the Basin is to set forth a comprehensive and integrated program that will lead the region into compliance with the federal 24-hour $PM_{2.5}$ air quality standard, and to provide an update to the Basin's commitment towards meeting the federal 8-hour ozone standards. The AQMP would also serve to satisfy recent USEPA requirements for a new attainment demonstration of the revoked 1-hour ozone standard, as well as a vehicle miles travelled (VMT) emissions offset demonstration. The 2012 AQMP, as approved by CARB, serves as the official SIP submittal for the federal 2006 24-hour $PM_{2.5}$ standard. In addition, the AQMP updates specific new control measures and commitments for emissions reductions to implement the attainment strategy for the 8-hour ozone SIP. The 2012 AQMP set forth programs which require integrated planning efforts and the cooperation of all levels of government: local, regional, State, and federal.

In March 2017 AQMD finalized the 2016 AQMP, which continued to evaluate integrated strategies and control measures to meet the NAAQS, as well as explore new and innovative methods to reach its goals.

Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, State, and local levels. Similar to the 2012 AQMP, the 2016 AQMP incorporated scientific and technological information and planning assumptions, including the 2016 RTP/SCS and updated emission inventory methodologies for various source categories.

The 2022 AQMP was adopted by the SCAQMD Governing Board on December 2, 2022. The 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emissions technologies, when cost-effective and feasible, and low NOx technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other CAA measures to achieve the 2015 federal 8-hour ozone standard. SCAQMD included a total of 49 control measures in the 2022 AQMP, including control measures focused on widespread deployment of zero emission and low NOx technologies through a combination of regulatory approaches and incentives.

The RTP/SCS also provides a combination of transportation and land use strategies that help the region achieve State GHG emissions reduction goals and Federal Clean Air Act requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and use resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions.

SCAQMD Rules and Regulations

All projects are subject to SCAQMD rules and regulations. Specific rules applicable to the proposed Project include the following:

Rule 203 – Permit to Operate. A person shall not operate or use any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants, or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit to operate from the Executive Officer or except as provided in Rule 202. The equipment or agricultural permit unit shall not be operated contrary to the conditions specified in the permit to operate.

Rule 401 – Visible Emissions. A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.

Rule 402 – Nuisance. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule do not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Rule 403 – Fugitive Dust. SCAQMD Rule 403 governs emissions of fugitive dust during and after construction. Compliance with this rule is achieved through application of standard Best Management Practices (BMP), such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites.

Rule 403 requires project applicants to control fugitive dust using the best available control measures such that dust does not remain visible in the atmosphere beyond the property line of the emission source. In

addition, Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating an off-site nuisance. Applicable Rule 403 dust suppression (and PM_{10} generation) techniques to reduce impacts on nearby sensitive receptors may include, but are not limited to, the following:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- Water active sites at least three times daily. Locations where grading is to occur shall be thoroughly watered prior to earthmoving.
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 meters (2 feet) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Suspend all grading activities when wind speeds (including instantaneous wind gusts) exceed 25 mph.
- Provide bumper strips or similar best management practices where vehicles enter and exit the construction site onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- Replant disturbed areas as soon as practical.
- Sweep on-site streets (and off-site streets if silt is carried to adjacent public thoroughfares) to reduce the amount of particulate matter on public streets. All sweepers shall be compliant with SCAQMD Rule 1186.1, Less Polluting Sweepers.

Rule 481 – Spray Coating. This rule applies to all spray painting and spray coating operations and equipment and states that a person shall not use or operate any spray painting or spray coating equipment unless one of the following conditions is met:

- The spray coating equipment is operated inside a control enclosure, which is approved by the Executive Officer. Any control enclosure for which an application for permit for new construction, alteration, or change of ownership or location is submitted after the date of adoption of this rule shall be exhausted only through filters at a design face velocity not less than 100 feet per minute nor greater than 300 feet per minute, or through a water wash system designed to be equally effective for the purpose of air pollution control.
- Coatings are applied with high-volume low-pressure, electrostatic and/or airless spray equipment.
- An alternative method of coating application or control is used which has effectiveness equal to or greater than the equipment specified in the rule.

Rule 1108 - Volatile Organic Compounds. This rule governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the Basin. This rule also regulates the VOC content of asphalt used during construction. Therefore, all asphalt used during construction of the Project must comply with SCAQMD Rule 1108.

Rule 1113 – Architectural Coatings. No person shall apply or solicit the application of any architectural coating within the SCAQMD with VOC content in excess of the values specified in a table incorporated in the Rule.

Rule 1143 – Paint Thinners and Solvents. This rule governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content. This rule regulates the VOC content of solvents used during construction. Solvents used during the construction phase must comply with this rule.

5.1.2.4 Local Regulations

City of Tustin General Plan

The City of Tustin has not prepared a Climate Action Plan. The City's General Plan includes policies related to air quality in the Conservation/Open Space/Recreation Element that include the following (City of Tustin, 2018):

Conservation/Open Space/ Recreation Element

Goal 1 **Reduce air pollution through proper land use, transportation and energy use planning.**

Policy 1.1 Cooperate with the South Coast Air Quality Management District and the Southern California Association of Governments in their effort to implement provisions of the region's Air Quality Management Plan, as amended.

Policy 1.2 Design safe and efficient vehicular access to commercial land uses from arterial streets to insure efficient vehicle ingress and egress.

Policy 1.3 Locate multiple family developments close to commercial areas to encourage pedestrian rather than vehicular travel.

Policy 1.7 Create the maximum possible opportunities for bicycles as an alternative transportation mode and recreational use.

Goal 2 **Improve air quality by influencing transportation choices of mode, time of day, or whether to travel and to establish a jobs/housing balance.**

Policy 2.1 Reduce vehicle trips through incentives, regulations and/or Transportation Demand Management (TDM) programs.

Policy 2.2 Reduce total vehicle miles traveled (VMT) through incentives, regulations and/or Transportation Demand Management.

Policy 2.6 Encourage non-motorized transportation through the provision of bicycle and pedestrian pathways.

Policy 2.7 Encourage employer rideshare and transit incentives programs by local businesses.

Policy 2.8 Manage non-residential parking supply to discourage auto use, while ensuring that economic development goals will not be sacrificed.

Goal 3 **Reduce particulate emissions to the greatest extent feasible.**

Policy 3.1 Adopt incentives, regulations, and/or procedures to minimize particulate emissions from paved and unpaved roads, agricultural uses, parking lots, and building construction.

5.1.3 ENVIRONMENTAL SETTING

Climate and Meteorology

The Project site is located within the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is a 6,600-square-mile coastal plain bounded by the Pacific Ocean to the southwest and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north

and east. The Basin includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, and all of Orange County.

The annual average temperature varies little throughout the Basin, ranging from the low to middle 60s °F. With a more pronounced oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas. The climatological station closest to the site is the Tustin Irvine Ranch Station. The monthly average maximum temperature recorded at this station ranged from 66.8 °F in January to 85.2 °F in August, with an annual average maximum of 75.4 °F. The monthly average minimum temperature recorded at this station ranged from 40.2 °F in January to 59.1 °F in August, with an annual average minimum of 49.4 °F (Appendix B).

Most of the annual rainfall in the Basin occurs between November and March. Summer rainfall is minimal and is generally limited to scattered thundershowers in coastal regions and slightly heavier showers in the eastern portion of the Basin and along the coastal side of the mountains. Average monthly rainfall at the Tustin Irvine Ranch Station varied from 0.01 inch in July to 2.67 inches in March, with an annual total of 12.86 inches. Patterns in monthly and yearly rainfall totals are unpredictable due to fluctuations in the weather (Appendix B).

The Basin experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific high-pressure system. This inversion limits the vertical dispersion of air contaminants, holding them relatively near the ground. As the sun warms the ground and the lower air layer, the temperature of the lower air layer approaches the temperature of the base of the inversion (upper) layer until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This phenomenon is observed in mid-afternoon to late afternoon on hot summer days when the air appears to clear up suddenly. Winter inversions frequently break by midmorning.

Winds in the Project vicinity blow predominantly from the south-southwest, with relatively low velocities. Wind speeds in the Project vicinity average about 5 miles per hour (mph). Summer wind speeds average slightly higher than winter wind speeds. Low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the Basin. Strong, dry, north, or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months, dispersing air contaminants. The Santa Ana conditions tend to last for several days at a time (Appendix B).

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are the lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly on shore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are CO and NOx because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and brighter sunshine combine to cause a reaction between hydrocarbons and NOx to form photochemical smog. Smog is a general term that is naturally occurring fog that has become mixed with smoke or pollution. In this context it is better described as a form of air pollution produced by the photochemical reaction of sunlight with pollutants that have been released into the atmosphere, especially by automotive emissions.

Criteria Air Pollutants

The California Air Resources Board (CARB) and the United States Environmental Protection Agency (USEPA) currently focus on the following air pollutants as indicators of ambient air quality: ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), respirable particulate matter with an aerodynamic diameter of 10 micrometers or less (PM_{10}), fine particulate matter with an aerodynamic diameter of 2.5 micrometers or less ($PM_{2.5}$), and lead. These pollutants are referred to as "criteria air

pollutants" because they are the most prevalent air pollutants known to be injurious to human health. Extensive health-effects criteria documents regarding the effects of these pollutants on human health and welfare have been prepared over the years.[1] Standards have been established for each criteria pollutant to meet specific public health and welfare criteria set forth in the federal Clean Air Act (CAA). California has generally adopted more stringent ambient air quality standards for the criteria air pollutants (referred to as State Ambient Air Quality Standards, or State standards) and has adopted air quality standards for some pollutants for which there is no corresponding national standard, such as sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

Table 5.1-2 summarizes the sources and health effects of air pollutants discussed in this section.

[1] Additional sources of information on the health effects of criteria pollutants can be found at CARB and USEPA's websites at http://www.arb.ca.gov/research/health/health.htm and http://www.epa.gov/air/airpollutants.html, respectively.

Table 5.1-2: Sources and Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Carbon Monoxide (CO)	▪ Incomplete combustion of fuels and other carbon-containing substances, such as motor exhaust ▪ Natural events, such as decomposition of organic matter	▪ Reduced tolerance for exercise ▪ Impairment of mental function ▪ Impairment of fetal development ▪ Death at high levels of exposure ▪ Aggravation of some heart diseases (angina)
Nitrogen Dioxide (NO_2)	▪ Motor vehicle exhaust ▪ High temperature stationary combustion ▪ Atmospheric reactions	▪ Aggravation of respiratory illness ▪ Reduced visibility ▪ Reduced plant growth ▪ Formation of acid rain
Ozone (O_3)	▪ Atmospheric reaction of organic gases with nitrogen oxides in sunlight	▪ Aggravation of respiratory and cardiovascular diseases ▪ Irritation of eyes ▪ Impairment of cardiopulmonary function ▪ Plant leaf injury
Lead (Pb)	▪ Contaminated soil	▪ Impairment of blood functions and nerve construction ▪ Behavioral and hearing problems in children
Suspended Particulate Matter ($PM_{2.5}$ and PM_{10})	▪ Stationary combustion of solid fuels ▪ Construction activities ▪ Industrial processes ▪ Atmospheric chemical reactions	▪ Reduced lung function ▪ Aggravation of the effects of gaseous pollutants ▪ Aggravation of respiratory and cardiorespiratory diseases ▪ Increased cough and chest discomfort ▪ Soiling ▪ Reduced visibility
Sulfur Dioxide (SO_2)	▪ Combustion of sulfur-containing fossil fuels ▪ Smelting of sulfur-bearing metal ores Industrial processes	▪ Aggravation of respiratory diseases (asthma, emphysema) ▪ Reduced lung function ▪ Irritation of eyes ▪ Reduced visibility ▪ Plant injury ▪ Deterioration of metals, textiles, leather, finishes, coatings, etc.

Source: California Air Resources Board (2015).

Ozone

Ozone (O_3), the main component of photochemical smog, is primarily a summer and fall pollution problem. Ozone is not emitted directly into the air; but is formed through a complex series of chemical reactions involving other compounds that are directly emitted. These directly emitted pollutants (also known as ozone precursors) include reactive organic gases (ROGs) or volatile organic compounds (VOCs), and oxides of nitrogen (NOx). While both ROGs and VOCs refer to compounds of carbon, ROG is a term used by CARB and is based on a list of exempted carbon compounds determined by CARB. VOC is a term used by the USEPA and is based on its own exempt list. The time period required for ozone formation allows the reacting compounds to spread over a large area, producing regional pollution problems. Ozone concentrations are the cumulative result of regional development patterns rather than the result of a few significant emission sources.

Once ozone is formed, it remains in the atmosphere for one or two days. Ozone is then eliminated through reaction with chemicals on the leaves of plants, attachment to water droplets as they fall to earth ("rainout"), or absorption by water molecules in clouds that later fall to earth with rain ("washout").

Short-term exposure to ozone can irritate the eyes and cause constriction of the airways. In addition to causing shortness of breath, ozone can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

Carbon Monoxide

CO is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone, motor vehicles operating at slow speeds are the primary source of CO in the Basin. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections.

Nitrogen Dioxide

NO_2 is a reddish-brown gas that is a by-product of combustion processes. Automobiles and industrial operations are the main sources of NO_2. Combustion devices emit primarily nitric oxide (NO), which reacts through oxidation in the atmosphere to form NO_2. The combined emissions of NO and NO_2 are referred to as NOx, which are reported as equivalent NO_2. Aside from its contribution to ozone formation, NO_2 can increase the risk of acute and chronic respiratory disease and reduce visibility. NO_2 may be visible as a coloring component of a brown cloud on high pollution days, especially in conjunction with high ozone levels.

Sulfur Dioxide

SO_2 is a colorless, extremely irritating gas or liquid that enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal, and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms sulfur trioxide (SO_3). Collectively, these pollutants are referred to as sulfur oxides (SOx).

Major sources of SO_2 include power plants, large industrial facilities, diesel vehicles, and oil-burning residential heaters. Emissions of SO_2 aggravate lung diseases, especially bronchitis. This compound also constricts the breathing passages, especially in people with asthma and people involved in moderate to heavy exercise. SO_2 potentially causes wheezing, shortness of breath, and coughing. Long-term SO_2 exposure has been associated with increased risk of mortality from respiratory or cardiovascular disease.

Particulate Matter

PM_{10} and $PM_{2.5}$ consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter, respectively (a micron is one-millionth of a meter). PM_{10} and $PM_{2.5}$ represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. Acute and chronic health effects associated with high particulate levels include the aggravation of chronic respiratory diseases, heart and lung disease, and coughing, bronchitis and respiratory illnesses in children. Particulate matter can also damage materials and reduce visibility. One common source of $PM_{2.5}$ is diesel exhaust emissions.

PM_{10} consists of particulate matter emitted directly into the air (e.g., fugitive dust, soot, and smoke from mobile and stationary sources, construction operations, fires, and natural windblown dust) and particulate matter formed in the atmosphere by condensation and/or transformation of SO_2 and ROG. Traffic generates particulate matter emissions through entrainment of dust and dirt particles that settle onto roadways and parking lots. PM_{10} and $PM_{2.5}$ are also emitted by burning wood in residential wood stoves and fireplaces

and open agricultural burning. $PM_{2.5}$ can also be formed through secondary processes such as airborne reactions with certain pollutant precursors, including ROGs, ammonia (NH_3), NOx, and SOx.

Lead

Lead is a metal found naturally in the environment and present in some manufactured products. There are a variety of activities that can contribute to lead emissions, which are grouped into two general categories, stationary and mobile sources. On-road mobile sources include light-duty automobiles; light-, medium-, and heavy-duty trucks; and motorcycles.

Emissions of lead have dropped substantially over the past 40 years. The reduction before 1990 is largely due to the phase-out of lead as an anti-knock agent in gasoline for on-road automobiles. Substantial emission reductions have also been achieved due to enhanced controls in the metals processing industry. In the Basin, atmospheric lead is generated almost entirely by the combustion of leaded gasoline and contributes less than one percent of the material collected as total suspended particulates.

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are injurious in small quantities and are regulated by the USEPA and the CARB. Some examples of TACs include benzene, butadiene, formaldehyde, and hydrogen sulfide. The identification, regulation, and monitoring of TACs is relatively recent compared to that for criteria pollutants.

TACs do not have ambient air quality standards (AAQS), but are regulated by the USEPA, the CARB, and the SCAQMD. In 1998, the CARB identified particulate matter from diesel-fueled engines as a TAC. The CARB has completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines. High-volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic (e.g., distribution centers and truck stops) were identified as posing the highest risk to adjacent receptors. Other facilities associated with increased risk include warehouse distribution centers, large retail or industrial facilities, high-volume transit centers, and schools with a high volume of bus traffic. Health risks from TACs are a function of both concentration and duration of exposure.

Unlike TACs emitted from industrial and other stationary sources noted above, most diesel particulate matter (DPM) is emitted from mobile sources—primarily "off-road" sources such as construction and mining equipment, agricultural equipment, and truck-mounted refrigeration units, as well as "on-road" sources such as trucks and buses traveling on freeways and local roadways.

Although not specifically monitored, recent studies indicate that exposure to DPM may contribute significantly to a cancer risk (a risk of approximately 500 to 700 in 1,000,000) that is greater than all other measured TACs combined. The technology for reducing DPM emissions from heavy-duty trucks is well established, and both State and federal agencies are moving aggressively to regulate engines and emission control systems to reduce and remediate diesel emissions. The CARB anticipated that by 2020, average statewide DPM concentrations will decrease by 85 percent from levels in 2000 with full implementation of the CARB's Diesel Risk Reduction Plan, meaning that the statewide health risk from DPM is expected to decrease from 540 cancer cases in 1,000,000 to 21.5 cancer cases in 1,000,000. The CARB 2000 Diesel Risk Reduction Plan is still the most recent version and has not been updated.

CO Hotspots

An adverse CO concentration, known as a "hot spot" is an exceedance of the State 1-hour standard of 20 ppm or the 8-hour standard of 9 ppm. It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in

California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the Basin is now designated as attainment.

Odorous Emissions

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). Offensive odors are unpleasant and can lead to public distress generating citizen complaints to local governments. Although unpleasant, offensive odors rarely cause physical harm. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source, wind speed, direction, and the sensitivity of receptors.

Existing Conditions

Air quality monitoring stations are located throughout the nation and are maintained by the local air pollution control district and State air quality regulating agencies. The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring station closest to the Project site is located at 1630 Pampas Lane in Anaheim, California.

Pollutant monitoring results for the years 2020 to 2022 at the Anaheim ambient air quality monitoring station, shown in Table 5.1-3, indicate that air quality in the Project vicinity has generally been moderate. As indicated in the monitoring results, the federal PM_{10} standard was not exceeded during the 3-year period. The State PM_{10} standard was exceeded 5 times in 2020, once in 2021, and once in 2022. Similarly, the federal $PM_{2.5}$ standard had 12 exceedances in 2020, 10 exceedances in 2021, and no exceedances in 2022. The State 1-hour ozone standards were exceeded 6 times in 2020, no times in 2021, and once in 2022. The State 8-hour ozone standards were exceeded 16 times in 2020, no times in 2021, and once in 2022. The federal 8-hour standards were exceeded 15 times in 2020, no times in 2021, and once in 2022. The CO and NO_2 standards were not exceeded in the Project vicinity during the 3-year period. SO_2 data was not available from 2020 to 2022 at air quality monitoring stations in Orange County.

Table 5.1-3: Air Quality Monitoring Summary 2020-2022

Pollutant	Standard	2020	2021	2022
Carbon Monoxide (CO)				
Maximum 1-hour concentration (ppm)		2.3	2.1	2.4
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hour concentration (ppm)		1.7	1.5	1.4
Number of days exceeded:	State: > 9 ppm	0	0	0
	Federal: > 9 ppm	0	0	0
Ozone (O_3)				
Maximum 1-hour concentration (ppm)		0.142	0.089	0.102
Number of days exceeded:	State: > 0.09 ppm	6	0	1
Maximum 8-hour concentration (ppm)		0.098	0.068	0.077
Number of days exceeded:	State: > 0.07 ppm	16	0	1
	Federal: > 0.07 ppm	15	0	1

Pollutant	Standard	2020	2021	2022
Coarse Particulates (PM_{10})				
Maximum 24-hour concentration (µg/m3)		74.8	63.6	67.0
Number of days exceeded:	State: > 50 µg/m3	5	1	1
	Federal: > 150 µg/m3	0	0	0
Annual arithmetic average concentration (µg/m3)		30.8	23.4	20.9
Exceeded for the year:	State: > 20 µg/m3	Yes	Yes	Yes
	Federal: > 50 µg/m3	No	No	No
Fine Particulates ($PM_{2.5}$)				
Maximum 24-hour concentration (µg/m3)		64.8	54.4	33.1
Number of days exceeded:	Federal: > 35 µg/m3	12	10	0
Annual arithmetic average concentration (µg/m3)		12.4	11.6	9.9
Exceeded for the year:	State: > 12 µg/m3	Yes	No	No
	[1] Federal: > 12 µg/m3	No	No	No
Nitrogen Dioxide (NO_2)				
Maximum 1-hour concentration (ppm)		0.071	0.067	0.053
Number of days exceeded:	State: > 0.250 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.013	0.012	0.012
Exceeded for the year:	Federal: > 0.053 ppm	No	No	No
Sulfur Dioxide (SO_2)				
Maximum 1-hour concentration (ppm)		ND	ND	ND
Number of days exceeded:	State: > 0.25 ppm	ND	ND	ND
Maximum 24-hour concentration (ppm)		ND	ND	ND
Number of days exceeded:	State: > 0.04 ppm	ND	ND	ND
	Federal: > 0.14 ppm	ND	ND	ND
Annual arithmetic average concentration (ppm)		ND	ND	ND
Exceeded for the year:	Federal: > 0.030 ppm	ND	ND	ND

[1] On March 7, 2024, the federal annual $PM_{2.5}$ standard was revised from 12.0 µg/m³ to 9.0 µg/m³. However, since the data presented in Table 3.C-1 is through 2022, it uses the 12.0 µg/m³ standard that was in effect through 2022.
µg/m³ = micrograms per cubic meter
CARB = California Air Resources Board
ND = No data. There were insufficient (or no) data to determine the value.
ppm = parts per million
USEPA = United States Environmental Protection Agency
Sources: CARB (2023) and USEPA (2023).

The CARB is required to designate areas of the state as "*attainment*", "*nonattainment*", or "*unclassified*" for all State standards. An *attainment* designation for an area signifies that pollutant concentrations did not violate the standard for that pollutant in that area. A *nonattainment* designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. An *unclassified* designation signifies that data do not support either an attainment or nonattainment status. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The USEPA designates areas for ozone, CO, and NO_2 as either "*does not meet the primary standards*," or "*cannot be classified*," or "*better than national standards*." For SO_2, areas are designated as "*does not meet*

the primary standards," "*does not meet the secondary standards*," "*cannot be classified*," "*or better than national standards*."

Table 5.1-4 provides a summary of the attainment status for the Basin with respect to NAAQS and CAAQS.

Table 5.1-4: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	Extreme Nonattainment
O_3 – 8-hour standard	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Attainment/Maintenance
$PM_{2.5}$	Nonattainment	Serious Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Attainment	Attainment/Maintenance
SO_2	N/A	Attainment/Unclassified
Lead	Attainment	Attainment[1]

Source: EPD Solutions, Inc., 2025a (Appendix B).

Sensitive Land Uses

Land uses such as schools, children's daycare centers, hospitals, and convalescent homes are considered to be more sensitive to poor air quality than the general public, because the population groups associated with these uses have increased susceptibility to respiratory distress. In addition, residential uses are considered more sensitive to air quality conditions than commercial and industrial uses, because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. Recreational land uses are considered moderately sensitive to air pollution. Exercise places a high demand on respiratory functions, which can be impaired by air pollution, even though exposure periods during exercise are generally short. In addition, noticeable air pollution can detract from the enjoyment of recreation. The closest sensitive receptors to the Project site include residential uses, located approximately 5 feet south of the Project's site boundary (see Figure 3-3, *Aerial*).

5.1.4 THRESHOLDS OF SIGNIFICANCE

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Appendix G of State CEQA Guidelines indicates that a Project would have a significant effect if it were to:

AQ-1 Conflict with or obstruct implementation of the applicable air quality plan.

AQ-2 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard.

AQ-3 Expose sensitive receptors to substantial pollutant concentrations.

AQ-4 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The Initial Study (Appendix A) established that the proposed Project would not result in significant impacts related to Threshold AQ-4; therefore, no further assessment of this threshold is required in this Draft EIR.

Regional Significance Thresholds

The SCAQMD's most recent regional significance thresholds from March 2023 for regulated pollutants are listed in Table 5.1-5. The SCAQMD's CEQA air quality methodology provides that any projects that result in daily emissions that exceed any of the thresholds in Table 5.1-5 would be considered to have both an individually (Project-level) and cumulatively significant air quality impact.

Table 5.1-5: SCAQMD Regional Air Quality Thresholds

Pollutant	Construction	Operations
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

Source: EPD Solutions, Inc., 2025a (Appendix B).

Local Significance Thresholds

The SCAQMD published its *Final Localized Significance Threshold Methodology* in July 2008, recommending that all air quality analyses include an assessment of air quality impacts to nearby sensitive receptors. This guidance was used to analyze potential localized air quality impacts associated with construction of the Project. Localized significance thresholds (LST) are developed based on the size or total area of the emission source, the ambient air quality in the source receptor area, and the distance to the project. Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality.

LSTs are developed based on the ambient concentrations of that pollutant for each of the 38 source receptor areas (SRAs) in the Basin. For the Project, the appropriate SRA for the LST is the nearby Central Orange County (SRA 17). SCAQMD provides LST screening tables for 25-, 50-, 100-, 200-, and 500-meter source-receptor distances. As identified above, the closest sensitive receptors to the Project site include residential uses, located approximately 5 feet south of the Project's site boundary. In cases where sensitive receptors may be closer than 82 feet (25 meters), any distance within the 82-foot (25-meter) buffer zone can be used. As such, the minimum distance of 25 meters was conservatively used for the "worst case scenario". Based on the anticipated construction equipment, it is assumed that the maximum daily disturbed acreage during construction would be 3.5 acres. The thresholds for 3.5 acres were interpolated from Appendix D of the SCAQMD 2008 Final Localized Significance Threshold Methodology using the thresholds for 2 acres and 5 acres. Table 5.1-6 lists the conservative emissions thresholds that apply during Project construction.

Table 5.1-6: SCAQMD Localized Significance Thresholds

Air Pollutant	Maximum Daily Emissions (pounds/day)
NOx	176
CO	2,437
PM_{10}	15
$PM_{2.5}$	4

Source: EPD Solutions, Inc., 2025a (Appendix B).

According to the SCAQMD LST methodology, LSTs apply to project stationary and mobile sources (SCAQMD, 2008). Projects that involve mobile sources that spend long periods queuing and idling at a site, such as transfer facilities or warehousing and distribution buildings, should be evaluated using the operational localized significance thresholds.

5.1.5 METHODOLOGY

This analysis focuses on the nature and magnitude of the change in the air quality environment due to implementation of the Project, based on the maximum development assumptions that are outlined in Section 3.0*, Project Description*.

Air pollutant emissions associated with the Project would result from construction equipment usage and from construction-related traffic. Additionally, emissions would be generated from operations of the future residences and from traffic volumes generated by this new use. The net increase in emissions generated by these activities and other secondary sources have been quantitatively estimated and compared to the applicable thresholds of significance recommended by SCAQMD.

AQMP Consistency

SCAQMD's CEQA Handbook suggests an evaluation of the following two criteria to determine whether a project involving a legislative land use action (such as the proposed General Plan land use and zoning designation changes) would be consistent or in conflict with the AQMP:

1. The project would not generate population and employment growth that would be inconsistent with SCAG's growth forecasts.
2. The project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Consistency Criterion No. 1 refers to the SCAG's growth forecast and associated assumptions included in the AQMP. The future air quality levels projected in the AQMP are based on SCAG's growth projections, which are based, in part, on the general plans of cities and counties located within the SCAG region, and, in part, on SCAG's three Land Development Categories. Therefore, if the level of housing or employment related to the Project are consistent with the applicable assumptions used in the development of the AQMP, the Project would not jeopardize attainment of the air quality levels identified in the AQMP.

Consistency Criterion No. 2 refers to the California Ambient Air Quality Standards (CAAQS). An impact would occur if the long-term emissions associated with the Project would exceed SCAQMD's regional significance thresholds for operation-phase emissions.

Construction Emissions

Short-term construction-generated emissions of criteria air pollutants and ozone precursors from development of the Project were assessed in accordance with methods recommended by SCAQMD. The Project's regional emissions were modeled using the California Emissions Estimator Model (CalEEMod), as recommended by SCAQMD. CalEEMod was used to determine whether short-term construction-related emissions of criteria air pollutants associated with the Project would exceed applicable regional thresholds and where mitigation would be required. Modeling was based on Project-specific data and predicted short-term construction-generated emissions associated with the Project and were compared with applicable SCAQMD regional thresholds for determination of significance.

In addition, to determine whether or not construction activities associated with development of the Project would create significant adverse localized air quality impacts on nearby sensitive receptors, the worst-case daily emissions contribution from the Project was compared to SCAQMD's LSTs that are based on the pounds of emissions per day that can be generated by a project without causing or contributing to adverse localized air quality impacts. The daily total on-site combustion, mobile, and fugitive dust emissions associated with construction were combined and evaluated against SCAQMD's LSTs for a 3.5-acre site.

Operational Emissions

Long-term (i.e., operational) regional emissions of criteria air pollutants and precursors, including mobile- and area-source emissions from the Project, were also quantified using the CalEEMod computer model. Area-source emissions were modeled according to the size and type of the land uses proposed. Mass mobile-source emissions were modeled based on the increase in daily vehicle trips that would result from the Project. Trip generation rates were provided in the VMT screening prepared for the Project (see Appendix A of this Draft EIR). Predicted long-term operational emissions were compared with applicable SCAQMD thresholds for determination of significance.

5.1.6 ENVIRONMENTAL IMPACTS

IMPACT AQ-1: THE PROJECT WOULD NOT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN.

Less than Significant. The SCAQMD's 2022 AQMP is the applicable air quality plan for the proposed Project. Consistency with the 2022 AQMP would be achieved if the Project is consistent with the goals, objectives, and assumptions in this plan to achieve the federal and State air quality standards. Per SCAQMD's *CEQA Air Quality Handbook*, there are two main criteria for a project's consistency with the AQMP:

Criterion 1: Whether the project would exceed growth assumptions in the AQMP.

With respect to determining the Project's consistency with AQMP growth assumptions (Criterion 1), the projections in the AQMP for achieving air quality goals are based on assumptions in SCAG's RTP/SCS regarding population, housing, and growth trends. According to SCAG's 2020–2045 RTP/SCS, the City's population, households, and employment are forecast to increase by approximately 10,500 residents, 4,100 households, and 21,600 jobs, respectively, between 2016 and 2045 (Southern California Association of Governments, 2024).

As identified in Section 3.0, *Project Description*, the Project would demolish the five existing buildings and would redevelop the site with 62 single-family cluster units and 83 townhome-style residential condominium units (145 units total) on 8.5 acres. The Project would also include improvements to the driveway entrance from Prospect Avenue, an internal access drive, a recreational common space area for resident use, as well as stormwater and utility improvements to accommodate proposed residences.

As described in the Initial Study, included as Appendix A, the development of 145 residential units would result in approximately 396 additional residents based on the estimated 2.73 persons per household in Tustin (City of Tustin, 2018). The addition of 396 new residents would represent a population increase of 0.5 percent and the new housing units would result in a 0.51 percent increase in residential units within the City (Appendix A). Since the Project would be consistent with the General Plan's allowed uses and assumed residential persons per acre, the Project is consistent with SCAG's anticipated growth. Thus, the Project would generate growth consistent with SCAG's growth forecasts and would not conflict with implementation of the AQMP under Consistency Criterion No. 1. As a result, no impacts related to SCAQMD AQMP Consistency Criterion No. 1 would occur.

Criterion 2: Whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of the ambient air quality standards or emission reductions in the AQMP.

Regarding Consistency with Criterion No. 2, an impact would occur if the emissions associated with the proposed Project would exceed the SCAQMD's regional significance thresholds. As detailed below under Impact AQ-2, the Project would not generate either construction or operational-source emissions that would exceed the thresholds of significance. Therefore, the Project would not result in an increase in the frequency or severity of existing air quality violations, contribute to new violations, delay the timely attainment of air quality standards, or the interim emissions reductions specified in the AQMP. As a result, the Project would result in a less significant impact related to Consistency Criterion No. 2.

Overall, the Project would be consistent with SCAG's regional growth forecasts, and Project-generated air quality emissions would not exceed thresholds. Therefore, the proposed Project would not result in a conflict with, or obstruct, implementation of the AQMP and impacts would be less than significant.

IMPACT AQ-2: THE PROJECT WOULD NOT 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.

Less than Significant. The Basin is designated as non-attainment for ozone and $PM_{2.5}$ for federal standards and non-attainment for ozone, PM_{10}, and $PM_{2.5}$ for State standards. The SCAQMD's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SCAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is unnecessary. The following analysis assesses the Project-level construction- and operation-related air quality impacts as determined by the Air Quality Impact Analysis prepared for the Project, included as Appendix B.

Construction

Construction activities associated with the Project would result in emissions of CO, VOCs, NOx, SOx, PM_{10}, and $PM_{2.5}$. Pollutant emissions associated with construction would be generated from the following construction activities: (1) demolition; (2) site preparation; (3) grading; (4) building construction; (5) paving and (6) architectural coatings. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring. Diesel construction equipment that would be utilized during each construction phase is shown in Table 5.1-7.

Table 5.1-7: Diesel Construction Equipment Utilized by Construction Phase

Activity	Equipment	Number	Hours per day	Horse-power	Load Factor
Demolition	Rubber Tired Dozers	2	8	367	0.40
	Excavators	3	8	36	0.38
	Concrete/Industrial Saws	1	8	33	0.73
	Crushing/Proc. Equipment	1	8	200	0.60
Site Preparation	Rubber Tired Dozers	3	8	367	0.4
	Crawler Tractors	4	8	87	0.43
	Other Construction Equipment	1	8	82	0.42
Grading	Excavators	1	8	36	0.38
	Graders	1	8	148	0.41
	Rubber Tired Dozers	1	8	367	0.40
	Crawler Tractors	3	8	87	0.43
Building Construction	Cranes	1	8	367	0.29
	Forklifts	3	8	82	0.20
	Generator Sets	1	8	14	0.74
	Tractors/Loaders/Backhoes	3	8	84	0.37
	Welders	1	8	46	0.45
Paving	Pavers	2	8	81	0.42
	Paving Equipment	2	8	89	0.36
	Rollers	2	8	36	0.38
Architectural Coating	Air Compressors	1	8	37	0.48

Source: EPD Solutions, Inc., 2024a (Appendix B).

Construction activities would generate emissions from the demolition of the five existing buildings totaling 37,698 tons. In addition, the Project would generate a need for construction worker vehicle trips to and from the Project site during the estimated 17 months of construction.

It is mandatory for all construction projects to comply with SCAQMD Rules 403 and 1113. Rule 403 which controls fugitive dust, PM_{10}, and $PM_{2.5}$ emissions from construction activities includes applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the proposed Project site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12 inches, and maintaining effective cover over exposed areas. In addition, implementation of SCAQMD Rule 1113 that governs the VOC content in architectural coating, paint, thinners, and solvents, would be required. Compliance with SCAQMD Rule 403 and Rule 1113 were accounted for in the constructions emissions modeling and are included as PPP AQ-1 and PPP AQ-2.

As shown in Table 5.1-8, the Air Quality Impact Analysis determined that construction emissions generated by the proposed Project would not exceed SCAQMD regional thresholds (Appendix B). Therefore, construction activities would result in a less-than-significant impact.

Table 5.1-8: Project Construction Emissions

Construction Activity	Maximum Daily Regional Emissions (pounds/day)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
2026						
Demolition (with crushing)	2.8	32.6	27.7	0.1	12.1	2.8
Site Prep	4.1	36.3	34.2	0.1	7.8	4.5
Grading	2.5	41.1	29.6	0.2	8.6	3.5
Building Construction	1.4	11.5	18.6	0.0	1.6	0.7
Maximum Daily Emissions 2026	4.1	48.0	34.5	0.2	24.4	5.4
2027						
Building Construction	1.4	10.2	18.3	0.0	0.4	0.3
Paving	1.2	7.0	10.7	0.0	0.5	0.3
Architectural Coating	69.0	1.2	2.3	0.0	0.2	0.1
Maximum Daily Emissions 2027	69.0	46.4	34.2	0.2	24.4	5.3
Maximum Daily Emission 2026-2027	**69.0**	**48.0**	**34.5**	**0.2**	**24.4**	**5.4**
SCAQMD Significance Thresholds	75	100	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: EPD Solutions, Inc., 2024a (Appendix B).

Operation

Operation of the proposed residences would result in emissions of CO, VOCs, NOx, SOx, PM_{10}, and $PM_{2.5}$ from the following primary sources: area sources, energy sources, and mobile sources. Area-source emissions include architectural coatings, consumer products, and landscaping. Mobile-source emissions are from vehicle trips associated with operation of the Project would generate a majority of the emissions from implementation of the Project.

Operational emissions associated with the proposed Project were modeled using CalEEMod Version 2022.1 and were compared to the SCAQMD operational emissions thresholds. As described in the Air Quality Impact Analysis (Appendix B) and as shown in Table 5.1-9, emissions associated with the operation of the Project would be below SCAQMD's thresholds. Therefore, the Project would result in less-than-significant impacts related to operational air quality emissions.

Table 5.1-9: Project Operational Emissions

Operational Activity	Maximum Daily Regional Emissions (pounds/day)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile	3.4	2.6	27.6	0.1	7.0	1.8
Area	6.9	0.1	8.2	<0.1	<0.1	<0.1
Energy	0.1	1.1	0.5	<0.1	0.1	0.1
Total Project Operational Emissions	**10.5**	**4.9**	**36.7**	**0.1**	**7.2**	**2.0**
Existing Use Operational Emissions	12.7	7.0	70.6	0.2	16.3	4.3

Operational Activity	Maximum Daily Regional Emissions (pounds/day)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Net New Emissions	**-2.2**	**-2.1**	**-33.9**	**-0.09**	**-9.2**	**-2.3**
SCAQMD Significance Thresholds	*55*	*55*	*550*	150	150	*55*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: EPD Solutions, Inc., 2025a (Appendix B).

IMPACT AQ-3: THE PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS.

Less than Significant with Mitigation.

The SCAQMD recommends that the nearest sensitive receptor be considered when determining the Project's potential to cause an individual or cumulatively significant impact. The nearest land use where an individual could remain for 24 hours to the Project site is to be used to determine localized construction and operational air quality impacts for emissions of PM_{10} and $PM_{2.5}$ (since PM_{10} and $PM_{2.5}$ thresholds are based on a 24-hour averaging time). To provide a conservative analysis, the nearest residential receptor was used for evaluation of localized impacts, which is 5 feet (1.6 meters) from the Project boundary.

Construction

The SCAQMD recommends the evaluation of localized NO_2, CO, PM_{10}, and $PM_{2.5}$ construction-related impacts to sensitive receptors in the immediate vicinity of the construction activity. Such an evaluation is referred to as an LST analysis as described in Section 5.1.4, *Thresholds of Significance*. The Project's construction impacts were analyzed pursuant to the SCAQMD's Final Localized Significance Threshold Methodology. As described previously, according to the LST Methodology, "off-site mobile emissions from the project should not be included in the emissions compared to the LSTs." SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standards, and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of NOx, CO, PM_{10}, and $PM_{2.5}$ pollutants for each of the 38 SRAs in the South Coast Air Basin. The Project site is located within SRA 17, Central Orange County. The Anaheim monitoring station (Station ID 060590007), located in SRA 17, provides data for ozone, CO, NOx, PM_{10}, and $PM_{2.5}$, and is located approximately 8 miles northwest of the Project site.

Construction of the proposed Project may expose nearby receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, as shown in Table 5.1-10, the maximum daily construction emissions from the construction of the proposed Project would not exceed the applicable SCAQMD LST thresholds at the closest existing sensitive receptor. Therefore, impacts would be less than significant.

Table 5.1-10: Localized Construction Emission Estimates

Construction Activity	Maximum Daily Localized Emissions (pounds/day)			
	NO_x	CO	PM_{10}	$PM_{2.5}$
2026				
Demolition (with crushing)	20.7	19.0	9.4	2.0
Site Preparation	36.3	33.1	7.5	4.4
Grading	19.1	19.1	3.3	1.9
Building Construction	10.7	28.1	0.8	0.8
Maximum Daily Emissions 2026	36.3	33.1	18.2	4.4
2027				
Building Construction	10.2	14.0	0.4	0.3
Paving	6.9	10.0	0.3	0.3
Architectural Coating	1.1	1.5	<0.1	<0.1
Maximum Daily Emissions 2027	10.2	14.0	0.4	0.3
Maximum Daily Emission 2026-2027	**36.3**	**33.1**	**9.4**	**4.4**
SCAQMD Significance Thresholds	149	984	9.5	5.5
Threshold Exceeded?	**No**	**No**	**No**	**No**

Source: EPD Solutions, Inc., 2025a (Appendix B).

Construction Health Risk Assessment

A Construction Health Risk Assessment (HRA), included as Appendix D, was prepared to evaluate the potential health impacts to sensitive receptors from the construction of the proposed Project. The HRA focuses on the emissions of DPM from the operation of the heavy-duty diesel vehicles and off-road construction equipment that would be utilized for the construction of the proposed Project. DPM has been specifically identified by CARB as a carcinogenic substance that is responsible for nearly 70 percent of the airborne cancer risk in California. Since DPM is most routinely emitted, the estimated health risk impacts have been compared to the health risk significance thresholds recommended by the SCAQMD for use in CEQA assessments of 10 persons per million for cancer risk and a health index of 1.0 for non-cancer health risks due to DPM exposure.

Table 5.1-11 presents a summary of the cancer risks and chronic non-cancer hazards resulting from the proposed Project's construction DPM emissions along with the SCAQMD health risk significance thresholds. As shown, the maximum cancer risk would be 17.75 in one million, which would exceed the SCAQMD cancer risk threshold of 10 in one million. The maximum non-cancer health risks would be less than 0.03, which is below the threshold of 1.0. Thus, the Project would have a potentially significant impact related to cancer risk and less-than-significant impact related to non-cancer health risks.

However, with implementation of Mitigation Measure AQ-1, which would require the Project to utilize Tier 4 Final or superior equipment for engines exceeding 100 horsepower (hp), the maximum cancer risk, as shown in Table 5.1-12 would be reduced to 9.13 in one million and would be below the 10 in one million threshold. Thus, with implementation of Mitigation Measure AQ-1, impacts would be less than significant.

Table 5.1-11: Project Construction Health Risk

Receptor	Cancer Risk (per million)		Exceeds Significance Threshold?
	Maximum Lifetime Proposed Project Risk	Significance Threshold	
Maximum Impacted Sensitive Receptor – Infant to Adult (30 years)	17.75	10	Yes
Maximum Impacted Sensitive Receptor – Adult	0.50	10	No
Maximum Impacted Worker Receptor	0.19	10	No
Receptor	**Chronic Non-Cancer Hazard Index**		**Exceeds Significance Threshold?**
	Maximum Lifetime Proposed Project Risk	**Significance Threshold**	
Maximum Impacted Sensitive Receptor – Infant to Adult (30 years)	0.03	1.0	No
Maximum Impacted Sensitive Receptor – Adult	0.03	1.0	No
Maximum Impacted Worker Receptor	0.01	1.0	No

Source: EPD Solutions, Inc., 2025b (Appendix D)

Table 5.1-12: Mitigated Project Construction Cancer Risk

Receptor	Cancer Risk (per million)		Exceeds Significance Threshold?
	Maximum Lifetime Proposed Project Risk	Significance Threshold	
Maximum Impacted Sensitive Receptor – Infant to Adult	9.13	10	No

Source: EPD Solutions, Inc., 2025b (Appendix D)

Operation

Localized Emissions

According to the SCAQMD LST methodology, LSTs apply to project-related stationary and mobile sources. Projects that involve mobile sources that spend long periods queuing and idling at a site, such as transfer facilities or warehousing and distribution buildings, have the potential to exceed the operational LSTs. Buildout of the proposed Project would result in single-family residences and park facilities, which do not typically involve vehicles idling or queueing for long periods. Therefore, due to the lack of significant stationary source emissions, impacts related to operational LSTs would be less than significant.

Long-Term Microscale (CO Hot Spot) Analysis

Vehicular trips associated with the Project would contribute to congestion at intersections and along roadway segments in the Project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase as a result of the Project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, CO disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of Project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Existing CO concentrations in the immediate Project vicinity are not available. Ambient CO levels monitored at the Anaheim monitoring station located 8 miles from the site (the closest station to the Project site monitoring CO) showed a highest recorded 1-hour concentration of 2.5 ppm (the State standard is 20 ppm) and a highest 8-hour concentration of 1.6 ppm (the State standard is 9 ppm) from 2021 to 2023. The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis.

As described in Appendix A, the Project is anticipated to generate 1,144 daily trips including 76 trips during the AM peak hour and 100 trips during the PM peak hour. Given the extremely low level of CO concentrations in the Project vicinity, and limited number of vehicle trips during the peak hours, Project-related vehicles would not contribute significantly to result in the CO concentrations exceeding the State or federal CO standards. As such, impacts related to CO would be less than significant.

5.1.7 CUMULATIVE IMPACTS

The geographic area for analysis of cumulative air quality impacts is the Basin. The SCAQMD 2022 AQMP evaluates regional conditions within the Basin and sets regional emission significance thresholds for both construction and operation of development projects that apply to project-specific impacts and cumulatively-considerable impacts. Therefore, per SCAQMD's methodology, if an individual project would result in air emissions of criteria pollutants that exceeds the SCAQMD's thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of these criteria pollutants.

As described in Impact AQ-2 above, emissions from construction and operation would not exceed SCAQMD's thresholds for any criteria pollutant at the regional or local level after implementation of existing regulations. Therefore, operational sources emissions would not be cumulatively considerable and would be less than significant.

As discussed in Impact AQ-3, the Project would not result in an exceedance of the SCAQMD LSTs during project construction. In addition, the Project would have a less-than-significant impact to non-cancer health risks. Without mitigation, the maximum cancer risk from Project implementation would exceed the SCAQMD cancer risk threshold of 10 in one million. However, with implementation of Mitigation Measure AQ-1, the maximum cancer risk would be below the 10 in one million threshold and impacts would be less than significant. Therefore, impacts on human health risks would not be cumulatively considerable and would be less than significant.

5.1.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

- California Green Building Standards Code (CALGreen) (Code of Regulations, Title 24 Part 11)

Plans, Programs, or Policies

These actions will be included in the Project's mitigation monitoring and reporting program (MMRP):

PPP AQ-1: Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.

PPP AQ-2: Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only "Low-Volatile Organic Compounds" paints (no more than 50 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.

PPP AQ-3: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

5.1.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

The Project would result in less-than-significant impacts under Impacts AQ-1 and AQ-2. The Project would result in a potentially significant impact under Impact AQ-3.

5.1.10 MITIGATION MEASURES

MM AQ-1: Tier 4 Construction Equipment: The Project shall utilize Tier 4 Final or superior equipment for engines exceeding 100 horsepower (hp). If Tier 4 Final equipment is not available for any specific equipment type, the construction contractor shall submit a written request to the City of Tustin for approval prior to the start of construction. This request must be supported by substantial evidence, such as equipment availability documentation, rental records, or market verification, demonstrating that Tier 4 Final equipment is not feasible. Potential alternative strategies may encompass the use of Tier 4 Interim equipment, reducing the number and/or horsepower rating of construction equipment, or limiting simultaneous equipment operation to ensure that the alternative strategies achieve the equivalent emissions reduction levels as Tier 4 Final equipment. All equipment must undergo tuning and adhere to the manufacturer's recommended maintenance schedule and specifications. Maintenance records for each piece of equipment, along with those of their contractors, must be available for inspection and kept on-site for a minimum of two years following construction completion.

5.1.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The Project would result in less-than-significant impacts related to Impacts AQ-1 and AQ-2. With implementation of Mitigation Measure AQ-1, Impact AQ-3 would be less than significant.

5.1.12 REFERENCES

California Air Resources Board. (2005). *Air Quality and Land Use Handbook: A Community Health Perspective*. Retrieved from https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

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5.2 Cultural Resources

5.2.1 INTRODUCTION

This section addresses potential environmental effects of the Project related to cultural resources, which include built and subsurface historic and archaeological resources. The analysis in this section is based, in part, on the following documents:

- *City of Tustin General Plan*, adopted November 2018
- Tustin City Code
- *Archaeological Resources Study for the Prospect and 17th Street*, prepared by BFSA Environmental Services, April 2025, included as Appendix C
- *Historical Resource Analysis Report*, prepared by Urbana Preservation and Planning, LLC., August 2024, included as Appendix E

In accordance with CEQA Guidelines Section 15120(d), certain information and communications that disclose the location of archaeological sites and sacred lands are allowed to be exempt from public disclosure.

5.2.2 REGULATORY SETTING

5.2.2.1 Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 established the National Register of Historic Places (NRHP), which is the official federal register of designated historic places. The NRHP is administered by the National Park Service, and includes listings of buildings, structures, sites, objects, and districts that possess historical, architectural, engineering, archaeological, or cultural significance at the national, state, or local level.

To be eligible for the NRHP, a property must be significant under one or more of the following criteria per 36 Code of Federal Regulations Part 60:

a) Properties that are associated with events that have made a significant contribution to the broad patterns of our history;
b) Properties that are associated with the lives of persons significant in our past;
c) Properties that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
d) Properties that have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the aforementioned criteria, an eligible property must also possess historic "integrity," which is "the ability of a property to convey its significance." The NRHP criteria recognize seven qualities that define integrity: location, design, setting, materials, workmanship, feeling, and association.

Structures, sites, buildings, districts, and objects over 50 years of age can be considered for listing in the NRHP as significant historical resources. Properties under 50 years of age that are of exceptional importance or are contributors to a district can also be considered for inclusion in the NRHP.

Properties listed in, or eligible for, listing in the NRHP are also eligible for listing in the California Register of Historical Resources (CRHR), and as such, are considered historical resources for CEQA purposes.

5.2.2.2 State Regulations

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is established under California Public Resource Code (PRC) Section 5024.1 and requires state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. Eligibility for inclusion in the CRHR is determined by applying the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. It is associated with the lives of persons important in California's past;
3. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value; or
4. It has yielded or is likely to yield information important in prehistory or history. The Register includes properties which are listed or have been formally determined to be eligible for listing in the NRHP, State Historical Landmarks, and eligible Points of Historical Interest (PRC §5024.1).

In addition to meeting one or more of the above criteria, the CRHR requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources" (CCR 4852 [d][2]). The CRHR also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

CEQA Guidelines Section 15064.5

CEQA Guidelines Section 15064.5 provides guidelines for determining the significance of impacts to archaeological and historical resources. The section provides the definition of historical resources, and how to analyze impacts to resources that are designated or eligible for designation as a historical resource. Section 15064.5 also provides provisions for the accidental discovery or recognition of human remains in any location other than a dedicated cemetery.

5.2.2.3 Local and Regional Regulations

Tustin City Code

Tustin City Code Section 9252, *Cultural Resource District*, states that an improvement or natural feature may be designated a cultural resource by the City Council and any area within the City may be designated as a Cultural Resource District by the City Council if it meets the following criteria (City of Tustin, 2025):

1. It exemplifies or reflects special elements of the City's cultural, architectural, aesthetic, social, economic, political, artistic, engineering and or architectural heritage; or
2. It is identified with persons, a business use or events significant in local, state, or national history; or
3. It embodies distinctive characteristics of style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftmanship; or
4. It is representative of the notable work of a builder, designer, or architect; or

5. Its unique location or singular physical characteristic represents an established and familiar visual feature of a neighborhood, community or the City; or
6. Its integrity as a natural environment or feature strongly contributes to the wellbeing of residents of the City or the wellbeing of a neighborhood within the City; or
7. It is a geographically definable area possessing a concentration or continuity of site, buildings, structures or objects as unified by past events or aesthetically by plan or physical development.

City of Tustin General Plan

The City's General Plan includes policies related to cultural resources in the Conservation/Open Space/Recreation Element that include the following (City of Tustin, 2018):

Conservation/Open Space/Recreation Element

Goal 12 **Maintain and enhance the City's unique culturally and historically significant building sites or features.**

Policy 12.1 Identify, designate, and protect facilities of historical significance, where feasible.

Policy 12.2 Retain and protect significant areas of archaeological, paleontological, or historical value for education and scientific purposes.

Policy 12.3 Development adjacent to a place, structure or object found to be of historic significance should be designed so that the uses permitted and the architectural design will protect the visual setting of the historical site.

5.2.3 ENVIRONMENTAL SETTING

Tustin History

In the late 18th century, the Spanish began colonizing the California region and developing Missions from San Diego to San Francisco.

Development of the city of Tustin began during the late 18th century. In 1810, José Antonio Yorba and his cousin Juan Pablo Peralta were granted 78,941 acres of grazing land, known as the Rancho Santiago de Santa Ana, which were subdivided within the family over the next 50 years. In 1868, Petaluma carriage maker and property developer Columbus Tustin purchased a portion of the Rancho, shipped about 15,000 trees to the site consisting of apple, peach, pear, plum, nectarine, walnut, and orange, and settled on the property. Columbus Tustin gave plots of land away in order to aid the development of his city; however, when Santa Ana was chosen as the terminus of the Southern Pacific Railroad, growth within the city of Tustin declined. On July 23, 1883, Columbus Tustin died and thereafter, the city of Tustin experienced an economic boom due to the establishment of a bank and large hotel by the Tustin Improvement Association.

By 1888, the Southern Pacific Railroad had set up a station in Tustin, which ran two trains daily between Tustin and Los Angeles, which led to the establishment of the Utt Juice Company and the San Joaquin Fruit Company in the city. However, the Panic of 1893 led to the demise of several businesses in town and closure of the bank. Then, with the new century came a gradual rebuilding of the economy and the successful additions of the First National Bank of Tustin, the Tustin Lumber Company, Tustin Garage, Tustin Hardware, Piepers Feed Store, the Utt Juice Company, and three large citrus association packing houses.

In 1927, Tustin was incorporated into Orange County as a small agricultural community of approximately 200 acres and 900 residents, but growth within the community was slow through the 1930s and 1940s due

to the Great Depression and World War II. In 1942, the United States Navy built its Lighter-Than-Air Base on nearby beanfields. By the 1960s, rising land values and falling grove production induced agricultural landowners to sell their land for urban development. As a result of new development and annexations, the city's population jumped from 2,000 in 1960 to 21,000 in 1970 and has continued to grow at a steady pace over the last 50 years (Appendix C).

Project Site History

Currently, the 8.5-acre Project site contains the "Tustin Financial Plaza," formerly known as the Meredith Financial Centre, which is developed with five buildings that provide a total of 193,000 square feet (SF) of office use. The four outer buildings are two stories high, and the central building is four stories high with an approximate maximum building height of 55 feet. Parking is provided in between each of the structures on the north, east, south, and west sides of the Project site. The site is currently accessible via three driveways, one from Prospect Avenue (west) and two from 17th Street on the northern boundary of the site. The site contains ornamental landscaping within parking lot medians, around the central structure, and along the perimeter of the Project site.

Based on historical aerial images, a structure, likely a single-family residence, was present on the property by 1896 and the property also contained an agricultural grove of trees. The property appears to have remained agricultural until the 1972 aerial image which depicts the property entirely cleared and under development for the existing Tustin Financial Plaza, originally the Meredith Financial Centre. Although not listed in the NRHP index, Built Environment Resources Directory (BERD), or on file with the South Central Coastal Information Center (SCCIC), the Tustin Financial Plaza is identified in the City of Tustin Citywide Historic Resources Survey Update as a potential historical resource.

Tustin Financial Plaza (Meredith Financial Centre). The Historical Resources Analysis Report (HRAR), included as Appendix E, describes that the Tustin Financial Plaza, formerly known as the Meredith Financial Centre, was first proposed in March 1971 by Owner Eddy Meredith. A permit for the project's use and the development of five buildings was thereafter obtained in December 1971 (Appendix E).

As detailed by the HRAR, Leason F. Pomeroy III, a local architect and principal of LPA, Inc., was the architect for two of the office buildings: 17772 17th Street (northwest corner building), and 17862 17th Street (northeast corner building). Larry A. Bivens, a structural engineer by trade, was the architect for the other three buildings: 17782 17th Street (southwest corner building), 17852 17th Street (southeast corner building), and 17822 17th Street (center building). While Pomeroy designed the overall complex, the Meredith Company served as general contractor for the project. Construction began in 1972 and was completed in 1974.

17822 17th Street (Central Building)

The Central Building, located at the center of the Project site, as illustrated in Figure 3-4, *Existing Site Photos A*, is constructed in the New Formalism style. As described in the HRAR, the New Formalism style exhibits many Classical elements including strict symmetrical elevations, building proportion and scale, Classical columns, highly stylized entablatures and colonnades; and was primarily used for high-profile cultural, institutional and civic buildings. Properties in the New Formalism style are typically set on a podium or base, or in a cohesive grouping surrounded by formal landscaped and hardscaped features, that draw a clear distinction between the architecture and the surroundings. New formalism is characterized as an architecture style that was popular during the mid-1950s and flowered in the 1960s and was prevalent in new development within southern California constructed during this time period by notable architects, Edward Durrell Stone, Philip Johnson, and Minoru Yamasaki. The building has a rectangular plan and is four stories in height. It has a symmetrical form, with a flat roof featuring continuous, broad overhanging eaves with coffered-panel soffits clad in painted roughcast/wet dash stucco. There are entrances at each elevation,

with the main entrance located at the north elevation. The building has a geometric form, generally identical at each elevation. The exterior walls are composed of recessed painted roughcast/wet dash stucco wall panels set within vertically oriented grouped fixed panel aluminum-framed window surrounds with dark-tinted Spandrelite glazing. The wall and window sections are separated by roughcast/wet dash stucco pilaster that extends to meet the coffered soffit roofline above. The exterior walls create a striking pattern, indicative of the New Formalism style by drawing on Neoclassical characteristics. There are exterior doors at each elevation of the building. The exterior doors are fully glazed aluminum with vertically oriented grouped fixed panel aluminum-framed windows above. It is not clear if the doors are original; permits do not reference door replacements. The entrance at the north elevation appears to be the main entrance; there is a roughcast/wet dash stucco-clad rounded awning affixed to the wall above the door assembly with signage reading "Tustin Financial Plaza" with the building's address (17822) in brushed steel floating letters above. At each elevation, there are free-standing square light posts, flanking each entrance. The light posts are clad in roughcast/wet dash stucco, capped with square frosted glass light fixtures with metal frames; these fixtures are similar in composition to the streetlights throughout the parking lot areas. There are concrete steps and landscape features at each of the entrances. The central building is the focal point of the lot; it is the largest of the buildings, two stories higher than the other buildings.

17772, 17782, 17852, and 17862 17th Street (North, South, East, West Buildings)

As illustrated in Figures 3-4 through 3-6, *Existing Site Photos A*, B, C, the North, South, East and West Buildings are placed symmetrically at each corner of the lot. They were constructed between 1972-1973, and are nearly identical in form, massing, and material composition. They are constructed in the New Formalism style, each having a two-story volume with a square plan. The buildings all have a capped flat roof, with eaves and soffit details that match the Central Building. The facade of each building is clad by roughcast/wet dash stucco with recessed wall panels set within vertically oriented grouped fixed panel aluminum frame window surrounds that contain dark-tinted Spandrelite glazing and are separated by roughcast/wet dash stucco pilasters that extend to the soffit. There are entrances at each elevation of each of the buildings. The exterior doors are typical fully glazed aluminum with vertically oriented fixed panel aluminum-framed windows above. It is not clear if the doors are original; permits do not reference door replacements. All of the entrances are fronted by concrete steps, sidewalks, landscape features, and are flanked by lamp posts that match those at the Central Building and throughout the property. At the north elevation, of each four buildings, are rounded roughcast/wet dash stucco-clad awnings and the building's address in brushed steel floating letters above. There are no significant differences between the four buildings, besides signage. There is printed signage at each building with the identifier (North Building, South Building, East Building, West Building).

As shown in Appendix E (pages 32-34), historic aerial photos also do not indicate that there have been substantial alterations to the property. All five buildings exist in the same configuration as that of construction, and an in-person survey indicates that there have not been any significant alterations to the exterior. The City of Tustin permit records indicate that most of the alterations to the buildings occurred in the interior, for the addition or removal of partitions and walls, for new lighting, for tenant improvements, and other general remodel work. Further, there were few permits related to the exterior of the buildings, that consisted of reroofing the buildings, the addition of a block wall on the property, the addition and changes in tenant signage, the addition of an EV charging station, and the addition of roof mounted solar.

5.2.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a Project could have a significant effect if it were to:

CUL-1 Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

CUL-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

CUL-3 Disturb any human remains, including those interred outside of dedicated cemeteries.

The Initial Study (Appendix A) established that the proposed Project would not result in impacts related to Thresholds CUL-2 and CUL-3; therefore, no further assessment of these thresholds is required in this Draft EIR.

Historical Resource Thresholds

Historical resources are usually 50 years old or older and must meet at least one of the criteria for listing in the CRHR (such as association with historical events, important people, or architectural significance), in addition to maintaining a sufficient level of physical integrity (PRC §5024.1). Additionally, a project that may cause a substantial adverse change in the significance of a historical resource is a project that would have a significant effect on the environment (PRC §5024.1). A substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines § 15064.5(b)(1). Per the CEQA Guidelines, the significance of a historical resource is materially impaired when a project:

a) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or
b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
c) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

5.2.5 METHODOLOGY

The historical resources analysis is based on the HRAR, included as Appendix E, which contains information that was compiled through field reconnaissance and additional property-specific historical research.

Historical Resource Analysis Report (HRAR)

Historical Research. Historical research included a review of Orange County regional newspapers from the California Digital Newspaper Collection at the University of California Riverside and via Genealogy Bank and Newspapers.com; biographical and genealogical research on the property and past owners and occupants via Ancestry.com; review of maps, aerial imagery, and photographs via National Environmental Title Research HistoricAerials.com, UC Santa Barbara FrameFinder, the University of Southern California Photo Collection, and Calisphere; as well as building permits and other land records for the subject property obtained from the City of Tustin.

Historical Field Survey. A pedestrian-level field survey of the Project site was conducted in July 2024. The field survey consisted of the historian walking the site to observe and photograph buildings and structures

at the property and surrounding environs to identify architectural styles and character-defining features of structures.

5.2.6 ENVIRONMENTAL IMPACTS

IMPACT CUL-1: THE PROJECT WOULD CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE PURSUANT TO § 15064.5.

Significant and Unavoidable Impact. The Project would demolish all five existing buildings within the Project site (Tustin Financial Plaza) to construct the proposed 145 for-sale residential units. The residential units would consist of 62 single-family detached cluster units and 83 attached townhomes, a drive aisle, a recreational common space area for resident use, and additional stormwater and utility improvements to accommodate the proposed residences. The proposed residential units would be up to 3-stories high in the styles of Spanish, farmhouse, craftsman, and abstract traditional architectural styles.

State CEQA Guidelines Section 15064.5 defines historical resources eligible for the CRHR as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered "historically significant" if it meets one of the criteria described below.

i. ***CRHR Criterion 1:*** *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*

   Local Register Criterion 1: *It exemplifies or reflects special elements of the City's cultural, architectural, aesthetic, social, economic, political, artistic, engineering and or architectural heritage.*

   According to the HRAR, included as Appendix E, the five existing on-site buildings were constructed from 1972 to 1973, a period during which a large transition of agricultural land to low-density commercial and single-family residential occurred in Tustin. Further, construction of the Santa Ana Freeway (Interstate 5) in 1955 and State Route CA-55 in 1964 had led to a rapid construction of commercial development in Tustin and Orange County. While the buildings were constructed during a period of postwar development, they are not considered a significant example of this period of development as the buildings are not uniquely associated with this period. In addition, the existing buildings on the Project site have operated as an office business park for the entirety of their history and are not associated with any specific historical events. Therefore, the buildings do not reflect a special element of the City's cultural, architectural, aesthetic, social, economic, political, artistic, engineering and or architectural heritage and do not meet CRHR/Local Register Criterion 1.

ii. ***CRHR Criterion 2:*** *Is associated with the lives of persons important in our past;*

   Local Register Criterion 2: *It is identified with persons, a business use or events significant in local, state, or national history.*

   According to the HRAR, the existing on-site buildings are associated with Eddy Meredith, as mentioned previously, who was the owner of the Meredith Company and Craig Development Corporation. He was a prolific builder during the post-war area and was known for his residential developments and has further been credited with bringing the split-level home to Southern California. The Tustin Financial Plaza, previously known as the Meredith Centre was, however, the first large-scale commercial development built by Meredith. While early records indicate that while the existing center building of the Project site was planned to be used for the Meredith Company office, there is no indication that it was ever used as such after construction. Further, while the buildings maintain association with Meredith, he is more strongly associated with residential development. As such, the HRAR concluded that the buildings do not

have a strong enough association with Meredith to be considered eligible under CRHR/Local Register Criterion 2. In addition, the HRAR determined that none of the tenants that occupied the buildings over the years made significant contributions to local, state, or national history. As such, the Tustin Financial Plaza is not considered eligible under CRHR/Local Register Criterion 2.

iii. ***CRHR Criterion 3:*** *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;*

Local Register Criterion 3: *It embodies distinctive characteristics of style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftmanship.*

Local Register Criterion 4: *It is representative of the notable work of a builder, designer, or architect.*

According to the HRAR, the existing five buildings are a unique example of a New Formalism style in Tustin. During the 2021 Tustin Historic Resources survey, the Tustin Financial Plaza was the *only* identified example of the New Formalism style in Tustin. As described in the HRAR, the New Formalism style exhibits many Classical elements including strict symmetrical elevations, building proportion and scale, Classical columns, highly stylized entablatures and colonnades; and was primarily used for high-profile cultural, institutional and civic buildings. Properties in the New Formalism style are typically set on a podium or base, or in a cohesive grouping surrounded by formal landscaped and hardscaped features, that draw a clear distinction between the architecture and the surroundings.

The five existing buildings at the Tustin Financial Plaza contain many character defining features of the New Formalism style such as man-made materials that mimic luxurious qualities, light neutral paint colors contrasted with dark glazed windows, and a slight podium, with concrete steps leading to each entrance as well as separation from the parking and landscaping (Appendix E). As such, the Tustin Financial Plaza features many of the character defining features of the New Formalism style and is considered eligible under CRHR Criterion 3/Local Register Criterion 3.

As mentioned previously, architect Leason Pomeroy III designed two of the five buildings and is responsible for the overall layout of the property. While the other three buildings were designed by civil engineer Larry A. Bivens, these buildings are essentially duplicates of Pomeroy's initial design. According to the HRAR, the Meredith Centre (Tustin Financial Plaza) was an important early commission that led to future large-scale projects for Pomeroy in the 1970s through the 1990s, including several Orange County buildings and a terminal at John Wayne Airport. Thus, Pomeroy is considered a notable architect in the Orange County region (Appendix E). Since the Meredith Centre (Tustin Financial Plaza) was one of Pomeroy's earliest works and significant as it was the start of his work in the large-scale commercial sphere, the buildings are considered eligible under CRHR Criterion 3/Local Register Criterion 4 as a representative work of Leason Pomeroy III.

iv. ***CRHR Criterion 4:*** *Has yielded, or may be likely to yield, information important in prehistory or history.*

The HRAR describes that research and analysis of the subject property have not yielded information important in prehistory or history. Thus, further study of the property is not likely to yield important information and the property is not eligible under CRHR Criterion 4.

v. ***Local Register Criterion 5:*** *Its unique location or singular physical characteristic represents an established and familiar visual feature of a neighborhood, community or the City.*

As mentioned previously, the buildings are a unique example of the New Formalism style however, the HRAR determined that they are not a unique property type. The buildings were constructed during a period of rapid development and were one of many commercial properties built in the area. Further, the buildings were constructed along two key streets (17th Street and Prospect Avenue) that contain

several other office parks. The buildings also do not represent an established or familiar visual feature of the community. As such, the buildings are not eligible under Local Register Criterion 5.

vi. ***Local Register Criterion 6:*** *Its integrity as a natural environment or feature strongly contributes to the wellbeing of residents of the City or the well-being of a neighborhood within the City.*

As mentioned previously, the site consists of five commercial office buildings, which do not play an integral part of the natural environment and do not contribute to the well-being of residents of the City or the neighborhood. Therefore, the buildings are not eligible under Criterion 6.

vii. ***Local Register Criterion 7:*** *It is a geographically definable area possessing a concentration or continuity of site, buildings, structures or objects as unified by past events or aesthetically by plan or physical development.*

The buildings are located on a single parcel with one owner. Thus, the Project site does not meet the traditional definition of a historic district or grouping of properties whereby Criterion 7 would typically apply. The HRAR further did not identify the original construction campaign as a unifying past event, or determine that the construction of the five buildings, void of landscape or hardscape features, rise to a necessary level of significance under Criterion 7. Thus, the buildings do not meet the intent of Criterion 7 and the buildings would not eligible under Local Register Criterion 7.

Based on the CRHR and Local Register criteria, the five existing buildings would not be eligible for listing under CRHR Criterion 1, 2, or 4 or Local Register Criterion 1, 2, 5, 6, and 7. However, the five existing buildings would be eligible under both CRHR Criterion 3 and Local Register Criterion 3 and 4, as the buildings' feature many of the character defining features of the New Formalism style and are representative of the early commercial work of architect Leason Pomeroy III. As such the five existing buildings would be considered eligible for listing under the CRHR and Local Register and are historically significant.

As mentioned previously, the Project would demolish all five of the existing buildings located at the Tustin Financial Plaza to implement the proposed 145 residential units. Therefore, implementation of the proposed Project would result in a substantial adverse change in the significance of the Tustin Financial Plaza, a significant historical resource.

As such, Mitigation Measure HIST-1 would be implemented, which would require high-resolution digital photographs of the Tustin Financial Plaza from historically appropriate viewpoints, and a submission of a full-documentation package (historic report and photographs) to the City's Planning Department and at least one local historical organization. While Mitigation Measure HIST-1 would reduce impacts as it would support research in the context of the city's local architecture and would provide reference photography for future architectural historians studying the regional architecture, impacts would not be reduced to a less than significant impact level. Demolition of the five existing buildings would continue to result in a substantial adverse effect on a historical resource, therefore impacts would remain significant and unavoidable after implementation of mitigation.

5.2.7 CUMULATIVE IMPACTS

The cumulative study area for historic resources is the City of Tustin and neighboring cities. Other projects in the Project's vicinity, as identified in Section 5.0, *Environmental Impact Analysis*, Table 5-1, Cumulative Projects could have impacts to historical resources. As described previously, the Tustin Financial Plaza is identified as the New Formalism architectural style and is the only example of this style in the City of Tustin (Appendix E). However, the architect, Pomeroy designed many other large-scale projects in the Orange County area. Based on the limited redevelopment projects listed in Table 5-1, none of the listed projects listed are likely to result in significant impacts to historic resources. However, as Orange County continues to redevelop, future

projects could result in significant impacts to historic resources and if so, such projects would need to prepare appropriate analysis and documentation.

As described previously, the proposed Project, which includes demolition of all five existing buildings, and would therefore result in a direct impact to a significant historical resource. While, Mitigation Measure HIST-1 is included to require provision of high-resolution digital photographs of the Tustin Financial Plaza from historically appropriate viewpoints, and submission of a full-documentation package (historic report and photographs) to the City's Planning Department and to at least one local historical organization, demolition of a historical resource would still result in a substantial adverse change in the significance of the resource and cannot be mitigated to a less-than-significant level. Therefore, loss of the historical resource would result in a cumulatively considerable impact to historical resources.

5.2.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

- National Historic Preservation Act
- Tustin City Code Section 9252

Plans, Programs, or Policies

None.

5.2.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Without mitigation, Impact CUL-1 would be potentially significant.

5.2.10 MITIGATION MEASURES

MM HIST-1: Prior to the issuance of demolition or grading permits, the City of Tustin Planning Department shall verify that the Applicant has completed comprehensive archival documentation of the Tustin Financial Plaza. The documentation shall include high-resolution digital photographs taken from historically appropriate viewpoints. The photographs shall be taken from viewpoints consistent with the view guidelines contained within the *HABS/HAER/HALS Photography Guidelines* (June 2015). Additionally, the photographs shall be accompanied by the Project's Historic Report that evaluates the local historical significance of the Tustin Financial Plaza. The full documentation package shall be submitted to and accepted by the City of Tustin Planning Department prior to issuance of a demolition or grading permit.

The City shall post the materials to a permanent webpage on the City's website for public viewing. Additionally, the City shall offer, in the form of donation, the archive to at least one local historic preservation organization, such as the Tustin Area Historical Museum, the Orange County Historical Society, or another comparable entity, prior to Project completion.

5.2.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

For Impact CUL-1, Mitigation Measure HIST-1 is included, which requires provision of high-resolution digital photographs of the Tustin Financial Plaza from historically appropriate viewpoints, and submission of a full-documentation package (historic report and photographs) to the City's Planning Department and to at least one local historical organization. However, demolition of a historical resource would result in a substantial

adverse change in the significance of the resource and cannot be mitigated to a less-than-significant level. Therefore, impacts related to historical resources would remain significant and unavoidable after implementation of Mitigation Measure HIST-1.

5.2.12 REFERENCES

BFSA Environmental Services. (2025). *Archaeological Resources Study for the Prospect and 17th Project*. Appendix C.

City of Tustin. (2018, November). *City of Tustin General Plan*. Retrieved from City of Tustin: https://www.tustinca.org/396/General-Plan

City of Tustin. (2025). *9252- Cultural Resource District (CR)*. Retrieved from City of Tustin: https://library.municode.com/ca/tustin/codes/code_of_ordinances?nodeId=ART9LAUS_CH2ZO_PT5COOVDI_9252CUREDICR

Urbana Preservation & Planning, LLC. (2024). *Historical Resource Analysis Report - Meredith Financial Centre*. Appendix E.

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5.3 Noise

5.3.1 INTRODUCTION

This EIR section evaluates the potential noise and vibration impacts that could result from implementation of the proposed Project. It discusses the existing noise environment within and around the Project site, as well as the regulatory framework for regulation of noise. This section analyzes the effect of the proposed Project on the existing ambient noise environment during demolition, construction, and operational activities; and evaluates the proposed Project's noise effects for consistency with relevant local agency noise policies and regulations. The analysis in this section also addresses impacts related to groundborne vibration. Information in this section is based on the following:

- *City of Tustin General Plan*, adopted November 2018
- Tustin City Code
- *Noise and Vibration Impact Analysis*, LSA, July 2025, Appendix F

Noise and Vibration Terminology

Various noise descriptors are utilized in this EIR analysis, and are summarized as follows:

VdB: Vibration velocity in decibels.

dB: Decibel, the standard unit of measurement for sound pressure level.

dBA: A-weighted decibel, an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.

Leq: The equivalent sound level, which is used to describe noise over a specified period of time, typically 1 hour, in terms of a single numerical value. The Leq of a time-varying signal and that of a steady signal are the same if they deliver the same acoustic energy over a given time. The Leq may also be referred to as the average sound level.

Lmax: The instantaneous maximum noise level experienced during a given period of time.

Lmin: The instantaneous minimum noise level experienced during a given period of time.

Lx: The sound level that is equaled or exceeded "x" percent of a specified time period. The "x" thus represents the percentage of time a noise level is exceeded. For instance, L50 and L90 represents the noise levels that are exceeded 50 percent and 90 percent of the time, respectively.

Ldn: Also termed the "day-night" average noise level (DNL), Ldn is a measure of the average of A-weighted sound levels occurring during a 24-hour period, accounting for the greater sensitivity of most people to nighttime noise by weighting noise levels at night ("penalizing" nighttime noises). Noise between 10:00 p.m. and 7:00 a.m. is weighted by adding 10 dBA to take into account the greater annoyance of nighttime noises.

CNEL: The Community Noise Equivalent Level, which, similar to the Ldn, is the average A-weighted noise level during a 24-hour day that is obtained after an addition of 5 dBA to measured noise levels between the hours of 7:00 p.m. to 10:00 p.m. and after an addition of 10 dBA to noise levels between the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively.

Ambient Noise Level: The background noise level associated with a given environment at a specified time and is usually a composite of sound from many sources from many directions.

Effects of Noise

Noise is generally loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity that is a nuisance or disruptive. The effects of noise on people can be placed into four general categories:

- Subjective effects (e.g., dissatisfaction, annoyance)
- Interference effects (e.g., communication, sleep, and learning interference)
- Physiological effects (e.g., startle response)
- Physical effects (e.g., hearing loss)

Although exposure to high noise levels has been demonstrated to cause physical and physiological effects, the principal human responses to typical environmental noise exposure are related to subjective effects and interference with activities. Interference effects refer to interruption of daily activities and include interference with human communication activities, such as normal conversations, watching television, telephone conversations, and interference with sleep. Sleep interference effects can include both awakening and arousal to a lesser state of sleep. Regarding the subjective effects, the responses of individuals to similar noise events are diverse and are influenced by many factors, including the type of noise, the perceived importance of the noise, the appropriateness of the noise to the setting, the duration of the noise, the time of day and the type of activity during which the noise occurs, and individual noise sensitivity.

In general, the more a new noise level exceeds the previously existing ambient noise level, the less acceptable the new noise level will be to those hearing it. Regarding increases in A-weighted noise levels, the following relationships generally occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived.
- Outside of the laboratory, a 3-dBA change in noise levels is considered a barely perceivable difference.
- A change in noise levels of 5 dBA is considered a readily perceivable difference.
- A change in noise levels of 10 dBA is subjectively heard as doubling of the perceived loudness.

Noise Attenuation

Stationary point sources of noise, including mobile sources such as idling vehicles, attenuate (lessen) at a rate of 6 dBA per doubling of distance from the source over hard surfaces to 7.5 dBA per doubling of distance from the source over soft surfaces, depending on the topography of the area and environmental conditions (e.g., atmospheric conditions, noise barriers [either vegetative or manufactured]). Thus, noise measured at 90 dBA 50 feet from the source would attenuate to roughly 84 dBA at 100 feet, 78 dBA at 200 feet, 72 dBA at 400 feet, and so forth. Widely distributed noise, such as a large industrial facility spread over many acres or a street with moving vehicles, would typically attenuate at a lower rate, approximately 4 to 6 dBA per doubling of distance from the source.

Hard sites are those with a reflective surface between the source and the receiver, such as asphalt or concrete surfaces or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the changes in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees. In addition to geometric spreading, an excess ground attenuation value of 1.5 dBA (per doubling distance) is normally assumed for soft sites. Line sources (such as traffic noise from vehicles) attenuate at a rate between 3 dBA for hard sites and 4.5 dBA for soft sites for each doubling of distance from the reference measurement.

Fundamentals of Vibration

Vibration is energy transmitted in waves through the ground or man-made structures. These energy waves generally dissipate with distance from the vibration source. There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. VdB serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

5.3.2 REGULATORY SETTING

5.3.2.1 Federal Regulations

Federal Transit Administration

Although the City does not have construction noise level limits, construction noise was assessed using criteria from the Federal Transit Administration's (FTA) 2018 *Transit Noise and Vibration Impact Assessment Manual* (FTA Manual). Table 5.3-1 shows the FTA's Detailed Assessment Construction Noise Criteria based on the composite noise levels per construction phase.

Table 5.3-1: Detailed Assessment Daytime Construction Noise Criteria

Land Use	Daytime 8-hour Leq (dBA)
Residential	80
Commercial	85
Industrial	90

Source: Transit Noise and Vibration Impact Assessment Manual (FTA 2018).
dBA = A-weighted decibels
FTA = Federal Transit Administration
Leq = equivalent continuous sound level

5.3.3 STATE REGULATIONS

Caltrans Vibration Guidance Manual

There are no vibration standards that are specifically applicable to the proposed Project; hence, California Department of Transportation's (Caltrans) Transportation and Construction Vibration Guidance Manual guidelines are used as a screening tool for assessing the potential for adverse vibration effects related to human perception, which are listed in Table 5.3-2.

Table 5.3-2: Vibration Screening Standards

Caltrans Guidelines for Human Annoyance Levels	Peak Particle Velocity for Continuous Sources (PPV) (in/sec)
Barely Perceptible	0.01
Distinctly Perceptible	0.04
Strongly Perceptible	0.10
Severe	0.40

Source: Caltrans Transportation and Construction Vibration Guidance Manual, September 2013, Tables 19 & 20.
Table 5.3-3: Construction Vibration Damage Criteria

Table 5.3-3 lists the potential vibration building damage criteria associated with construction activities, as suggested in the Caltrans Manual. Caltrans' guidelines show that a vibration level of up to 0.3 in/sec in PPV is considered safe for older residential structures and a vibration level of up to 0.5 in/sec in PPV is considered safe for newer residential structures and modern industrial or commercial buildings and would not result in any construction vibration damage.

Table 5.3-3: Construction Vibration Damage Criteria

Structure / Condition	PPV (in/sec)
Extremely fragile historic buildings, ruins, ancient monuments	0.08
Fragile buildings	0.10
Historic and some old buildings	0.25
Older residential structures	0.30
New residential structures	0.50
Modern industrial / commercial buildings	0.50

Source: Table 19, Transportation and Construction Vibration Guidance Manual (Caltrans 2020).
Caltrans = California Department of Transportation
in/sec = inches per second
PPV = peak particle velocity

Title 24, California Building Code

State regulations related to noise include requirements for the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings that are intended to limit the extent of noise transmitted into habitable spaces. These requirements are collectively known as the California Noise Insulation Standards and are found in California Code of Regulations, Title 24 (known as the Building Standards Administrative Code), Part 2 (known as the California Building Code), Appendix Chapters 12 and 12A. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor ceiling assemblies must block or absorb sound. For limiting noise

from exterior sources, the noise insulation standards set forth an interior standard of DNL 45 dBA in any habitable room and, where such units are proposed in areas subject to noise levels greater than DNL 60 dBA, require an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard. If the interior noise level depends upon windows being closed, the design for the structure must also specify a ventilation or air conditioning system to provide a habitable interior environment.

The mandatory measures for non-residential buildings state that new construction shall provide an interior noise level that does not exceed an hourly equivalent level of 50 dBA Leq in occupied areas during any hour of operation. Title 24 standards are enforced through the City's building permit application process.

5.3.3.1 Local and Regional Regulations

County of Orange General Aviation Noise Ordinance

To reduce noise from operation of John Wayne Airport (SNA), the General Aviation Noise Ordinance was adopted by the County to regulate the hours of operation and the maximum permitted noise levels associated with general aviation operations. The General Aviation Noise Ordinance specifies noise limits at each noise monitoring station that vary by time of day. The Ordinance also prohibits commercial aircraft departures between the hours of 10:00 p.m. and 7:00 a.m. and arrivals between the hours of 11:00 p.m. and 7:00 a.m.

John Wayne Airport Environs Land Use Plan

The John Wayne Airport Environs Land Use Plan (AELUP) was adopted in 1975 and amended in 2008 and is the applicable compatibility plan for the John Wayne Airport. The land use compatibility plan establishes policies to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. Further, implementation of this plan forestalls urban encroachment on the airport and allows for its continued operation (Airport Land Use Commission for Orange County, 2008).

General Plan

The City's General Plan includes policies related to noise in the Land Use and Noise Elements that include the following (City of Tustin, 2018):

Land Use Element

Goal 2 **Ensure that future land use decisions are the result of sound and comprehensive planning.**

Policy 2.6 Maintain consistency with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport in terms of maximum allowable building height, noise levels, safety areas, and other applicable standards.

Noise Element

Goal 2 **Incorporate noise considerations into land use planning decisions.**

Policy 2.3 Use noise/land use compatibility standards as a guide for future planning and development.

Policy 2.4 Review proposed projects in terms of compatibility with nearby noise-sensitive land uses with the intent of reducing noise impacts.

Policy 2.5 Require new residential developments located in proximity to existing commercial/industrial operations to control residential interior noise levels as a condition of approval.

Policy 2.8 Replace a significant noise source with non-noise generating land uses when plans for future use of areas are developed.

Goal 3 Develop measures to control non-transportation noise impacts.

Policy 3.1 Implement a review process of Tustin's noise ordinance, and City policies and regulations affecting noise.

Policy 3.2 Minimize the impacts of construction noise on adjacent land uses through limiting the permitted hours of activity.

Policy 3.3 Require City departments to observe state and federal occupational safety and health noise standards.

The City's General Plan Noise Element also includes noise standards for different land uses as shown in Table 5.3-4.

Table 5.3-4: City of Tustin General Plan Noise Element Standards

Land Use	Noise Standards[1]	
	Interior[2,3]	Exterior
Residential-Single family, multifamily, duplex, mobile home	45 dBA CNEL	65 dBA CNEL[4]
Residential-Transient lodging, hotels, motels, nursing homes, hospitals	45 dBA CNEL	65 dBA CNEL[4]
Private offices, church sanctuaries, libraries, board rooms, conference rooms, theaters, auditoriums, concert halls, meeting halls, etc.	45 dB(A) Leq(12)	-
Schools	45 dB(A) Leq(12)	67 dBA CNEL[5]
General offices, reception, clerical, etc.	50 dB(A) Leq(12)	-
Bank lobby, retail store, restaurant, typing pool, etc.	55 dB(A) Leq(12)	-
Manufacturing, kitchen, warehousing, etc.	65 dB(A) Leq(12)	-
Parks, playgrounds	-	65 dBA CNEL[5]
Golf courses, outdoor spectator sports, amusement parks	-	70 dBA CNEL

Source: City of Tustin General Plan Noise Element
Notes: (1) CNEL: Community Noise Equivalent Level. Leq(12): The A-weighted equivalent sound level averaged over a 12-hour period (usually the hours of operation). (2) Noise standard with windows closed. Mechanical ventilation shall be provided per UBC requirements to provide a habitable environment. (3) Indoor environment excluding bathrooms, toilets, closets and corridors. (4) Outdoor environment limited to rear yard of single-family homes, multifamily patios and balconies (with a depth of 6' or more) and common recreation areas. (5) Outdoor environment limited to playground areas, picnic areas, and other areas of frequent human use.

Tustin City Code

Pursuant to Tustin City Code Sections 4614 and 4615, noise levels at residential properties are restricted from exceeding certain noise levels for extended periods of time. Table 5.3-5 provides the Tustin City Code interior and exterior noise standards that are applied to residential properties.

Table 5.3-5: Tustin City Code Residential Noise Standards

Land Use	Interior		Exterior	
	Time	Permissible Noise Levels (dBA)	Time	Permissible Noise Levels (dBA)
Residential	7:00 a.m. to 10:00 p.m.	55 dBA	7:00 a.m. to 10:00 p.m.	55 dBA
	10:00 p.m. to 7:00 a.m.	45 dBA	10:00 p.m. to 7:00 a.m.	50 dBA
Mixed-Use	7:00 a.m. to 10:00 p.m. (residential uses only)	55 dBA	any time	60 dBA
	10:00 p.m. to 7:00 a.m. (residential uses only)	45 dBA		

Source: Tustin City Code, Article 4, Chapter 6, Section 4614 and 4615.

Section 4616 of the Tustin City Code also specifies that noise sources associated with construction activities are prohibited before 7:00 a.m. and after 6:00 p.m., Monday through Friday; before 9:00 a.m. and after 5:00 p.m. on Saturdays; anytime on Sundays; or anytime during City-observed federal holidays (City of Tustin, 2025).

5.3.4 ENVIRONMENTAL SETTING

5.3.4.1 Existing Noise Levels

To assess existing noise levels of the environment, long-term (24-hour) noise level measurements were conducted on February 25 and 26, 2025, at two locations as shown on Figure 5.3-1. The background ambient noise levels in the Project area are dominated by the transportation-related noise associated with surface streets and surrounding commercial and office uses. Table 5.3-6 provides a summary of the measured hourly noise levels and calculated CNEL level from the long-term noise level measurements. As shown in Table 5.3-6, the calculated CNEL levels range from 67.4 dBA CNEL to 70.2 dBA CNEL.

Table 5.3-6: Summary of 24-Hour Ambient Noise Level Measurements

Location		Daytime Noise Levels[1] (dBA L_{eq})	Evening Noise Levels[2] (dBA L_{eq})	Nighttime Noise Levels[3] (dBA L_{eq})	Daily Noise Levels (dBA CNEL)
LT-1	17862 17th Street, on a palm tree near the northeast corner of the Project site, approximately 85 feet away from the 17th Street centerline.	67.4-72.7	66.3-66.9	49.0-66.0	70.2
LT-2	17782 17th Street, on a palm tree near the southwest corner of the Project site, approximately 40 feet away from the Prospect Avenue centerline.	64.8-72.0	61.0-64.3	47.7-63.0	67.4

Source: Noise and Vibration Impact Analysis, 2025 (Appendix F).
Note: Noise measurements were conducted from February 25 and 26, 2025, starting at 10:00 a.m.
[1] Daytime Noise Levels = noise levels during the hours from 7:00 a.m. to 7:00 p.m.
[2] Evening Noise Levels = noise levels during the hours from 7:00 p.m. to 10:00 p.m.
[3] Nighttime Noise Levels = noise levels during the hours from 10:00 p.m. to 7:00 a.m.

5.3.4.2 Existing Vibration

Aside from periodic construction work that may occur in the vicinity of the Project area, the Project site and adjacent land uses are not currently exposed to sources of groundborne vibration.

5.3.4.3 Existing Airport Noise

John Wayne Airport (SNA) is located approximately 5.58 miles southwest of the Project site. The Project site is located outside of the airport's 60 dBA CNEL noise contour. In addition, the General Aviation Noise Ordinance restricts airport operations between 11:00 p.m. and 7:00 a.m., to limit the hours of noise generated by SNA. The airport noise contours are shown in Figure 5.3-2, *Airport Noise Contours*.

5.3.4.4 Sensitive Receptors

Sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include: residences, schools, hospitals, and recreation areas. Existing off-site sensitive noise receptors where someone can remain for 24 hours in the vicinity of the Project site consists of residences. The closest off-site residences are located immediately adjacent east and south of the Project site.

Noise Monitoring Locations

Cypress Grove
City of Tustin

Figure 5.3-1

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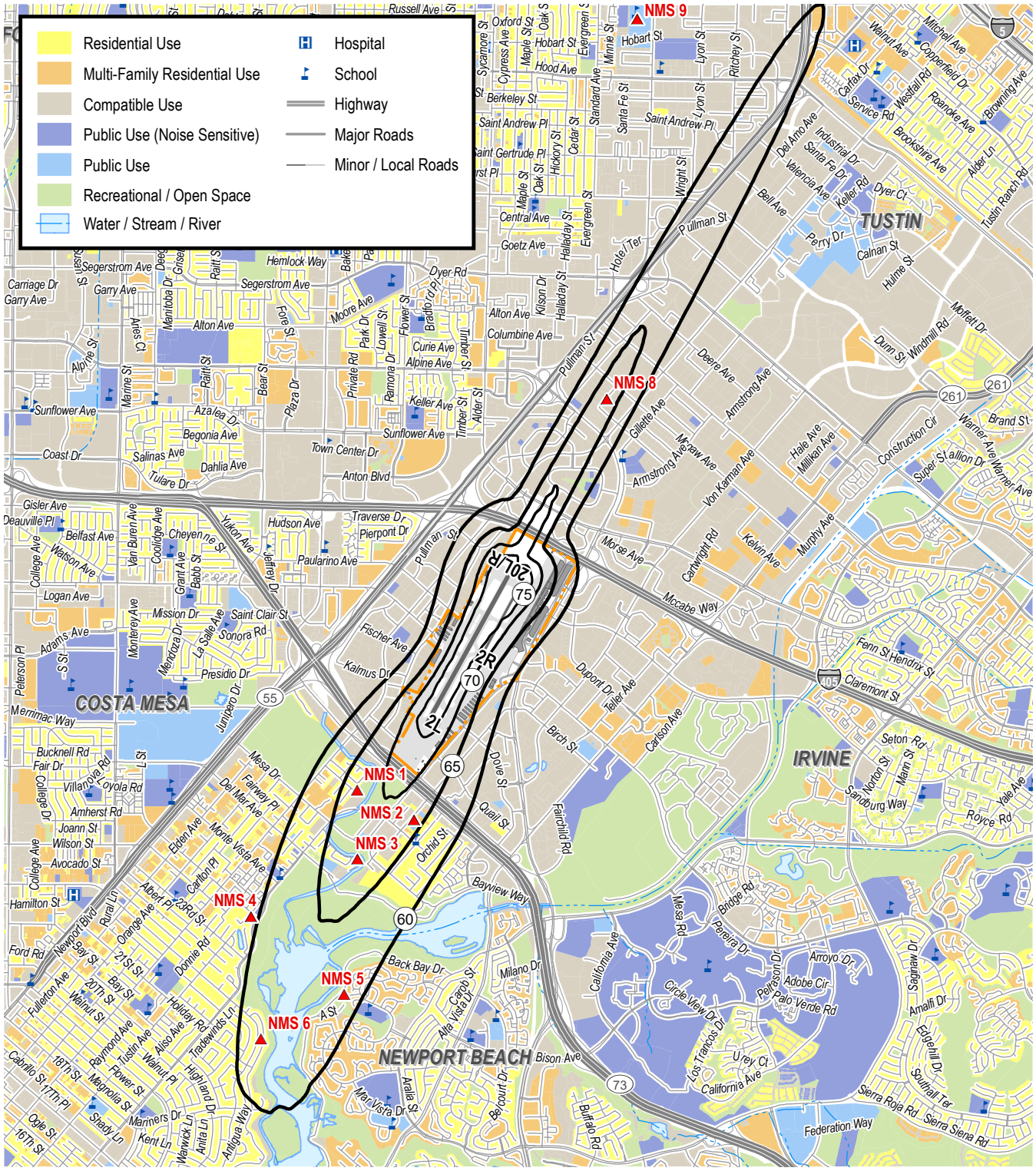
Airport Noise Contours



Cypress Grove
City of Tustin

Figure 5.3-2

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5.3.5 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a Project could have a significant effect if it were to result in:

NOI-1 Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

NOI-2 Generation of excessive groundborne vibration or groundborne noise levels.

NOI-3 For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

5.3.6 METHODOLOGY

A Noise and Vibration Impact Analysis was prepared for the Project to assess Project-level construction and operation-related noise and vibration impacts and is included as Appendix F (LSA, 2025).

Construction Noise

To identify the temporary construction noise contribution to the existing ambient noise environment, the construction noise levels anticipated from usage of construction equipment needed to implement the proposed Project were combined with the existing ambient noise level measurements at the sensitive receiver locations. The City does not have adopted thresholds for evaluating construction noise, which the Tustin City Code allows between certain hours. Therefore, even though the City does not have thresholds for construction noise, to evaluate the potential impacts associated with construction, construction noise was assessed using the criteria from the FTA's 2018 Transit Noise and Vibration Impact Assessment Manual. Table 5.3-1 shows the FTA's Detailed Assessment Construction Noise Criteria based on the composite noise levels:

Operational Noise

The primary source of noise associated with the operation from buildout of the proposed Project would be from vehicular trips. The expected roadway noise level increases from vehicular traffic were calculated using the Federal Highway Administration (FHWA) traffic noise prediction model and the average daily traffic volumes prepared for the proposed Project. As detailed in Appendix A, existing uses on the Project site generate approximately 2,092 average daily trips (ADT). The new proposed residential units would generate approximately 1,144 ADT, resulting in 948 fewer daily trips than the existing uses. The increase in noise levels generated by the vehicular trips have been quantitatively estimated and compared to applicable noise standards and thresholds of significance.

Secondary sources of noise would include new stationary sources (such as heating, ventilation, and air conditioning units) associated with the buildout of the new buildings on the Project site. The increase in noise levels generated by these activities has been qualitatively analyzed and additional requirements for future projects analysis are specified.

Vibration

Aside from noise levels, groundborne vibration would also be generated during construction at future buildout of the proposed Project by various construction-related activities and equipment; and could be generated by truck traffic traveling to and from the Project site. The potential ground-borne vibration levels

resulting from construction activities occurring from the proposed Project were estimated by data published by the Federal Transit Administration (FTA). Thus, the groundborne vibration levels generated by these sources have also been quantitatively estimated and compared to the applicable thresholds of significance listed previously.

5.3.7 ENVIRONMENTAL IMPACTS

IMPACT NOI-1: THE PROJECT WOULD NOT RESULT IN GENERATION OF A SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE VICINITY OF THE PROJECT IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES.

Less than Significant Impact.

Construction

As described in Section 3.0, *Project Description*, of this Draft EIR, the Project would demolish the existing Tustin Financial Plaza commercial center to develop 145 for-sale residential units on 8.5 acres in the City of Tustin. The Project would also include the reconstruction of one driveway entrance from Prospect Avenue, an internal access drive aisle, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences, as well as the closure of two existing driveways on 17th Street.

Construction activities for the residential units would include demolition of the surface parking lot, site preparation, grading, building construction, paving, and architectural coatings. As such, noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that can reach high levels when combined. Construction is expected to occur in the following stages: demolition, site preparation and grading, building construction, architectural coating, and paving. The project construction composite noise levels at a distance of 50 feet would range from 74 dBA Leq to 89 dBA Leq with the highest noise levels occurring during the site preparation and grading phases, as shown in Table 5.3-7.

Table 5.3-7: Construction Reference Noise Levels

Equipment Description	Acoustical Usage Factor (%)[1]	Maximum Noise Level (Lmax) at 50 Feet[2]
Auger Drill Rig	20	84
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Impact Pile Drivers	20	95
Jackhammers	20	85

Equipment Description	Acoustical Usage Factor (%)[1]	Maximum Noise Level (Lmax) at 50 Feet[2]
Paver	50	77
Pickup Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84
Trencher	50	80
Welder	40	73

Source: FHWA Roadway Construction Noise Model User's Guide, Table 1 (FHWA 2006). Note: Noise levels reported in this table are rounded to the nearest whole number.
1 Usage factor is the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power.
2 Maximum noise levels were developed based on Specification 721.560 from the Central Artery/Tunnel program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.
FHWA = Federal Highway Administration Lmax = maximum instantaneous sound level

Per the Tustin City Code Section 4616, construction activities are allowed only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays, with no activity allowed on Sundays and City-observed federal holidays (included as PPP NOI-1). Construction activities for the Project would occur within the City's designated hours and the Project would therefore be in compliance with the City's construction-related noise standards.

In addition, construction noise would be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. The typical operating cycle for a piece of construction equipment involves one or two minutes of full power operation followed by three or four minutes at lower power settings. Construction equipment for the Project is anticipated to include a combination of trucks, power tools, concrete mixers, and portable generators.

While construction noise would vary, it is expected that composite noise levels during construction at the nearest residential uses south and east of the Project would reach 72 dBA Leq. These predicted noise levels would only occur when all construction equipment is operating simultaneously and therefore, are conservative assumptions. The composite noise level of 89 dBA at 50 feet assumes all equipment is operating at once on the Project site within approximately 50 feet from one another. As shown on Table 5.3-8, construction noise from future buildout of the proposed Project at the nearby receptor locations would range from 70 to 72 dBA Leq, which would not exceed the 80 dBA Leq and 85 dBA Leq construction noise level criteria as established by the FTA for residential and commercial land uses, respectively. FHWA *Roadway Construction Noise Model* (FHWA 2006). While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the Project area under existing conditions, the noise impacts would no longer occur once construction is completed. Therefore, impacts related to construction noise would be less than significant.

Table 5.3-8: Construction Noise Level at Nearest Receptors

Receptor (Location)	Composite Noise Level (dBA Leq) at 50 feet[1]	Distance (feet)	Composite Noise Level (dBA Leq)
Residential (South)	89	330	72
Residential (East)		330	72
Residential and Commercial (West)		450	70
Residential and Commercial (North)		450	70

Source: Noise and Vibration Impact Analysis, 2025 (Appendix F)
1 The composite construction noise level represents the grading phase which is expected to result in the greatest noise level as compared to other phases.

Operation

Potential noise impacts associated with the operations of the proposed Project would be from Project-generated vehicular traffic on the nearby roadways and from on-site activities, as described below. The existing uses generate approximately 2,092 ADT and the proposed Project would generate approximately 1,144 ADT, resulting in 948 fewer daily trips.

Traffic Noise Impacts

Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires. The level of traffic noise depends on three primary factors: (1) the volume of traffic; (2) the speed of traffic; and (3) the number of trucks in the flow of traffic.

As detailed in Appendix A, buildout of the proposed Project is anticipated to generate approximately 1,144 ADT, including 76 trips during the AM peak hour and 100 trips during the PM peak hour. However, the Project reflects a net reduction in trips from existing, baseline conditions. Local access to the site is provided via 17th Street and Prospect Avenue. Table 5.3-9 provides the traffic noise levels for the existing with- and opening year with- Project. These noise levels represent the worst-case scenario, which assumes no shielding is provided between the traffic and the location where the noise contours are drawn.

As shown in Table 5.3-9, the increase in Project-related traffic noise would be no greater than 0.4 dBA from existing baseline conditions which is below the threshold of a 3.0 dBA noise level increase. Therefore, traffic noise impacts from the proposed Project on off-site sensitive receptors would be less than significant.

Stationary Noise Impacts

Adjacent off-site land uses would be potentially exposed to stationary-source noise impacts from the proposed on-site heating, ventilation, and air conditioning (HVAC) equipment and truck deliveries and loading and unloading activities. However, the Project would comply with Tustin City Code maximum noise level standards for on-site stationary sources, as described in PPP NOI-1. The most conservative assessment of potential impact would be the residences to the east, located approximately 40 feet away from the closest HVAC unit. After distance attenuation, noise generated from on-site HVAC equipment 40 feet from the proposed buildings would potentially reach up to 48.5 dBA L_{eq}, which would not exceed the City's exterior daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise standards of 55 dBA L_{eq} and 50 dBA L_{eq}, respectively, for residential uses. Further, noise associated with the on-site HVAC equipment would not exceed the City's noise standard and impacts related to stationary noise would be less than significant.

Table 5.3-9: Traffic Noise Levels Without and With Proposed Project

Roadway Segment	Existing – Without Project		Existing – With Project[1]			Opening Year – Without Project		Opening Year – With Project		
	ADT	CNEL (dBA) 50 ft from Centerline of Nearest Lane	ADT	CNEL (dBA) 50 ft from Centerline of Nearest Lane	Increase from Baseline Conditions (dBA)	ADT	CNEL (dBA) 50 ft from Centerline of Nearest Lane	ADT	CNEL (dBA) 50 ft from Centerline of Nearest Lane	Increase from Baseline Conditions (dBA)
17th Street West of Prospect Avenue	26,920	69.1	27,520	69.2	0.1	28,510	69.4	27,450	69.2	-0.2
17th Street East of Prospect Avenue	24,010	68.6	24,260	68.7	0.1	25,620	68.9	24,640	68.7	-0.2
Prospect Avenue North of 17th Street	8,980	64.6	9,030	64.6	0.0	9,780	65.0	9,670	64.9	-0.1
Prospect Avenue between 17th Street and Vandenberg Lane	9,130	64.4	9,980	64.8	0.4	10,270	64.9	10,000	64.8	-0.1
Prospect Avenue South of Vandenberg Lane	10,360	63.6	10,490	63.6	0.0	11,570	64.0	11,390	64.0	0.0
Vandenberg Lane West of Prospect Avenue	1,790	56.2	1,840	56.3	0.1	1,860	56.3	1,770	56.1	-0.2

Note: Shaded cells indicate roadway segments adjacent to the project site.
ADT = average daily traffic
CNEL= Community Noise Equivalent Level
dBA = A-weighted decibels
ft = foot/feet
Source: Appendix F
[1] The Project would reduce trips from existing conditions. However, for purposes to analyzing operational traffic noise against existing conditions, the analysis assumed that the Project's trips are "new" trips (added to the existing conditions, without accounting for any reduction of trips by removing the existing offices. Thus, the "Existing – With Project" scenario is conservative and does not represent actual conditions.

IMPACT NOI-2: THE PROJECT WOULD NOT RESULT IN GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS.

Less than Significant Impact.

Construction

As described previously, the Project would demolish the existing Tustin Financial Plaza commercial center to develop 145 for-sale residential units on 8.5 acres in the City of Tustin. The Project would also include the reconstruction of one driveway entrance from Prospect Avenue, an internal access drive aisle, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences, as well as the closure of two existing driveways on 17th Street.

Construction activities for future development of the proposed Project would include demolition, excavation, and grading activities, which have the potential to generate low levels of groundborne vibration. People working in close proximity to the construction could be exposed to the generation of excessive groundborne vibration or groundborne noise levels related to construction activities. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Site ground vibrations from construction activities very rarely reach the levels that can damage structures, but they can be perceived in the audible range and be felt in buildings very close to a construction site.

Demolition, excavation, and grading activities are required for the proposed Project and can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. In addition, Transportation and Construction Vibration Guidance Manual prepared by California Department of Transportation (Caltrans), has identified vibration at the level of 0.01 in/sec RMS is barely perceptible. Vibration at 0.04 in/sec RMS is considered distinctly perceptible and is considered the annoyance threshold (Appendix F). Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance.

Based on the reference vibration levels provided by Caltrans, as shown in Table 5.3-10, a large bulldozer represents the peak source of vibration with a reference velocity of 0.089 in/sec PPV or 0.062 in/sec RMS at 25 feet. All of the on-site and off-site receptors are farther than 25 feet from construction areas; and therefore, actual vibrations at sensitive receptors would be less.

Table 5.3-10: Vibration Source Levels for Construction Equipment

Equipment	Reference PPV/Lv at 25 feet	
	Peak Particle Velocity (inches/second)	RMS (inches/second)
Hoe Ram	0.089	0.062
Large Bulldozer[2]	**0.089**	**0.062**
Caisson Drilling	0.089	0.062
Loaded Trucks[2]	**0.076**	**0.053**
Jackhammer	0.035	0.025
Small Bulldozer	0.003	0.002

Source: Noise and Vibration Impact Analysis, 2025 (Appendix F)
[1] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
[2] Equipment shown in bold is expected to be used on site.
µin/sec = microinches per second; ft = foot/feet; FTA = Federal Transit Administration; in/sec = inch/inches per second; LV = velocity in decibels; PPV = peak particle velocity; RMS = root-mean-square; VdB = vibration velocity decibels

This construction vibration impact analysis discusses the level of human annoyance using vibration levels in RMS in/sec and assesses the potential for building damages using vibration levels in PPV in/sec. This is because vibration levels calculated in RMS are best for characterizing human response to building vibration, while vibration level in PPV is best for characterizing potential for damage.

A significant vibration impact due to structural damage could occur if construction activities of the Project generate vibration levels which exceed 0.3 in/sec at older residential structures or 0.5 in/sec PPV at newer residential structures and modern industrial or commercial buildings per Caltrans standards. The primary source of vibration during future construction would be the operation of a bulldozer. As shown on Table 5.3-11, a large bulldozer would create a vibration level of 0.089 in/sec PPV at 25 feet. According to the Noise and Vibration Impact Analysis prepared for the proposed Project, the vibration level at the nearest off-site structure (10 feet away) could experience ground-borne vibration at levels of up to 0.244 PPV in/sec. This vibration level would not exceed the Caltrans 0.3 in/sec PPV threshold considered safe for older residential structures and the 0.5 in/sec PPV threshold for newer residential structures and modern industrial or commercial buildings (Appendix F).

Table 5.3-11: Construction Vibration Damage Impact Levels at Nearest Receptors

Receptor (Location)	Reference Vibration Level (PPV) at 25 ft[1]	Distance (ft) [2]	Vibration Level (PPV)
Residential (South)	0.089	10	0.244
Residential (East)		10	0.244
Residential (West)		90	0.022
Commercial (West)		115	0.017
Residential (North)		130	0.015
Commercial (North)		150	0.012

Source: Noise and Vibration Impact Analysis, 2025 (Appendix F)

[1] The reference vibration level is associated with a large bulldozer which is expected to be representative of the heavy equipment used during construction.

[2] The reference distance is associated with the peak condition, identified by the distance from the perimeter of construction activities to surrounding structures

A significant vibration impact due to annoyance could occur if construction activities of the Project generate vibration levels which exceed 0.04 in/sec RMS. As shown below in Table 5.3-12, Project construction vibration levels would be expected to approach 0.004 in/sec RMS at the closest receptors. Therefore, Project construction would not be anticipated to result in significant vibration related to annoyance.

Additionally, Section 4616 of the Tustin City Code specifies that noise sources associated with construction activities are prohibited before 7:00 a.m. and after 6:00 p.m., Monday through Friday; before 9:00 a.m. and after 5:00 p.m. on Saturdays; anytime on Sundays; or anytime during City-observed federal holidays (included as PPP NOI-1). As such, construction related vibration would not occur during sensitive nighttime hours. Therefore, impacts related to construction vibration would be less than significant.

Table 5.3-12: Potential Construction Vibration Annoyance Impacts at Nearest Receptor

Receptor (Location)	Reference Vibration Level (RMS in/sec) at 25 ft1	Distance (ft) 2	Vibration Level (RMS in/sec)
Residential (South)	0.062	330	0.004
Residential (East)		330	0.004
Residential and Commercial (West)		450	0.003
Residential and Commercial (North)		450	0.003

Source: Noise and Vibration Impact Analysis, 2025 (Appendix F)

1 The reference vibration level is associated with a large bulldozer, which is expected to be representative of the heavy equipment used during construction.

2 The assessment distance is associated with the average condition, identified by the distance from the center of construction activities to surrounding uses.

ft = foot/feet

in/sec = inches per second

RMS = Root-mean-square

Operation

As described previously, the Project would result in the development of 145 for-sale residential units on 8.5 acres in the City of Tustin. Potential vibration impacts associated with the operations of the proposed Project would be from vehicular traffic such as heavy trucks for residents moving in and out of the units and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, vibration levels generated from Project-related traffic on the adjacent roadways by on-road vehicles would not be excessive because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. The residential development would not generate a considerable level of heavy truck traffic or any other source of vibration. Thus, operational vibration impacts would be less than significant.

IMPACT NOI-3: THE PROJECT WOULD NOT, FOR A PROJECT LOCATED WITHIN THE VICINITY OF A PRIVATE AIRSTRIP OR AN AIRPORT LAND USE PLAN, OR WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS.

No Impact.

The Project site is located approximately 5.58 miles northeast of John Wayne Airport. According to the John Wayne Airport AELUP and as illustrated in Figure 5.3-2, *Airport Noise Contours*, the Project site is not located within the 65 dBA CNEL noise contours (Airport Land Use Commission for Orange County, 2008). No other airports exist within the vicinity of the Project. Thus, implementation and development of the Project would not result in a safety hazard or exposure to excessive noise for people residing or working in the area, and impacts would be less than significant.

5.3.8 CUMULATIVE IMPACTS

Cumulative noise assessment considers development of the proposed Project in combination with ambient growth and other development projects within the vicinity of the Project site, as identified in Table 5-1, *Cumulative Projects*, in Section 5.0, *Environmental Impact Analysis*. As noise and vibration are localized phenomena, and drastically reduce in magnitude as distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed Project to result in cumulative noise impacts. As shown in Figure 5-1, *Cumulative Projects*, there are no other projects adjacent to or within hearing

distance of the Project site. The closest cumulative project is Cumulative Project No. 32 (Medical Office Bldg.), which demolished an existing restaurant building and is constructing a 12,320 SF institutional building approximately 650 feet northeast of the Project site, along 17th Street. Cumulative Project No. 32 was approved by the Planning Commission on May 24, 2022, and is currently under construction, likely to be completed before construction for the proposed Project begins. Therefore, it is unlikely construction activities for the proposed Project would combine with Cumulative Project No. 32. Additionally, 17th Street separates the two projects, thus construction noise and vibration levels from the Project would not combine to become cumulatively considerable. Construction of the proposed Project and other cumulative projects shown in Figure 5-1 could also have overlapping construction; however, these projects are farther away and in different stages of development, thus concurrent construction of the same activities are not anticipated to occur.

In addition, Tustin City Code Article 4, Chapter 6, Section 4616 limits noise producing construction activities to the hours of 7:00 a.m. and 6:00 p.m. on weekdays, between 9:00 a.m. and 5:00 p.m. on Saturdays, and prohibits construction activities anytime on Sunday or City-observed federal holidays. Thus, no cumulative construction noise or vibration would occur during the evening hours and cumulative noise and vibration impacts would be less than significant.

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed Project and related projects within the study area. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the traffic volumes on the roadways in the Project vicinity. The increase in noise levels associated with the traffic volumes of the proposed Project were previously identified. As shown, the proposed Project would result in noise levels much lower than the 3 dBA threshold. Thus, cumulative impacts associated with traffic noise would be less than significant.

5.3.9 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

- Tustin City Code Article 4, Chapter 6, Section 4616

Plans, Programs, or Policies

PPP NOI-1: Construction Hours. Per the Tustin City Code Section 4616, construction activities are allowed only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and between 9:00 a.m. to 5:00 p.m. on Saturdays with no activity allowed on Sundays and City-observed federal holiday.

5.3.10 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Impacts related to Impact NOI-1 and NOI-2 would be less than significant. Impact NOI-3 would have no impact.

5.3.11 MITIGATION MEASURES

No mitigation measures are required.

5.3.12 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to Impact NOI-1 and NOI-2 would be less than significant. Impact NOI-3 would have no impact.

5.3.13 REFERENCES

Airport Land Use Commission for Orange County. (2008, April). *Airport Land Use Commission*. Retrieved from John Wayne Airport Orange County: https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/

City of Tustin. (2018, November). *City of Tustin General Plan*. Retrieved from City of Tustin: https://www.tustinca.org/396/General-Plan

City of Tustin. (2025). *Chapter 6, Noise Control*. Retrieved from City of Tustin Municipal Code: https://library.municode.com/ca/tustin/codes/code_of_ordinances?nodeId=ART4HESA_CH6NOCO_4617EX

LSA. (2025). *Noise and Vibration Impact Analysis*. Appendix F.

5.4 Tribal Cultural Resources

5.4.1 INTRODUCTION

This section addresses potential impacts to tribal cultural resources (TCRs) from implementation of the proposed Project. Information within this section is based on the following:

- *City of Tustin General Plan*, adopted November 2018
- *Archaeological Resources Study for the Prospect and 17th Street*, prepared by BFSA Environmental Services, April 2025, included as Appendix C

Additionally, part of this analysis is based upon Project-specific coordination and consultation with California Native American tribes that are traditionally and culturally affiliated with the Project region. In accordance with Public Resources Code Section 21082.3 and CEQA Guidelines Section 15120(d), certain information and communications that disclose the location of archaeological sites and sacred lands are allowed to be exempt from public disclosure.

5.4.2 REGULATORY SETTING

5.4.2.1 Federal Regulations

Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) of 1979 regulates the protection of archaeological resources and sites on federal and Native American lands. The ARPA regulates authorized archaeological investigations on federal lands; increased penalties for looting and vandalism of archaeological resources; and required that the locations and natures of archaeological resources be kept confidential in most cases. In 1988, amendments to the ARPA included a requirement for public awareness programs regarding archaeological resources.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law passed in 1990 that mandates museums and federal agencies to return certain Native American cultural items—such as human remains, funerary objects, sacred objects, or objects of cultural patrimony—to lineal descendants or culturally affiliated Indian tribes.

5.4.2.2 State Regulations

California Public Resources Code

Archaeological resources are protected pursuant to a wide variety of State policies and regulations enumerated under the California Public Resources Code (PRC). In addition, cultural resources are recognized as nonrenewable resources and therefore receive protection under the PRC and the California Environmental Quality Act (CEQA).

PRC Sections 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites and identify the powers and duties of the Native American Heritage Commission (NAHC).

These sections also require notification to descendants of discoveries of Native American human remains and provide for treatment and disposition of human remains and associated grave goods.

California Assembly Bill 52

Assembly Bill 52 (AB 52) established a requirement under CEQA to consider "tribal cultural values, as well as scientific and archaeological values when determining impacts and mitigation." PRC Section 21074(a) defines TCRs as "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" that are either "[i]ncluded or determined to be eligible for inclusion in the California Register of Historical Resources" or "in a local register of historical resources." Additionally, defined cultural landscapes, historical resources, and archaeological resources may be considered TCRs. PRC Section 21074(b), (c). The lead agency may also in its discretion treat a resource as a TCR if it is supported with substantial evidence.

Projects for which a Notice of Preparation for a Draft EIR was filed on or after July 1, 2015, are required to have lead agencies offer California Native American tribes traditionally and culturally affiliated with the project area consultation on CEQA documents prior to submitting an EIR in order to protect TCRs. PRC Section 21080.3.1(b) defines "consultation" as "the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement." Consultation must "be conducted in a way that is mutually respectful of each party's sovereignty [and] recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance." The consultation process is outlined as follows:

1. California Native American tribes traditionally and culturally affiliated with the project area submit written requests to participate in consultations.
2. Lead agencies are required to provide formal notice to the California Native American tribes that requested to participate within 14 days of the lead agency's determination that an application package is complete or decision to undertake a project.
3. California Native American tribes have 30 days from receipt of notification to request consultation on a project.
4. Lead agencies initiate consultations within 30 days of receiving a California Native American tribe's request for consultation on a project.
5. Consultations are complete when the lead agencies and California Native tribes participating have agreed on measures to mitigate or avoid a significant impact on a TCR, or after a reasonable effort in good faith has been made and a party concludes that a mutual agreement cannot be reached (PRC Sections 21082.3(a), (b)(1)-(2); 21080.3.1(b)(1)).

AB 52 requires that the CEQA document disclose significant impacts on TCRs and discuss feasible alternatives or mitigation to avoid or lessen an impact.

California Health and Safety Code Section 7050.5

Health & Safety Code Section 7050.5 requires that if human remains are discovered within the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he/she shall contact, by telephone within 24 hours, the NAHC.

5.4.2.3 Local and Regional Regulations

City of Tustin General Plan

The City's General Plan includes policies related to TCRs in the Conservation, Open Space, and Recreation Element that include the following (City of Tustin, 2018):

Conservation/Open Space/Recreation Element

Goal 12 **Maintain and enhance the City's unique culturally and historically significant building sites or features.**

Policy 12.1 Identify, designate, and protect facilities of historical significance, where feasible.

Policy 12.2 Retain and protect significant areas of archaeological, paleontological, or historical value for education and scientific purposes.

Policy 12.3 Development adjacent to a place, structure or object found to be of historic significance should be designed so that the uses permitted and the architectural design will protect the visual setting of the historical site.

Goal 13 **Preserve Tustin's archaeological and palaeontologic resources.**

Policy 13.1 Require a site inspection by certified archaeologists or paleontologists for new development in designated sensitive areas.

Policy 13.2 Require mitigation measures where development will affect archaeological or paleontological resources.

5.4.3 ENVIRONMENTAL SETTING

Tribal Cultural Resources

A records search from the South Central Coastal Information Center (SCCIC) at California State University, Fullerton was completed for the Project site with a one-mile radius (Appendix C). Based on the records search results, no resources are recorded within the Project site. However, the records search identified four previously recorded historic resources within the 1-mile radius. These resources include the historic Red Hill Water Company Pumping Plant, a historic single-family residence, the Tustin Old Town Historic Resources District, and a historic church. The records search results also indicated that 18 cultural resource studies have been conducted within a 1-mile radius of the Project site, none of which include any portion of the Project site boundaries.

TCRs can include archaeological sites, built environment resources, locations of events or ceremonies, resource procurement areas, and natural landscape features with special significance to one or more indigenous groups. A Sacred Lands File (SLF) search was requested from the NAHC on February 18, 2025. On March 4, 2025, the NAHC responded with a list of Native American tribes affiliated with the area and that the SLF search yielded negative results for known TCRs or sacred lands within a 1-mile radius of the Project site.

5.4.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a Project could have a significant effect if it were to:

TCR-1 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or

TCR-2 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

5.4.5 METHODOLOGY

In compliance with AB 52, on March 26, 2025, the City sent letters to the following Native American tribes that may have knowledge regarding TCRs in the Project vicinity:

- Campo Band of Diegueno Mission Indians
- Ewiiaapaayp Band of Kumeyaay Indians
- Gabrieleno Band of Mission Indians Kizh Nation
- Gabrieleno Tongva San Gabriel Band of Mission Indians
- Gabrielino Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino Tongva Tribe
- Juaneno Mission Indians Acjachemen Belardes
- Juaneno Band of Mission Indians Acjachemen Nation 84A
- La Posta Band of Diegueno Mission Indians
- Manzanita Band of Kumeyaay Nation
- Mesa Grande Band of Diegueno Mission Indians
- Pala Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians
- Soboba Band of Luiseno Indians

The Gabrieleño Band of Mission Indians – Kizh Nation responded to the City on April 4, 2025. Consultation with the Gabrieleño Band of Mission Indians – Kizh Nation occurred via email and concluded on July 10, 2025. In addition, the Juaneno Band of Mission Indians Acjachemen responded to the City on April 24, 2025. Consultation with the Juaneno Band of Mission Indians Acjachemen occurred via email and concluded on June 3, 2025. No other tribes requested to consult.

5.4.6 ENVIRONMENTAL IMPACTS

IMPACT TCR-1: THE PROJECT WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A TRIBAL CULTURAL RESOURCE, DEFINED IN PUBLIC RESOURCES CODE § 21074 AS EITHER A SITE, FEATURE, PLACE, CULTURAL LANDSCAPE THAT IS GEOGRAPHICALLY DEFINED IN TERMS OF THE SIZE AND SCOPE OF THE

LANDSCAPE, SACRED PLACE, OR OBJECT WITH CULTURAL VALUE TO A CALIFORNIA NATIVE AMERICAN TRIBE, AND THAT IS 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 § 5020.1(K).

Less than Significant Impact with Mitigation Incorporated. AB 52 requires meaningful consultation between lead agencies and California Native American tribes regarding potential impacts on TCRs. As described above, TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (PRC Section 21074). As outlined above, the City sent letters to 21 Native American representatives, notifying them of the proposed Project in accordance with AB 52.

A response was received from the Gabrieleño Band of Mission Indians – Kizh Nation on April 4, 2025, requesting consultation for the Project. The Juaneno Band of Mission Indians Acjachemen responded on April 24, 2025, requesting applicable documents to the Project as well as consultation for the Project. After review of requested documents, the Juaneno Band of Mission Indians Acjachemen had no further comments and concluded consultation on June 3, 2025.

Consultation via email with Kizh Nation began on April 4, 2025. On June 18, 2025, the City of Tustin provided their proposed mitigation measures for consideration to the tribe, which were rejected by Kizh Nation. Kizh Nation suggested alternative mitigation measures. The City of Tustin determined that a mutual agreement cannot be reached and considers that the City has acted in good faith and a reasonable effort has been made; therefore, allowing the City of Tustin to move forward with the Project pursuant to Section 21080.3.2(b) of the Public Resources Code. The City of Tustin considered the provided mitigation measures but decided to proceed with their originally proposed mitigation measures and closed consultation with Kizh Nation on July 10, 2025. Project-specific Mitigation Measures TCR-1 through TCR-3 would be implemented to require Native American monitoring during any ground disturbing activities on the Project site and to avoid potential impacts to TCRs that may be unearthed by Project construction activities. With implementation of Project-specific Mitigation Measures TCR-1 through TCR-3, impacts to TCRs would be less than significant.

IMPACT TCR-2: THE PROJECT WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A TRIBAL CULTURAL RESOURCE, DEFINED IN PUBLIC RESOURCES CODE § 21074 AS EITHER A SITE, FEATURE, PLACE, CULTURAL LANDSCAPE THAT IS GEOGRAPHICALLY DEFINED IN TERMS OF THE SIZE AND SCOPE OF THE LANDSCAPE, SACRED PLACE, OR OBJECT WITH CULTURAL VALUE TO A CALIFORNIA NATIVE AMERICAN TRIBE, AND THAT IS A RESOURCE DETERMINED BY THE LEAD AGENCY, IN ITS DISCRETION AND SUPPORTED BY SUBSTANTIAL EVIDENCE, TO BE SIGNIFICANT PURSUANT TO CRITERIA SET FORTH IN SUBDIVISION (C) OF PUBLIC RESOURCES CODE § 5024.1. IN APPLYING THE CRITERIA SET FORTH IN SUBDIVISION (C) OF PUBLIC RESOURCE CODE § 5024.1, THE LEAD AGENCY SHALL CONSIDER THE SIGNIFICANCE OF THE RESOURCE TO A CALIFORNIA NATIVE AMERICAN TRIBE.

Less than Significant Impact with Mitigation Incorporated. As described in the previous response, the Project site has been heavily disturbed for construction of the existing buildings and infrastructure. Additionally, although no TCRs were identified during the Project's AB 52 consultation, Kizh Nation stated that the proposed Project lies within its ancestral tribal territory and proposed mitigation measures. Thus, the City has incorporated Mitigation Measures TCR-1 through TCR-3 to provide for Native American resource sensitivity training, monitoring, and to prescribe activities should any inadvertent discoveries of TCRs be unearthed by Project construction activities.

In addition, California Health and Safety Code Section 7050.5 requires that if human remains are discovered on the Project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation (PPP CUL-1). If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC (PPP TCR-1). Therefore, with implementation of Project-specific Mitigation Measures TCR-1 through TCR-3 and existing regulations, impacts to TCRs considered significant to a California Native American Tribe would be less than significant.

5.4.7 CUMULATIVE IMPACTS

The cumulative study area for TCRs includes the city of Tustin and adjacent cities, which contains the same general tribal historical setting. Other projects in the Project's vicinity, as identified in Section 5.0, *Environmental Impact Analysis*, Table 5-1, Cumulative Projects could reveal buried TCRs.

However, all Projects in the City and neighboring cities would be required to comply with applicable regulations and tribal consultations, such as AB 52. As described above, the Project site and immediate vicinity is not known to contain TCRs; however, Mitigation Measures TCR-1, TCR-2 and TCR-3 would be implemented to ensure that impacts would not occur in the case of an inadvertent discovery of a potential TCR. These mitigation measures would ensure that the proposed Project would not contribute to a cumulative loss of TCRs. Therefore, cumulative impacts would be less than significant with mitigation.

5.4.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

- California Government Code Sections 5097.9-5097.99
- California Health and Safety Code Section 7050.5
- California Public Resources Code Sections 21073 et seq. (AB 52)

Plans, Programs, or Policies

The following Plans, Programs, or Policies (PPP) related to TCRs are incorporated into the Project and would reduce impacts related to TCRs. These actions will be included in the Project's Mitigation Monitoring and Reporting Program (MMRP):

PPP TCR-1: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

PPP CUL-1: Human Remains. In the event that human remains are encountered on the Project site, work within 50 feet of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. Prior to the issuance of grading permits, the City Community Development Department Director, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

5.4.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Without mitigation, Impacts TCR-1 and TCR-2 would be potentially significant.

5.4.10 MITIGATION MEASURES

TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

a. Prior to the issuance of demolition or grading permits for any projects that would disturb previously undisturbed soils (native soils) or soils that have native fill, the project applicant/developer shall retain a Native American Monitor, with first preference given to the Gabrieleño Band of Mission Indians – Kizh Nation, who responded to the City's request for consultation on April 4, 2025 (first preference Tribe, Tribe). The applicant/developer shall allow 45 days from the initial contact with the first preference tribe to enter into a contract for monitoring services. If the applicant/developer is unable to contact the Kizh Nation after three documented attempts or is unable to secure an agreement, the applicant shall report to the lead agency, and the lead agency will contact the Kizh Nation to validate that the parties were unable to enter into an agreement. The applicant/developer shall have made three documented attempts to directly contact the Kizh Nation to enter into a tribal monitoring agreement. If the applicant/developer can demonstrate they were unable to secure an agreement with the first preference tribe, as validated and documented by the Community Development Department in writing, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the applicant/developer may retain an alternative qualified tribal monitor from a culturally affiliated tribe if approved by the City.
   The monitor shall be retained prior to the issuance of a demolition permit or grading permit, and the commencement of any development related "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, auguring, grubbing, boring, grading, excavation, drilling, and trenching for the purposes of reconstruction and new development. "Ground-disturbing activity" shall not include minor maintenance activities such as potholing, tree removal, and parking lot maintenance.
b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Kizh Nation. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the consulting tribe. If a monitor is selected from a tribe other than the Kizh Nation, the Kizh Nation shall be contacted if any discoveries are found.
d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the consulting tribe from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities and that have the potential to impact local TCRs on the project site or in connection with the project are complete.

TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial).

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the tribal monitor and consulting archaeologist. If the consulting tribe is other than the Gabrieleño Band of Mission Indians – Kizh Nation, the Kizh Nation shall be contacted and the consulting tribe will recover and retain all discovered TCRs in the form and/or manner the Kizh Nation deems appropriate, in the Kizh Nation sole discretion, and for any purpose the Kizh Nation deems appropriate, including for educational, cultural and/or historic purposes.

TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.

a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
b. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
d. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
e. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

5.4.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The Mitigation Measures identified above, along with existing regulatory programs, would reduce potential impacts associated with TCRs for Impact TCR-1 and TCR-2 to a level that is less than significant. Therefore, no significant and unavoidable adverse impacts related to TCRs would occur.

5.4.12 REFERENCES

BFSA Environmental Services. (2025). *Archaeological Resources Study for the Prospect and 17th Project.* Appendix C.

City of Tustin. (2018, November). *City of Tustin General Plan.* Retrieved from City of Tustin: https://www.tustinca.org/396/General-Plan

6. Other CEQA Considerations

6.1 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

State CEQA Guidelines Section 15126.2(c) requires an EIR to describe "any significant impacts, including those which can be mitigated but not reduced to a level of insignificance." As described in detail in Section 5 of this Draft EIR, implementation of the Project would result in environmental impacts that cannot be reduced to a level below significance after implementation of regulatory requirements, plans, programs, and policies, and feasible mitigation measures. The significant impacts that cannot be mitigated to a level below significant are summarized below.

Cultural Resources

Impact CUL-1, **Historical Resources (Project-level and Cumulative).** The Project would demolish all five existing buildings within the Project site (Tustin Financial Plaza) to construct the proposed 145 for-sale residential units. As described in Section 5.2, *Cultural Resources*, the five existing buildings would not be eligible for listing under the California Register of Historical Resources (CRHR) Criterion 1, 2, or 4 or the Local Register Criterion 1, 2, 5, 6, and 7. However, the five existing buildings would be eligible under both CRHR Criterion 3 and Local Register Criterion 3 and 4, as the buildings include many of the character defining features of the New Formalism style and are representative of the early commercial work of architect Leason Pomeroy III. As such, the five existing buildings would be considered eligible for listing under the CRHR and Local Register and are historically significant. Therefore, implementation of the proposed Project would result in a substantial adverse change in the significance of the Tustin Financial Plaza, a significant historical resource.

Mitigation Measure HIST-1 would be implemented, which would require high-resolution digital photographs of the Tustin Financial Plaza from historically appropriate viewpoints, and a submission of a full-documentation package (historic report and photographs) to the City's Planning Department. While Mitigation Measure HIST-1 would reduce impacts as it would support research in the context of the city's local architecture and would provide reference photography for future architectural historians studying the regional architecture, impacts would not be reduced to a less-than-significant level. Demolition of the five existing buildings would continue to result in a substantial adverse effect on a historical resource; therefore, impacts would remain significant and unavoidable after implementation of mitigation.

6.2 GROWTH INDUCEMENT

State CEQA Guidelines Section 15126.2(e), *Growth Inducing Impact of the Proposed Project*, requires that an EIR "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." The CEQA Guidelines also indicate that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. In general terms, a project may foster spatial, economic, or population growth in a geographic area, if it meets any one of the following criteria:

1. Directly or indirectly foster economic or population growth, or the construction of additional housing, in the surrounding environment;
2. Remove obstacles to population growth;
3. Require the construction of new or expanded facilities that could cause significant environmental effects; or

4. Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

1. Does the Project directly or indirectly foster economic or population growth or the construction of additional housing?

The growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in master plans, land use plans, or in projections made by regional planning agencies.

As described in Section 3.0, *Project Description*, the Project site currently contains the "Tustin Financial Plaza," a commercial plaza with five buildings that provide a total of 193,000 square feet (SF) of office use. The Project proposes to demolish the existing buildings and redevelop the site with 145 for-sale residential units on 8.5 acres in the City of Tustin.

The Project site currently has a General Plan land use designation of Planned Community Commercial/Business (PCCB). While the PCCB land use designation primarily allows a variety of miscellaneous retail, professional office, and service-oriented business activities, the PCCB designation also permits residential uses. Further, the General Plan states that the overall population density range for residential use within the PCCB designation shall be 2 to 54 persons per acre (City of Tustin, 2018). The Project site is approximately 8.5 acres, which would result in a maximum allowance of 459 persons (54 persons x 8.5 acres). Additionally, the Project site is currently zoned as Planned Community Business Park (PC BUS PARK) would require a zone change to PC RES to allow for residential uses on the Project site.

The California Department of Finance (CDF) data details that the City of Tustin has a residential population of 78,844, and 28,649 housing units as of May 2024 (California Department of Finance, 2024). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the proposed 145 residential units would be anticipated to result in generation of 396 new residents. The anticipated population generated by the Project would be below the approved General Plan capacity of the Project site (459 persons) (City of Tustin, 2018). Therefore, the Project would be consistent with the General Plan buildout assumptions and would not result in population in excess of what is assumed in existing land use plans.

In addition, as shown in Table 6-1, the City of Tustin and the County of Orange are "jobs rich", with an existing jobs-housing ratio of 1.91 and 1.67, respectively. The proposed Project would reduce (improve) the jobs-housing ratio slightly by adding 145 residential units. The proposed Project would provide a regional beneficial effect of providing the opportunity for housing on the Project site in a jobs-rich area, where future residents can easily travel to nearby employment opportunities.

Table 6-1: Jobs – Housing Trends in the City of Tustin

	Employment in 2019	Number of Dwelling Units in 2019	2019 Jobs to Housing Ratio	Employment in 2050	Number of Dwelling Units in 2050	2050 Jobs to Housing Ratio
City of Tustin	51,700	27,000	1.91	71,300	34,000	2.1
County of Orange	1,805,000	1,069,000	1.67	2,019,000	1,253,000	1.61

Source: (Southern California Association of Governments, 2024)

Lastly, the future 145 residential units would not exceed the latest Southern California Association of Governments (SCAG) growth projections for dwelling units in Tustin and would instead represent a nominal

percentage of SCAG's projections for the City. Thus, the proposed Project provides housing and would not result in the development of housing in excess of what is assumed in existing regional growth plans.

Therefore, the proposed Project would not result in the need for additional development to support the proposed Project and would not result in a substantial direct or indirect impact on the environment.

2. Does the Project remove obstacles to population growth?

The elimination of a physical obstacle to growth is considered to be a growth-inducing impact. A physical obstacle to growth typically involves the lack of public service infrastructure. The proposed Project would induce growth if it would provide public services or infrastructure with excess capacity to serve lands that would otherwise not be developable or to expand the development potential of redevelopment areas.

As described in Section 3.0, *Project Description*, the Project site is currently developed as a business park supporting office use. Under the proposed Project, several utility improvements would be implemented.

The existing driveway on 17th Street would be closed off and would be replaced with sidewalks. The Project would restripe the eastbound merge lane upon closure of the 17th Street driveway. Thus, access to the site would be limited to Prospect Avenue. Additionally, a Class I off-street bike path is proposed within the existing public right-of-way along 17th Street, which would improve pedestrian and bicycle circulation within the City. The proposed roadway and bicycle improvements would accommodate the safe passage of vehicles, pedestrians, and bicyclists accessing the Project site. The Project does not propose roadway extensions into new undeveloped areas that would allow for additional growth and development.

In addition, existing water and sewer lines are sized to accommodate the future demands of the proposed Project. The Project would not expand water or sewer services into new or unplanned areas. The proposed infrastructure improvements have been designed to only serve the demands of the Project. Therefore, the Project would not result in significant growth-inducing impacts.

3. Does the proposed Project require the construction of new or expanded facilities that could cause significant environmental effects?

Growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services that requires the construction of new public service facilities, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The proposed Project is expected to incrementally increase the demand for fire protection and emergency response, police protection, and school services. However, as described in Section 5.15 of Appendix A, the proposed Project would not require development of additional facilities or expansion of existing facilities to maintain existing levels of service. Based on service ratios and buildout projections, the proposed Project would not create a demand for services beyond the capacity of existing facilities. Therefore, an indirect growth-inducing impact as a result of expanded or new public facilities that could support other development in addition to the proposed Project would not occur. The proposed Project would not have significant growth-inducing consequences that would require the need to expand public services to maintain desired levels of service

4. Does the Project encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively?

Operation of the Project would result in the occupancy of residential units. The proposed Project does not involve any other action or activity that could significantly affect the environment. The Project would be implemented in compliance with the existing General Plan and Tustin City code. The proposed Project does not propose changes to any of the City's building safety standards (e.g., building, grading, plumbing,

mechanical, electrical, or fire codes). The Project would comply with all applicable City plans, policies, and ordinances. In addition, Project features and mitigation measures have been identified within this Draft EIR to ensure that the Project minimizes environmental impacts to the maximum extent feasible. Thus, the Project would not involve any precedent-setting action that could encourage and facilitate other activities that significantly affect the environment.

6.3 SIGNIFICANT IRREVERSIBLE EFFECTS

State CEQA Guidelines require the EIR to consider whether "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely…. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified" (CEQA Guidelines Section 15126.2(d)). "Nonrenewable resource" refers to physical features of the environment (e.g., mineral resources), that cannot be feasibly restored once removed. These irreversible environmental changes may include current or future uses of nonrenewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources is not justified (e.g., the project involves the wasteful use of energy).

The Project would result in or contribute to the following irreversible environmental changes:

- Lands in the Project site would be committed to residential uses once the proposed residential units are constructed. Secondary effects associated with this irreversible commitment of land resources include:
    - Emissions of air pollutants associated with construction and operation of the proposed Project (see Section 5.1, Air Quality).
    - Removal of existing historic structures associated with demolition during construction of the proposed Project (see Section 5.2, Cultural Resources).
    - In regard to energy usage from development of the proposed Project, as demonstrated in the analyses contained in Appendix A, the proposed Project would not involve wasteful or unjustifiable use of nonrenewable resources, and conservation efforts would be enforced during construction and operation of proposed development, as ensured and verified by the City during the plan check and permitting process. The proposed Project would incorporate energy-generating and conserving Project design features, including those required by the California Green Building Standards Code (Title 24, Part 11), which specify green building standards for new developments. Project-specific information related to energy consumption is provided in Appendix A.

6.4 REFERENCES

California Department of Finance. (2024). *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024*. Retrieved from California Department of Finance:

https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/

City of Tustin. (2018, November). *City of Tustin General Plan*. Retrieved from https://www.tustinca.org/DocumentCenter/View/713/City-of-Tustin-General-Plan-PDF

Southern California Association of Governments. (2024). *Demographics and Growth Forecast Technical Report*.

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7. Effects Found Not Significant

CEQA Guidelines Section 15126.2(a) states that "[a]n EIR shall identify and focus on the significant effects on the environment". During the preparation of this EIR, the Project was determined to have no potential to result in significant impacts under 18 environmental issue areas as described below. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 5, *Environmental Impact Analysis*.

CEQA Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. As allowed by CEQA Guidelines Section 15128, statements related to the above listed topic areas are presented below.

7.1 AESTHETICS

Scenic Vista

The view of the Peters Canyon Ridgeline to the east of the Project site is obstructed by surrounding buildings and trees. However, the Project site is bordered by 17th Street to the north, which offers limited public views of Peters Canyon Ridgeline to motorists, bicyclists, and pedestrians traveling eastbound. The topography of the site and surrounding area is flat, and there are no scenic vistas or unique topographic features that are visible within the boundary of the Project site. Further, while limited views are available from 17th Street, the Project site is located south of the roadway and redevelopment would occur only within the site boundary, therefore, the Project would not further obstruct public views from 17th Street. Further, the site contains existing commercial office buildings ranging from two stories to four stories. The Project would redevelop the site with three-story residences, which would be similar in height, thus the Project would not substantially alter the existing landscape. As such, redevelopment of the Project site with three-story residences would not obstruct, interrupt, or diminish a scenic vista; and impacts would not occur.

Scenic Highway

According to the California Department of Transportation (Caltrans) Scenic Highway Map, the City of Tustin does not contain any scenic highways within or surrounding the City (California Department of Transportation, 2018). The nearest State scenic highway is Route 91 in the City of Anaheim, approximately 7 roadway miles to the north. According to the County of Orange General Plan, there are no designated scenic roadways or scenic vistas in the Project vicinity (County of Orange, 2012). Therefore, the Project would have no impact on scenic resources within a State scenic highway.

Conflict with Regulations Governing Scenic Quality

The Project site is located within an urbanized area and is surrounded by residential and commercial uses. The Project site is developed with four two-story commercial office buildings, one four-story commercial office building, a parking lot, and ornamental landscaping. The existing character of the site and surrounding area is neither unique nor of special aesthetic value or quality.

The Project would be consistent with the existing General Plan land use designation of PCCB. In addition, the Project site is currently zoned PC BUS PARK. The Project would include a zone change from PC BUS PARK to PC RES to allow for the development of the proposed residential units. Pursuant to Tustin City Code Section 9244, the Planned Community (PC) District Zone does not have prescriptive development standards; rather, the Project would establish custom development standards as part of the development plan, including supplementary text materials. The proposed development standards with which the Project would comply

would be compatible with the character and quality of existing surrounding uses, which would be ensured through the City's design review and plan check processes.

Further, the Project would redevelop the site with three-story residences, which would be similar in height to the existing commercial plaza, and a minimum 6-foot setback from the right-of-way would be implemented with the sidewalk and landscape as a buffer. Therefore, the Project would not substantially alter the existing aesthetic environment, would result in a similar or improved visual character and quality of the Project site, and would not conflict with any policies or standards related to scenic quality. Thus, the Project would result in a less-than-significant impact.

Light and Glare

The Project would include the provision of street lighting and nighttime lighting for security purposes around all of the proposed residences. Implementation of the Project would result in a higher intensity development on the Project site than currently exists, which would contribute additional sources of light to the overall ambient nighttime lighting conditions. All outdoor lighting would be hooded, appropriately angled away from adjacent land uses, and would be in compliance with Tustin City Code Section 9271hh that provides specifications for shielding lighting away from adjacent uses and intensity of lighting. With compliance with the City's lighting regulations, which would be verified by the City's Building Division, the increase in light that would be generated by the Project would not adversely affect day or nighttime views in the area. Thus, lighting impacts would be less than significant.

The proposed Project would also not use highly reflective surfaces, or glass sided buildings. Although the residences would contain windows, the windows would be separated by stucco and architectural elements, which would limit the potential of glare. In addition, as described previously, on-site lighting would be angled down and shielded, which would avoid the potential on-site lighting that could generate glare. Therefore, the Project would not generate substantial sources of glare, and impacts would be less than significant.

7.2 AGRICULTURE AND FOREST RESOURCES

Farmland

Per the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the Project site is designated as Urban and Built-Up Land (California Department of Conservation, 2022). Therefore, the Project would result in no impact to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

Agricultural Zoning and Williamson Act Contract

The Project site is currently developed with commercial land uses and does not include agricultural land uses. Further, the City does not currently include any commercial agricultural operations. Additionally, the Project site is currently zoned for PC BUS PARK. While this zone allows the continued use of land for agricultural use, the site is not currently used for such purposes. The Project site is also not currently under a Williamson Act contract. Therefore, the Project would not conflict or impact existing zoning for agricultural use or a Williamson Act contract.

Forest Land/Timberland

The Project site is currently completely developed with a commercial land use. The Project site does not include forest land or timberland. Additionally, the Project site is currently zoned for PC BUS PARK, which does not provide for forest land or timberland production and management. Therefore, the Project would result in no impact on zoning or conversion of forest land or timberland.

7.3 AIR QUALITY

Odors

Implementation of the proposed residential uses and adherence to Rule 402 would reduce operational odors to a less-than-significant impact. During construction, emissions from diesel equipment, use of volatile organic compounds from architectural coatings, and paving activities may generate some nuisance odors. However, these odors would be temporary dissipate, and otherwise be regulated through compliance with SCAQMD rules and standard construction best management practices. Therefore, impacts relating to both operational and construction activity odors would be less than significant.

7.4 BIOLOGICAL RESOURCES

Special Status Species

The Project site consists of approximately 8.5 acres that are developed with existing commercial office uses, a paved parking lot, and ornamental landscaping. The site is also consistent with the urban environment. There is no evidence of either suitable habitat for or the presence of any endangered, rare, threatened, or special status plant species (or associated habitats) or wildlife species designated by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS). Further, as described in the Arborist Report prepared for the Project site, there are no protected tree species on the Project site (V & E Tree Service, Inc., 2025).

In addition, the City does not define any protected habitats beyond those considered by State and federal wildlife agencies and the Project is not located on a slope or other sensitive habitat that would result in need for additional mitigation. As the Project site is currently completely paved, implementation of the Project would not result in an adverse effect, either directly or through habitat modifications, on any sensitive species, and impacts would not occur.

Riparian Habitat and Sensitive Natural Communities

All 8.5 acres of the Project site are developed with existing commercial office uses, a paved parking lot, and ornamental landscaping. According to the National Wetlands Inventory Finder, there are no existing riparian habitat or sensitive natural communities within the developable area of the site (U.S. Fish and Wildlife Service, 2025). Therefore, the Project would result in no impact.

Wetlands

All 8.5 acres of the Project site are developed with existing commercial office uses, a paved parking lot, and ornamental landscaping. There are no wetlands or riparian areas within the developable area of the site. Therefore, the Project would result in no impact.

Wildlife Movement Corridor and Wildlife Nursery Sites

The Project site does not support conditions for migratory wildlife corridors or linkages. The Project site is completely developed and surrounded by roadways and developed land uses. The site and surrounding areas do not provide function for wildlife movement. Additionally, the surrounding area is developed and urban. There are no rivers, creeks, or open drainages near the site that could function as a wildlife corridor. Thus, implementation of the Project would not result in impacts related to wildlife movement or wildlife corridors.

However, the Project site contains ornamental trees, which could be used for nesting by common bird species that are protected by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season that occurs between February 1 and September 15. The provisions of the MBTA prohibit disturbing or destroying active nests. Therefore, Mitigation Measure BIO-1 has been included to require that if commencement of vegetation clearing for any future residential development project occurs between February 1 and September 15, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to commencement of activities to confirm the absence of nesting birds. With implementation of Mitigation Measure BIO-1, potential impacts to nesting birds would be less than significant.

Biological Resource Policies

The Project site is fully developed. Article 7, Chapter 3 of the Tustin City Code addresses the protection of "trees, plants or shrubs in or growing upon or over any public parkway street, highway, alley, right-of-way, City-owned property in the City." Tree trimming and removal within any public parkway street, highway, alley, right-of-way, City-owned property would be prohibited without a tree removal permit pursuant to Article 7, Chapter 3 of the Tustin City Code. The City has not adopted any additional local policies or ordinances related to the protection of biological resources that pertains to the Project. However, the City contains several goals and policies regarding the conservation of environmental resources within their General Plan, which the Project would be consistent with.

Additionally, the 43 ornamental trees and 64 palm trees located on-site, none of which are protected, would be removed. Therefore, the Project would not impact any protected City trees or shrubs within any public parkway street, highway, alley, right-of-way, City-owned property in the City, and further, would not conflict with Article 7, Chapter 3 of the Tustin City Code. Further, all proposed shrubs and trees would be planted in accordance with the Master Tree Plan of the City. Compliance with the City's specified tree requirements would be verified through plan check as part of the City permitting process (PPP BIO-1). As a result, impacts would be less than significant.

Adopted Habitat Conservation Plan

The Project site is developed and in an urban area. The Project site does not contain any natural lands that are subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would not result in impacts to biological habitat or conservation plans.

Plans, Programs, or Policies (PPP)

PPP BIO-1 **Street Trees.** Installation of street trees shall occur in compliance with the City of Tustin City Code Article 7, Chapter 3, Section 7308.

Mitigation Measures (MM)

MM BIO-1 **Migratory Bird Treaty Act.** Prior to commencement of grading activities, the Building Division shall verify that, in the event that vegetation and tree removal activities occur within the active breeding season for birds (February 1–September 15), the Project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.

The nesting survey shall include the Project site and areas immediately adjacent to the site that could potentially be affected by Project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet of the

designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 feet for raptors and 300 feet for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

7.5 CULTURAL RESOURCES

Archaeological Resources

The Cultural Resources Assessment prepared for the Project included a records search which identified four previously recorded historic resources within a 1-mile radius. These resources include the historic Red Hill Water Company Pumping Plant; a historic single-family residence; the Tustin Old Town Historic Resources District and a historic Church. The records search results also indicate that 18 cultural resource studies have been conducted within a one-mile radius of the Project, none of which include any portion of the Project boundaries (BFSA Environmental Services, 2025a).

In addition, a survey of the Project area was conducted on February 19, 2025, whereby no archaeological resources were identified. However, the Project could facilitate future construction at depths greater than previous excavation activities, which could result in the disturbance of undisturbed native soils. Thus, Mitigation Measure CUL-1 has been incorporated to mitigate any potential impact to an archeological resource.

In addition, the City has detailed standards and requirements for grading that are designed to protect sensitive topographic, soil, palaeontologic, and archaeologic resources which the Project would be required to comply with. The Tustin Grading Manual prescribes appropriate measures to protect the earth by controlling erosion, sedimentation, and storm drainage (PPP HYD-2). Proper grading, soil management, and open space standards would also work to preserve any potential archaeological resources in the unlikely event that a resource is encountered. Therefore, with mitigation, the Project would result in a less-than-significant impact to archaeological resources.

Human Remains

The Project site has been previously disturbed, as described above, and has not been previously used as a cemetery. Thus, human remains are not anticipated to be uncovered during Project construction. In addition, California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 (included as PPP CUL-1) mandate the process to be followed in the event of an accidental discovery of any human remains. Specifically, California Health and Safety Code Section 7050.5 requires that if human remains are discovered, disturbance of the site shall halt until the County Coroner has conducted an investigation into the circumstances, manner, and cause of death, and has made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the County Coroner determines that the remains are not subject to his or her authority and if the County Coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). Via compliance with existing law (included as PPP CUL-1), impacts to disturbance of human remains would be less than significant.

Plans, Policies, and Programs (PPP)

PPP CUL-1 **Human Remains.** In the event that human remains are encountered on the Project site, work within 50 feet of the discovery shall cease and the County Coroner shall be notified

immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. Prior to the issuance of grading permits, the City Community Department Director, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

PPP HYD-2 **City of Tustin Grading Manual.** The Project would be required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process.

Mitigation Measures (MM)

MM CUL-1 **Inadvertent Discovery.** In the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the City or County List of Qualified Archaeologists has evaluated the find to determine whether the find constitutes a "unique archaeological resource," as defined in Section 21083.2(g) of the California Public Resources Code. Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g).

If the discovered resource(s) appears Native American in origin, a Native American Monitor shall be contacted to evaluate any potential tribal cultural resource(s) and shall have the opportunity to consult on appropriate treatment and curation of these resources. The discovery would also be reported to the City and the SCCIC.

Prior to the issuance of any permits for ground-disturbing activities that include the excavation of soils (including as grading, excavation, and trenching), the City of Tustin shall ensure that all Project grading and construction plans and specifications include requirement to halt construction activity and contact an archaeologist as specified above.

7.6 ENERGY

Wasteful or Inefficient Consumption of Resources

Construction

As described in the Energy Impact Analysis, total construction would consume 70,908 gallons of diesel fuel and 28,023 gallons of gasoline fuel (EPD Solutions, Inc., 2025a). Construction activities related to the Project and the associated infrastructure are not expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. In addition, the extent of construction activities that would occur is limited and the demand for construction-related electricity and fuels would be limited to the construction period.

Construction contractors are also required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment, which would be verified as part of the City's construction permitting process, which is included as PPP E-1. In addition, compliance with existing CARB idling restrictions would reduce fuel combustion and energy consumption.

Overall, the Project does not include any unusual construction processes that would require a substantial increased need for energy resources. The construction equipment and methods used by the Project would not

be more energy intensive than typical construction activities. Further, construction activities would comply with all existing regulations and would therefore not be expected to use large amounts of energy or fuel in an inefficient, wasteful manner. Thus, impacts related to construction energy usage would be less than significant.

Operation

Operational use of energy includes the heating, cooling, and lighting of the residences, water heating, operation of electrical systems and plug-in appliances, and outdoor lighting, and the transport of electricity, natural gas, and water to the residences. No additional energy infrastructure would be required for the Project, and no operational activities would occur that would result in extraordinary energy use.

The Project would be required to meet the current Title 24 energy efficiency standards, which would minimize energy usage and reduce impacts on statewide and regional energy needs. The Project includes rooftop solar installations on each proposed residence, consistent with Title 24 energy efficiency standards, which would further support compliance with state energy policies. Thus, operation of the Project would not use large amounts of energy or fuel in a wasteful manner, and no operational energy impacts would occur. Further, operation of the Project would result in a net decrease of energy consumption from existing operational uses. The Project would result in a decrease of 101,463 gallons of fuel, a decrease of approximately 2,795,855 kilowatt-hour (kWh) of electricity, and a decrease of approximately 520,557 thousand British thermal units (kBTU) of natural gas in energy consumption (EPD Solutions, Inc., 2025a). As such, impacts would be less than significant.

State or Local Energy Plan

The proposed Project would be required to meet the CALGreen energy efficiency standards in effect during permitting of the Project, included as PPP E-1. The City's administration of the requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the Project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. As discussed, the Project would include rooftop solar panels on each residence in accordance with the existing Title 24 requirements (included as PPP E-1). As such, the Project would not conflict with nor obstruct a State or local plan for renewable energy or energy efficiency, and impacts would not occur.

Plans, Policies, and Programs (PPP)

PPP E-1 **CALGreen Compliance:** The Project is required to comply with the CALGreen Building Standards Code pursuant to Tustin City Code Section 8100 to ensure efficient use of energy. CALGreen specifications are required to be incorporated into building plans as a condition of building permit approval.

7.7 GEOLOGY AND SOILS

Fault Rupture

According to the California Geological Survey, the Project is not located within an earthquake fault zone. The closest Alquist-Priolo fault is the Whittier Fault, located approximately 10 miles north of the Project site (California Department of Conservation, 2025). The Project site contains existing development, and redevelopment would not exacerbate the existing risk of fault rupture. Further, the Project would be required to comply with the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) (PPP GEO-1), which is a minimum requirement intended to protect life safety and prevent collapse of structures. Therefore, the Project would not directly or indirectly cause potential risk of loss, injury, or death involving the rupture of a known earthquake fault and would result in a less-than-significant impact.

Ground Shaking

As mentioned previously, the closest fault zone is the Whittier Fault zone located 10 miles from the site (California Department of Conservation, 2025). Thus, moderate to strong ground shaking can be expected at the site.

Structures built in the City are required to be built in compliance with the CBC (California Code of Regulations, Title 24, Part 2) that provides provisions for earthquake safety based on factors including building occupancy type, the types of soils on-site, and the probable strength of ground motion. The Preliminary Geotechnical Report prepared for the Project includes recommendations to be implemented relative to the site-specific conditions observed (NMG Geotechnical, 2025). Compliance with the CBC would require the incorporation of (1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; (2) proper building footings and foundations; and (3) construction of the building structure so that it would withstand the effects of strong ground shaking. Implementation of CBC standards would be verified by the City during the plan check and permitting process. Because the Project would be constructed in compliance with the CBC, the proposed Project would result in a less-than-significant impact related to strong seismic ground shaking.

Liquefaction

According to the Geotechnical Report, the Project site is not located within a zone of liquefaction potential. Furthermore, groundwater was not encountered to the maximum depth of 50.8 feet below ground surface (bgs) drilled during site exploration and the current groundwater table is estimated to be greater than 100 feet deep (NMG Geotechnical, 2025). As a result, the potential for liquefaction to occur beneath the site is considered low. In addition, the proposed Project would be required to be constructed in compliance with the CBC and the Tustin City Code, included as PPP GEO-1, which would be verified through the City's plan check and permitting process. With compliance with existing regulations, impacts related to seismically related ground failure and liquefaction would be less than significant.

Landslides

According to the Geotechnical Report, the site is relatively flat with less than 5 feet of elevation differential across the property (NMG Geotechnical, 2025). In addition, the surrounding land uses contain a similar flat terrain and consist of fully developed commercial and residential uses. Due to the general flat terrain and adjacent flat terrain, the potential for seismic induced landslides is considered low. Therefore, the Project would not cause potential substantial adverse effects related to seismically induced landslides.

Soil Erosion

Construction of the Project has the potential to contribute to soil erosion and the loss of topsoil. Grading and excavation activities that would be required for the proposed Project that would expose and loosen topsoil, which could be eroded by wind or water.

Project construction would be required to comply with the California Regional Water Quality Control Board (RWQCB) Order No. R8-2010-0033, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS618033 – Construction General Permit requirements. Requirements include installation of best management practices (BMPs), which establishes minimum stormwater management requirements and controls. To reduce the potential for soil erosion and the loss of topsoil, a Stormwater Pollution Prevention Plan (SWPPP) is required by the RWQCB regulations to be developed by a QSD (Qualified SWPPP Developer), which would be implemented by PPP WQ-1. In addition to RWQCB requirements, the Project would need to comply with the City of Tustin Grading Manual procedures. In addition, the Water Quality

Management Plan (WQMP) prepared for the Project includes BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs during operation. Through compliance with various regulations reviewed and enforced by the City of Tustin Public Works Department, including regulations such as stormwater management requirements, RWQCB SWPPP requirements, and the WQMP, including installation of BMPs, construction and operational impacts related to erosion and loss of topsoil would be less than significant.

On- or Off-site Landslide, Lateral Spreading, Subsidence, Liquefaction, or Collapse

As described previously, the Project site is located in a relatively flat developed urban area that does not contain nor is adjacent to large slopes, nor would the Project generate large slopes. Therefore, impacts related to landslides would not occur.

According to the Geotechnical Report, the Project site is not within a liquefaction zone, and high groundwater is not located at the Project site (NMG Geotechnical, 2025). Therefore, the site has a low potential for lateral spreading. The Geotechnical Report also describes that the site is underlain by deep Quaternary-aged older alluvial deposits, and prior undocumented fill that is up to 4 feet thick. Therefore, in compliance with the CBC, implementation of the Project would require remedial grading, which would result in the removal of the existing (undocumented) fill and unsuitable surficial soils to provide a uniform cap of certified engineered fill (PPP GEO-1). As such, site soils settlement would be reduced with implementation of the excavation and recompaction of on-site soils as proposed by the Project and compliance with the CBC. Thus, impacts related to lateral spreading would be less than significant.

As described previously, groundwater was not encountered to the maximum depth of 50 feet (NMG Geotechnical, 2025). In addition, the Project would not involve groundwater pumping from the Project area. Thus, impacts related to subsidence would not occur from implementation of the Project.

Also, as described previously, the Project site is not within a potential liquefaction area. Construction would include removal and re-compaction of on-site soils in compliance with the CBC which would also reduce any potential of liquefaction, settlement, and subsidence. Therefore, impacts related to liquefaction would be less than significant.

The Geotechnical Report describes that soils encountered at all of the boring locations generally possess loose to dense soils (NMG Geotechnical, 2025). As described previously, implementation of the Project would require remedial grading, which would result in the removal of the existing (undocumented) fill and unsuitable surficial soils to provide a uniform cap of certified engineered fill (PPP GEO-1). Further, the Project would recompact any loose surficial soils to provide adequate and uniform support for the proposed structures, consistent with the CBC which would reduce impacts related to collapse.

As described previously, the Project would be required to be constructed in compliance with the CBC and the Tustin City Code, which would be verified through the City's plan check and permitting process. Thus, potential impacts related to liquefaction, settlement, subsidence, and collapse would be less than significant.

Expansive Soils

The Geotechnical Report determined that the site soils are anticipated to have a "low" expansion potential based on soils testing (NMG Geotechnical, 2025). In addition, as described in the previous responses, the Project would be required to be constructed in compliance with the CBC and the Tustin City Code (PPP GEO-1), that require remedial grading to remove existing undocumented fill and unsuitable surficial soils, compaction of soils, and foundation design to ensure stable soils, which would be verified through the City's plan check and permitting process. Thus, impacts related to expansive soils would be less than significant.

Alternative Waste Disposal Systems

No septic tanks or alternative wastewater disposal systems exist on the Project site or proposed as part of the Project. The Project would install on-site sewers that would connect to the existing infrastructure that is adjacent to the site. Therefore, no impacts related to the use of such facilities would occur from implementation of the Project.

Paleontological Resources

The Paleontological Resources Assessment prepared for the Project describes that a previous locality and records search was conducted by the OC Parks Division of Orange County for a nearby Project less than a mile from the Project site. The records search indicated that no fossil localities were identified within the Project boundaries or near the Project site. The closest-known fossil localities are located within five miles southeast of the Project, consisting of Pleistocene-aged marine invertebrate fossils and fish remains (BFSA Environmental Services, 2025b). As described previously, the Project site has been disturbed from previous development activities which reduces the potential of existing resources on-site. However, the geologic units underlying the Project site have a high paleontological resource sensitivity. Therefore, Mitigation Measure PAL-1 has been included to implement a monitoring program and provide procedures to be followed in the unlikely event that potential paleontological resources are discovered during grading or excavation activities. With implementation of Mitigation Measure PAL-1, impacts would be less than significant.

Plans, Policies, and Programs (PPP)

PPP GEO-1 **California Building Code:** The Project is required to comply with the CBC as included in the Tustin City Code Chapter 8100 to preclude significant adverse effects associated with seismic hazards. CBC related and geologist and/or civil engineer specifications for the Project such as remedial grading are required to be incorporated into grading plans and specifications as a condition of Project approval.

Mitigation Measures (MM)

MM PAL-1 **Paleontological Resources.** Prior to issuance of a grading permit, a Paleontological Resources Impact Mitigation Plan (PRIMP) shall be implemented to ensure monitoring of earth disturbance activities.

Further, the City of Tustin Building Division shall verify that all Project grading and construction plans and specifications state that in the event that potential paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials.

The PRIMP, which will include notification of appropriate personnel involved and monitoring of earth disturbance activities shall include the following:

1. Monitoring of mass grading and excavation activities on the Project site shall be performed by a qualified paleontologist or paleontological monitor. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sedimentary deposits.

2. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.
3. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils will be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.
4. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of species, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material to check for the presence of invertebrates.
5. In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth. If indicators of potential microvertebrate fossils are found, screening of a test sample (approximately 600 pounds) is recommended, according to the Society of Vertebrate Paleontology guidelines. If feasible, wet screening shall be conducted on the project site. If screening yields significant fossils, then removing and processing a "standard sample" of 6,000 pounds shall be performed.
6. In the laboratory, individual fossils will be cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, will be stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).
7. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.
8. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the Los Angeles County Museum of Natural History or the Orange County Parks' Cooper Center) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to

curation, the lead agency (e.g., the City of Tustin) will be consulted on the repository/museum to receive the fossil material.

9. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

7.8 GREENHOUSE GAS EMISSIONS

GHG Emissions

The Project's construction activities would be temporary but could contribute to greenhouse gas impacts. Construction activities would result in the emission of GHGs from equipment exhaust, construction-related vehicular activity and construction worker automobile trips. According to the Greenhouse Gas Impact Analysis, the estimated GHG emissions during construction would equal approximately 1,120 $MTCO_2e$, which is equal to approximately 37 $MTCO_2e$ per year after amortization over 30 years (EPD Solutions, Inc., 2025b). Per SCAQMD methodology the 30-year amortized construction emissions are added to annual operational emissions and compared to the threshold.

The major source of emissions generated by the Project are mobile emissions, at 1,128 $MTCO_2e$. The Project's total emissions from construction and operation would result in approximately 1,579 $MTCO_2e$. However, the Project site is currently developed with five commercial office buildings and is fully operational. Based on the existing use, the site is currently generating approximately 3,065 $MTCO_2e$ from operations. The Project would demolish the five existing buildings to implement 145 residential units, thus redevelopment of the site with residential uses would result in an annual decrease of 1,486 $MTCO_2e$ per year in net operational emissions (EPD Solutions, Inc., 2025b). This would not exceed the SCAQMD threshold of 3,000 $MTCO_2e$ per year. Therefore, total GHG emissions from implementation of the Project would result in a net decrease and impacts would be less than significant.

GHG Plan, Policy, or Regulation

The Project would be consistent with the Southern California Association of Governments (SCAG) strategies to provide residential in an area that allows for such uses, on a site that is surrounded by residential development and roadways. The Project would be implemented pursuant to the CALGreen Building/Title 24 requirements, as adopted by reference in the Tustin City Code Chapter 8, Article 1. In complying with the Title 24 standards, the Project would implement regulations that reduce GHG emissions. The Project vicinity is served by bus transit services, and the Project would include sidewalks and pedestrian street crossings for all of the on-site roadways, which would encourage non-motorized travel, which reduces GHG emissions.

Also, the Project includes energy-efficient/energy-conserving design features and would not interfere with the State's implementation of AB 1279's target of 85 percent below 1990 levels and carbon neutrality by 2045 because it does not interfere with implementation of the GHG reduction actions listed in CARB's most recent Scoping Plan (2022), as demonstrated in Table 5-7 of Appendix A, *Initial Study*. Overall, the Project would be in compliance with the CARB Scoping Plan, State energy standards provided in Title 24 and other statewide standards for fuel and solar use. Thus, the Project would not result in a conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

7.9 HAZARDS AND HAZARDOUS MATERIALS

Routine Transport, Use, or Disposal of Hazardous Materials

Construction

The proposed construction activities could involve the transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. In addition, hazardous materials could be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and State requirements that are implemented by the City during building permitting for construction activities. These regulations include: the federal Occupational Safety and Health Act and Hazardous Materials Transportation Act; Title 8 of the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. As a result, routine transport and use of hazardous materials during construction would be consistent with applicable regulations and would be less than significant.

Operation

The Project involves operation of 145 residential units, which would routinely using household hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. The household hazardous materials are also used currently by existing commercial uses on the Project site. These types of materials are not acutely hazardous and would continue to be used and stored in limited quantities by the new residences. The normal routine use of these products pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the Project. Therefore, operation of the Project would not result in a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste, and impacts would be less than significant.

Release of Hazardous Materials into the Environment

Construction

The existing uses are commercial office, which are not typically associated with the use of hazardous materials that could accumulate on-site. Further, the Phase I ESA did not identify recognized environmental conditions (RECs) associated with the Project site (AEI Consultants, 2024a).

While the routine use, storage, transport, and disposal of hazardous materials in accordance with applicable regulations during potential future construction activities would not pose health risks or result in significant impacts; improper use, storage, transportation and disposal of hazardous materials and wastes could result in accidental spills or releases, posing health risks to workers, the public, and the environment. To avoid an impact related to an accidental release, the use of BMPs during construction are implemented as part of a SWPPP as required by the National Pollution Discharge Elimination System General Construction Permit (and included as PPP HYD-1). Implementation of an SWPPP would minimize potential adverse effects to workers, the public, and the environment.

Due to the age of the existing buildings (c. 1972-73), the Phase I ESA identified the potential for asbestos containing materials (ACMs) in the existing structure on the site (AEI Consultants, 2024a). As a result, a Limited Asbestos Survey was conducted to sample and assess the condition of building materials. The Limited Asbestos Survey determined that 13 of the samples that were obtained had ACMs. Asbestos abatement contractors are required to follow State regulations contained in California Code of Regulations Sections 1529, and 341.6 through 341.14 as implemented by SCAQMD Rule 1403 to ensure that asbestos removed during demolition of the existing buildings is handled appropriately and transported and disposed of at an

appropriate facility. Requirements are included as PPP HAZ-1 to ensure that the Project applicant submits verification to the City that the appropriate activities related to asbestos have occurred, which would reduce the potential of impacts related to asbestos to a less-than-significant level.

Based on the recommendation of the Phase I ESA, a Limited Lead Based Paint Survey (AEI Consultants, 2024b) was conducted in which several samples were taken from interior and exterior surfaces of the buildings on site. All of the samples collected had a lead concentration of less than 40 parts per million which is below the Housing for Urban Development (HUD) lead-based paint (LBP) inspection standard, thus the samples are not considered to be lead-based paint. However, the Limited Lead Based Paint Survey states the painted surfaces on-site shall still be treated as lead-containing paint pursuant to OSHA guidelines. Cal/OSHA's Lead in Construction Standard requires Project applicants to develop and implement a lead compliance plan when lead-based paint would be disturbed during construction or demolition activities. The plan must describe activities that could emit lead, methods for complying with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. In addition, Cal/OSHA requires a 24-hour written notification to the nearest Cal/OSHA District Office if more than 100 square feet of lead-based paint is to be disturbed. The lead content of the paint should be considered when choosing a method to remove the paint, as proper waste disposal requirements and worker protection measures must be taken. These requirements are included as PPP HAZ-2 to ensure that the Project applicant submits verification to the City that the appropriate activities related to lead have occurred. Project compliance with PPP HAZ-2 would ensure that potential impacts related to lead-based paint are less than significant.

Operation

As described previously, future operation of up to 145 residential units would include use of limited hazardous materials, such as solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. Normal routine use of typical residential products pursuant to existing regulations would not result in a significant hazard to the environment, residents, or workers in the vicinity of the Project. As a result, operation of the proposed Project would not create a reasonably foreseeable upset and accident condition involving the release of hazardous materials into the environment, and impacts would be less than significant.

Hazardous Substances Within One-Quarter Mile of a School

The Project site is generally bounded by 17th Street to the north; by existing residential uses to the east and south; and by Prospect Avenue to the west. The Project site is located approximately 621 feet (0.12 miles) south of the nearest school, which is Loma Vista Elementary. While construction and operation of the Project could involve the use, storage, and disposal of small amounts of hazardous materials on the Project site, these hazardous materials would be limited and used and disposed of in compliance with federal, State, and local regulations, which would reduce the potential for accidental release into the environment near a school. Further, the emissions that would be generated from construction and operation of the Project would not cause or contribute to an exceedance of the federal or State air quality standards as described in Section 5.1. Thus, impacts related to the emission of hazardous or handling of acutely hazardous materials, substances, or waste near a school, would be less than significant.

Hazardous Materials Sites

According to the Phase I ESA, which included a database search of local, regional, State, and federal databases related to hazardous materials, the Project site is identified in the HAZNET (x7), HWTS (x9), FINDS, ECHO, and RCRA NonGen/NLR databases (AEI Consultants, 2024a). The site is identified on seven (7) HAZNET and nine (9) HWTS listings because asbestos containing waste and other organic solids were generated at the subject property and transported off-site for disposal between 1998 and 2018. The

RCRA-NonGen/NLR listing indicates the site was listed as a non-generator in 2018 (AEI Consultants, 2024a). Further, no violations were found in association with the RCRA listing. Also, the generation of limited hazardous materials that were transported off-site does not mean that the site is contaminated or that environmental conditions are present, particularly without any evidence of a release. Thus, based on the lack of violations and/or listing in other databases indicating a release, these listings were not considered to be an environmental concern at the Project site. Therefore, the Project would not create a significant hazard to the public or the environment and impacts would be less than significant.

Airport Hazards

The closest airport to the Project site is the John Wayne Airport, which is located approximately 5.58 miles southeast of the Project site. The Project site is not located within any land use compatibility zone for John Wayne Airport, nor is it within an airport safety zone within the Airport Environs Land Use Plan (AELUP) (Orange County Airport Land Use Commission, 2008). The Project would not result in potential safety hazards or excessive noise for people that would reside or work within the Project site in the future and no impact would occur.

Emergency Response Plan

Construction

The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site and would not restrict access of emergency vehicles to the Project site or adjacent areas. During construction of the Project driveway, 17th Street would remain open to ensure adequate emergency access to the Project area and vicinity. Further, should road closures be needed, the Project would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable), consistent with the City of Tustin Standard Plans and Design Standards (City of Tustin Department of Public Works, 2022) (PPP T-1). Impacts related to interference with an adopted emergency response or evacuation plan during construction activities would be less than significant.

Operation

Direct ingress/egress access to and from the Project site would be provided via Prospect Avenue. The Project site is located south of 17th Street, a major arterial, and 0.5 mile east of the 55 Freeway (State Route 55), a highway, respectively. These roadways would likely be utilized as evacuation routes in the event of an emergency evacuation of the Project site. Pursuant to the City's Emergency Operations Plan, specific evacuation requirements will vary with each situation, but should be carried out in a manner consistent with other critical functions (City of Tustin, 2019). The Project would not impair the implementation of evacuation protocol in the event of an emergency within the City or Project site.

The Project is also required to design and construct internal access and provide fire suppression facilities in conformance with the Tustin City Code and the Fire Department prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), as adopted by the Tustin City Code Section 8100. As a result, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

Wildfire Hazards

The Project site is currently developed as a commercial site and is located in an urbanized area. According to the California Fire Hazard Severity Zones map, the City of Tustin contains very high fire severity zones in the northeast portion of the City, as shown in the Local Responsibility Area Fire Hazard Severity Zones map dated March 24, 2025 (California Department of Forestry and Fire, 2025). Therefore, the Project would result in no impact to the exposure of people or structures to risk of loss, injury, or death involving a wildland fire.

Plans, Policies, and Programs (PPP)

PPP HAZ-1 **SCAQMD Rule 1403, Asbestos.** Prior to issuance of demolition permits, the Project applicant shall submit verification to the City Building Division that an asbestos survey has been conducted at all existing buildings located on the Project site. If asbestos is found, the Project applicant shall follow all procedural requirements and regulations of South Coast Air Quality Management District Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.

PPP HAZ-2 **Lead Based Paint.** Prior to issuance of demolition permits, the Project applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. Cal-OSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.

PPP HYD-1 **SWPPP.** Prior to issuance of any grading or demolition permits, the applicant shall provide the City Building Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

PPP T-1 **Traffic Control/Utilities.** Prior to commencing construction within the City public right-of-way (including utility work), the Project shall be subject to the traffic control standards specified by the City's latest Standard Plans and Design Standards, which includes the requirement for Traffic Control Plan during construction.

7.10 HYDROLOGY AND WATER QUALITY

Water Quality Standards

Construction

Construction of the Project (approximately 8.5 acres) would require grading and excavation of soils, which would loosen sediment, and then have the potential to mix with surface water runoff and degrade water quality. Additionally, construction would require the use of heavy equipment and construction-related chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents and

paints. These potentially harmful materials could be accidentally spilled or improperly disposed of during construction and, if mixed with surface water runoff, could wash into and pollute waters.

These types of water quality impacts during construction would be prevented through implementation of a SWPPP (PPP HYD-1), as ensured through the City's plan check and permitting process. Because construction of the Project would disturb more than one acre of soil, the Project is required to obtain coverage under the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity. Adherence to the existing requirements and implementation of the Project SWPPP (PPP HYD-1), as ensured through the City's plan check and permitting process, would ensure that the Project would not violate any water quality standards or waste discharge requirements. Potential water quality degradation associated with construction activities would be minimized, and construction impacts would be less than significant.

Operation

The Project includes operation of residential uses. Potential pollutants associated with the proposed uses include various chemicals from cleaners, pathogens from pet waste, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. If these pollutants discharge into surface waters, it could result in degradation of water quality. However, operation of the Project would be required to comply with the requirements of the Orange County Drainage Area Management Plan (DAMP) and the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the incorporated Cities of Orange County within the Santa Ana Region (included as PPP HYD-1).

The DAMP requires that new development and significant redevelopment projects develop and implement a water quality management plan (WQMP) that includes BMPs and low impact development (LID) design features that would provide on-site treatment of stormwater to prevent pollutants from on-site uses from leaving the site. A Preliminary WQMP has been prepared per these requirements and recommends various BMPs to be incorporated into the Project (C&V Consulting, Inc., 2025a). The Project's WQMP would be reviewed and approved by the City to ensure it complies with the MS4 Permit regulations. In addition, the City's permitting process would ensure that all BMPs in the WQMP would be implemented with the Project. Overall, implementation of the WQMP pursuant to the existing regulations (included as PPP HYD-3) would ensure that operation of the Project would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality. Therefore, impacts would be less than significant.

Groundwater Supplies

The City's water supply consists of a combination of imported water and local groundwater. The City's 2020 Urban Water Management Plan (UWMP) forecasts that by 2045 the City's water supply mix will shift to 85 percent groundwater and 15 percent imported water (City of Tustin, 2021).

As detailed in Section 5.19 of Appendix A, *Initial Study*, water supply would be sufficient under normal, single dry year, and multiple dry year conditions between 2025 and 2045 to meet all of the City's estimated needs, including the Project. Therefore, the Project would not result in changes to the projected groundwater pumping that would decrease groundwater supplies.

Further, the Project site is fully developed and is 89 percent impervious with the exception of some landscaped areas and would become 100 percent impervious upon Project completion (C&V Consulting, Inc., 2025a). Therefore, implementation of the proposed Project would slightly change the amount of impervious surface area; however, the Project would not substantially interfere with the rate of groundwater recharge at the Project site compared to existing conditions. Further, the Project site is not in or near a groundwater recharge area/facility, nor does it represent a source of groundwater recharge. Therefore, the Project would not substantially interfere with groundwater supplies or recharge. Impacts would be less than significant.

Orange County Water District (OCWD) serves as the groundwater manager over the OC Basin and sub-basins. OCWD adopted its first Groundwater Management Plan in 1989. In July 2015, OCWD updated the Groundwater Management Plan; however, this plan has been superseded by the Basin 8-1 Alternative Plan which was adopted in 2022. As described previously, the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, the Project would not conflict or obstruct the implementation of the Basin 8-1 Alternative Plan. Additionally, groundwater supply and demand is evaluated through the City's 2020 UWMP which determined groundwater supplies are sufficient to serve the City's service area through 2045. Therefore, the proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

Erosion or Siltation On- and Off-site

Construction

Construction of the proposed Project would require demolition of the existing building structures, including foundations and floor slabs, and crushing the existing pavement, which would expose and loosen building materials and sediment. These materials have the potential to mix with storm water runoff and result in erosion or siltation off-site. However, the Project site does not include any slopes, which reduces the erosion potential, and the large majority of soil disturbance would be related to excavation and backfill for installation of building foundations and underground utilities.

The Project would be required to comply with the California Regional Water Quality Control Board (RWQCB) Order No. R8-2010-0033, NPDES Permit No. CAS618033 – Construction General Permit requirements. Requirements include installation of BMPs, which establishes minimum stormwater management requirements and controls. To reduce the potential for soil erosion and the loss of topsoil, a SWPPP is required by the RWQCB regulations to be developed by a Qualified SWPPP Developer (QSD). The SWPPP is required to address site-specific conditions related to specific grading and construction activities. In addition to RWQCB requirements, proposed development would need to comply with the City of Tustin Grading Manual procedures (PPP HYD-2). The City of Tustin Grading Manual is a compilation of rules, procedures, and interpretations necessary to carry out the provisions of the Tustin City Code relating to grading and excavation.

Following construction, the Project would be required to prepare and implement a WQMP per City standards; as well as comply with the requirements of the Orange County DAMP; and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the incorporated cities of Orange County within the Santa Ana Region (included as PPP HYD-3). The DAMP regulations are included in the Tustin City Code in Section 4902 and are the implementation method for NPDES Stormwater Permit compliance. With implementation of uniformly applicable requirements (SWPPP, City of Tustin Grading Manual, and the DAMP), the Project would result in a less-than-significant impact.

Operation

The Project site currently consists of 89 percent impervious surfaces and 11 percent pervious area. After completion of Project construction, the site would be 100 percent impervious and 0 percent pervious, which is an increase of 11 percent pervious surface area (C&V Consulting, Inc., 2025a). However, 23 percent of the surface area on the site is anticipated to be landscaped, which would increase perviousness and inhibit erosion. Though the proposed Project would result in an increase of impervious surfaces, the Project would follow a similar drainage pattern as is currently existing and convey runoff to landscaped areas or into the underground storm drain system. A series of on-site storm drain facilities with LID and peak storm elements are proposed. Street surface runoff would be collected and conveyed through curb inlet catch basins and

grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration BMPs are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-way on Prospect Avenue. The Project would decrease flow rates to Prospect Avenue by 9.31 cfs during the 100-year storm event and by 7.01 cfs during the 25-year storm event. Therefore, there would not be an increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (C&V Consulting, Inc., 2025b).

Changes due to development of the Project site could result in potential changes in the drainage pattern due to siltation and erosion. However, the City's MS4 permit and County DAMP require new development projects to prepare a WQMP (included as PPP HYD-3) that is required to include BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City's Engineering Division to ensure that the site-specific design limits the potential for erosion and siltation. Overall, adherence to the existing regulations would ensure that impacts as a result of future development related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

Surface Runoff

Construction

Construction of the proposed Project would require demolition of the existing building structures, including foundations, floor slabs, and utilities systems, and crushing the existing pavement. These activities could temporarily alter the existing drainage pattern of the site and change runoff flow rates. However, as described previously, implementation of the Project requires a SWPPP (included as PPP HYD-1) that would address site specific drainage issues related to construction of the Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a Qualified SWPPP Practitioner (QSP) (per PPP HYD-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to potential alteration of a drainage pattern or flooding on- or off-site from development activities. Therefore, construction impacts would be less than significant.

Operation

As described previously, the proposed Project would result in an increase of impervious surfaces. However, the Project would follow a similar drainage pattern as the existing and convey runoff to landscaped areas or into the underground storm drain system. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration BMPs are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-way on Prospect Avenue. The Project would decrease flow rates to Prospect Avenue by 9.31 cfs during the 100-year storm even and by 7.01 cfs during the 25-year storm event. Therefore, the Project would not result in an increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Additionally, as part of the permitting approval process, the proposed drainage design and engineering plans would be reviewed by the City's Engineering Division to ensure that the proposed drainage would accommodate the appropriate design flows. Overall, the proposed drainage system and adherence to the existing MS4 permit and DAMP regulations would ensure that Project impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant.

Stormwater Drainage System/Substantial Runoff

Construction

As described previously, construction of the proposed Project would require demolition, concrete crushing, and excavation activities that could temporarily alter the existing drainage pattern of the site and could result in increased runoff and polluted runoff if drainage is not properly controlled. However, implementation of the Project requires a SWPPP (included as PPP HYD-1) that would address site-specific pollutant and drainage issues related to construction of the Project and include BMPs to eliminate the potential of polluted runoff and increased runoff during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP HYD-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to increases in run-off and pollution from development activities. Therefore, impacts would be less than significant.

Operation

As described previously, the Project would result in an increase of impervious surfaces. A series of on-site storm drain facilities with Low Impact Development (LID) and Peak Storm elements are proposed. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration BMPs are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-way of Prospect Avenue. The Project would decrease flow rates to Prospect Avenue by 9.31 cfs during the 100-year storm even and by 7.01 cfs during the 25-year storm event. The design capture volume (DCV) for the Project based on NPDES permit standards is 22,322 cf. As described in the WQMP, the site has been designed to meet the required DCV. Thus, an increase in runoff that could exceed the capacity of storm drain systems and provide polluted runoff would not occur.

Additionally, as discussed previously, the City's MS4 permit and County DAMP require new development projects to prepare a WQMP (included as PPP HYD-3) that is required to include BMPs to reduce the potential of stormwater pollutants through site design and structural treatment control BMPs. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City's Engineering Division to ensure that the site-specific design limits the potential for sources of polluted runoff. Overall, adherence to the existing regulations would ensure that impacts as a result of future development related to stormwater runoff would be less than significant.

Flood Flows

The Project site is in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map Number 06059C0164J (Federal Emergency Management Agency, 2009). The Project site is within an area designated as Zone X, areas of 0.2 percent annual chance of flood; areas of 1 percent annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood. Therefore, the Project site is not currently within a designated flood zone.

The Project site is currently completely developed and completely paved, with the exception of some ornamental landscaped areas. The Project would maintain the existing drainage pattern; and drainage would be accommodated by on-site landscaping and catch basins that have been sized to accommodate the DAMP required design storm. Therefore, the Project would not result in impeding or redirecting flood flows by the addition of the impervious surfaces. As detailed previously, the City's permitting process would

ensure that the drainage system specifications adhere to the existing MS4 permit and DAMP regulations, and compliance with existing regulations. Therefore, the Project would result in a less-than-significant impact.

Flood Hazard, Tsunami, or Seiche Zones

As stated previously, the Project site is within Flood Zone X – the 0.2 percent annual chance flood area, areas of 1 percent annual chance flood with average depth less than 1 foot or with drainage areas of less than 1 square mile (Federal Emergency Management Agency, 2009). The site is not within a special flood hazard area.

The Project site is not located near an inland body of water that could result in impacts due to seiche. Further, the Pacific Ocean is located over 12 miles southwest of the Project site; consequently, there is no potential for the Project site to be inundated by a tsunami that could release pollutants. In addition, the Project site is flat and not located near any steep hillsides; therefore, there is no potential for the site to be adversely affected by mudflow. Thus, implementation of the Project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow that could release pollutants due to inundation of the Project site. No impact would occur.

Groundwater Management Plan

As described previously, use of BMPs during construction implemented as part of a SWPPP as required by the NPDES Construction General Permit and PPP HYD-1 would serve to ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Thus, construction of the Project would not conflict or obstruct implementation of a water quality control plan.

Also, as described previously, new development projects are required to implement a WQMP (per PPP H-3) that would comply with the Orange County DAMP. The WQMP and applicable BMPs are verified as part of the City's permitting approval process, and construction plans would be required to demonstrate compliance with these regulations. Therefore, operation of the Project would not conflict with or obstruct implementation of a water quality control plan.

In addition, as detailed previously, the OCWD manages basin water supply through the BPP, such that, the anticipated production of groundwater would remain steady from 2025 through 2045 (Appendix A). As described previously and further detailed in Section 5.19 of Appendix A, the City's supply of water would be sufficient during both normal years and multiple dry year conditions between 2025 and 2045 to meet all of the City's estimated needs, including the proposed Project. Therefore, the Project would be consistent with the groundwater management plan and would not conflict with or obstruct its implementation. Thus, impacts related to water quality control plan or sustainable groundwater management plan would be less than significant.

Plans, Policies, and Programs (PPP)

PPP HYD-1 **SWPPP.** Prior to issuance of any grading or demolition permits, the applicant shall provide the City Building Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

PPP HYD-2 **City of Tustin Grading Manual.** The Project is required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process.

PPP HYD-3 **WQMP.** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be prepared by the Project applicant and submitted to and approved by the City Public Works Department. The WQMP shall identify all Post-Construction, Site Design. Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development Project in order to minimize the adverse effects on receiving waters.

7.11 LAND USE AND PLANNING

Divide Established Community

The Project site is currently developed with five office buildings and is bound by a roadway followed by commercial uses to the north, a single-family residential neighborhood to the east and south, and a roadway followed by commercial uses and single-family residential to the west. The existing office site presently has a perimeter wall that separates it from an adjacent single-family residential neighborhood. There is no circulation or connection between the existing site and the adjacent neighborhood, thus no existing through-connections are being removed. The Project would redevelop the site to provide 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total), which would also not connect to the residential uses. Therefore, the change of the Project site from existing commercial office uses to residential uses would not physically divide an established community. Although the proposed development would be denser and more compact than the adjacent single-family neighborhoods, the Project would not introduce incompatible uses. Further, the Project would not introduce a physical barrier between neighborhoods. In addition, the Project would not change roadways or install any infrastructure that would result in a physical division. Thus, the proposed Project would not result in impacts related to physical division of an established community, and no impact would result.

Conflict with Land Use Plan, Policy or Regulation

The Project site currently has a General Plan land use designation of PCCB. While the PCCB land use designation primarily allows a variety of miscellaneous retail, professional office, and service-oriented business activities, the PCCB designation also permits residential uses. Further, the General Plan states that the overall population density range for residential use within the PC Business/Commercial designation shall be 2 to 54 persons per acre (City of Tustin, 2018). The Project site is approximately 8.5 acres, which would result in a maximum allowance of 459 persons (54 persons x 8.5 acres). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the Project would result in the addition of 396 people, which would be below the maximum allowance of 459 persons (City of Tustin, 2018). As such, the Project would be consistent with the existing PCCB land use. In addition, a detailed analysis of the proposed Project's consistency with the applicable goals, policies, and objectives of the City's General Plan that serve to avoid or mitigate environmental impacts is provided in Table 5-9 of Appendix A. As described, the proposed Project would be consistent with the relevant goals, policies, and objectives of the City's General Plan that avoid or mitigate environmental impacts, and impacts related to conflict with a General Plan policy related to an environmental effect would be less than significant.

While the Project would include a zone change from PC BUS PARK to PC RES to allow for the development of the 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total), the Project would be consistent with the requirements for the proposed zone. Thus, the proposed Project

would not conflict with any applicable zoning regulations adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be less than significant.

7.12 MINERAL RESOURCES

The Project site is not identified for mineral resource extraction per the City General Plan Conservation Element (City of Tustin, 2018). Therefore, the Project would result in no impacts to mineral resources.

7.13 POPULATION AND HOUSING

Substantial Unplanned Growth

The Project would remove the existing office buildings and construct 62 single-family detached cluster units and 83 single-family attached townhome units, for a total of 145 residential units.

The California Department of Finance (CDF) data details that the City of Tustin has a residential population of 78,844, and 28,649 housing units as of May 2024 (California Department of Finance, 2024). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the proposed 145 residential units would result in an increase of approximately 396 new residents (City of Tustin, 2018). Based on SCAG Connect SoCal methodology, the City of Tustin had a population of 80,400 persons in 2019 and estimates that the City's population will increase to 93,317 in 2050, which is a 16.1 percent increase (Southern California Association of Governments, 2024). SCAG also estimates that between 2019 and 2050, the number of housing units in the City will increase from 27,000 to 34,000, which is a 25.9 percent increase. The addition of 396 new residents would represent a population increase of 0.5 percent and the new housing units would result in a 0.51 percent increase in residential units within the City. Since the Project would be consistent with the General Plan's allowed uses, the Project is consistent with SCAG's anticipated growth. Therefore, the Project would not result in unplanned growth.

Additionally, the proposed Project is located in an urbanized residential area of the City that is already served by existing roadways and infrastructure systems. As mentioned previously, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the 17th Street driveways. The Project would also implement a Class I bike lane (off-street) within the existing public right-of-way. However, no other infrastructure would be extended to serve areas beyond the Project site, and indirect impacts related to growth would not occur from implementation of the proposed Project. Therefore, potential impacts related to inducement of unplanned population growth, either directly or indirectly, would be less than significant.

Displacement of People or Housing

The Project site is currently developed with five office buildings and does not contain any housing. The Project would redevelop the site to construct 62 single-family detached cluster units and 83 single-family attached townhome units, for a total of 145 residential units. No people or housing would be displaced by implementation of the proposed Project. Conversely, housing would be developed by the Project. Thus, no impact would occur.

7.14 PUBLIC SERVICES

Fire Services

Fire protection and emergency services in the City of Tustin are provided by the Orange County Fire Authority (OCFA). There are five existing fire stations within Tustin, Santa Ana and the unincorporated County that would serve the Project site. The nearest responding station within the primary responsibility area for the Project (Station 21) is 1.7 miles from the Project site.

As described previously, the Project would introduce approximately 396 new residents. This population increase may result in a marginal increase in calls for emergency service, potentially placing further strain on response times if concurrent calls occur. However, given that five fire stations are located within a 4-mile radius of the Project site, including two within 2 miles, the Project site is adequately served by existing facilities. Therefore, the Project would not require construction of new or expanded fire stations to maintain acceptable service levels. Furthermore, new residential development would be constructed in compliance with the most recent California Building Code and Fire Code, as well as OCFA Fire Prevention Guideline B-09, which include regulations for water supply, built-in fire protection systems, adequate emergency access, fire hydrant availability, and fire-safe building materials. This would improve the fire safety of the Project site compared to the existing buildings. California's Building/Fire Codes are published in their entirety every three years and were most recently updated in 2022.

The proposed Project would not result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered fire protection facilities. Overall, impacts related to fire protection services would be less than significant. Lastly, funding for fire facilities, equipment, and service personnel is derived from the City's General Fund, which is supported by property taxes. Population growth and new residential development are expected to generate proportional increases in tax revenue, contributing to the continued provision of fire services. Therefore, the additional demand for fire services and protection generated by the proposed Project would be satisfied through the General Fund.

Police Services

Construction and operation of the Project would increase demands for police protection services. However, the increase would not be significant when compared to the current demand levels. The Project would introduce approximately 396 new residents to the area, generating a corresponding increase in demand for police services. Based on the current officer-to-population ratio (1.1 sworn officers per 1,000), the Project would generate a service demand equivalent to approximately 0.44 additional officers (396/1,000 x 1.1 = 0.44). This represents less than one full-time officer and is not considered a substantial increase in demand and would not require the construction or expansion of the City's existing policing facilities. Therefore, substantial adverse physical impacts associated with the provision of new or expanded police facilities would be less than significant.

School Services

The schools that would likely serve the Project site are Guin Foss Elementary School (18492 Vanderlip Ave), which is approximately 0.9 roadway miles from the Project site; Columbus Tustin Middle School (17952 Beneta Way), which is approximately 0.8 roadway miles from the Project site; and Foothill High School (19251 Dodge Ave), which is approximately 1.8 roadway miles from the Project site (PowerSchool Group LLC, 2024).

Table 5.10 in Appendix A shows the total capacity, the 2023-2024 school year enrollments, and the remaining capacity of the schools that would serve students residing on the Project site. Guin Foss Elementary

School does not have remaining capacity to serve additional students, while Columbus Tustin Middle School and Foothill High School both have remaining capacity to serve approximately 175 and 37 additional students, respectively (Appendix A).

Based on the TUSD student generation rates, the proposed Project would result in an estimated 24 elementary students, 8 intermediate students, and 11 high school students, which would total approximately 43 students. While Guin Foss Elementary is over-capacity and additional or expanded facilities may be needed, Columbus Tustin Middle School and Foothill High School have additional capacity for future students. A service letter was sent to TUSD requesting information regarding the District's ability to service the Project. On April 11, 2025, Tom Rizzuti, Director of Facilities and Planning, responded stating TUSD has no current plans to build new schools in the District. Additionally, the response stated that TUSD would reserve the right to send students generated by the Project to other schools in the District if space is not available at the current schools of attendance. Thus, although one of the schools serving the Project site is over capacity, the District could send students generated by the Project to other schools within the District that have capacity to accommodate additional students.

Further, the need for additional school facilities is addressed through compliance with school impact fee assessment. Pursuant to Government Code Section 65995, applicants pay developer fees to the appropriate school districts at the time building permits are issued; and payment of the adopted fees provides full and complete mitigation of school impacts. As a result, impacts related to school facilities would be less than significant.

Park Services

As of April 2025, the City had a total of 185.2 acres of parkland, or approximately 2.36 acres of parkland per 1,000 residents. Thus, the City is currently parkland deficient and is not meeting its City standard of 3 acres per 1,000 residents. As described previously, the Project is anticipated to result in 396 residents. This increase in residents could in turn increase demand for park and recreational facilities.

Using the City's standard of 3 acres of parkland for every 1,000 residents, the proposed Project would result in a demand for approximately 1.18 additional acres of parkland to support the additional residents. The Project would provide a 0.19-acre recreational area near the center of the proposed residential community featuring a walking path, seating areas, and a large grass lawn with ornamental vegetation for future residents. With the implementation of this recreational area, the Project's parkland demand would result in a 1.00-acre deficit. Thus, the Project would still exacerbate the City's parkland deficiency. However, pursuant to Tustin City Code Section 9331, the Project would be required to pay in lieu fees to contribute to the City's effort in the development of new or rehabilitation of existing neighborhood or community parks and recreational facilities (PPP R-1).

Additionally, there are 20.4 acres of parkland within two miles of the Project site available for use by residents. Further, there are numerous existing recreational facilities within the region such as Peters Canyon Regional Park, Santiago Canyon, and Crystal Cove State Park that would be available for use by residents. Therefore, due to the amount of recreational amenities and parkland within the vicinity of the Project site, future residents are not anticipated to increase the use of existing parks and recreation facilities such that substantial physical deterioration of such parks and facilities would occur. Therefore, with implementation of proposed recreational amenities and payment of in lieu fees (PPP R-1), impacts would be less than significant.

Other Public Facilities

The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). The additional residences would result in a limited incremental increase in the need for additional services, such as public

libraries and post offices, etc. Because the Project area is already served by other services and the Project would result in a limited increase in population, the Project would not result in the need for new or physically altered facilities to provide other services. Therefore, impacts would be less than significant.

Plans, Policies, and Programs (PPP)

PPP R-1 **City Park Requirements.** Tustin City Code Section 9331 – Dedications, Reservations and Development Fees. To implement the Conservation/Open Space/Recreation Element of the General Plan which contains policies and standards for parks and recreational facilities, the subdivider shall dedicate land or pay a fee in lieu thereof, or a combination of both, at the option of the City except as otherwise provided in Government Code Section 66477, for the purpose of developing new or rehabilitating existing neighborhood or community parks and recreational facilities to serve the subdivision, and in accordance with the standards and formula contained in the section.

7.15 RECREATION

As described previously, the Project is anticipated to result in 396 residents, which could in turn increase demand for park and recreational facilities. Using the City's standard of 3 acres of parkland for every 1,000 residents, the proposed Project would result in a demand for approximately 1.18 additional acres of parkland to support the additional residents. The Project would provide a 0.19-acre recreational area near the center of the proposed residential community featuring a walking path, seating areas, and a large grass lawn with ornamental vegetation for future residents. With the implementation of this recreational area, the Project's parkland demand would decrease to 1.00 acres. Thus, the Project would still exacerbate the City's parkland deficiency. However, pursuant to Tustin City Code Section 9331, the Project would be required to dedicate land or pay in lieu fees to contribute to the construction or expansion of recreational facilities (PPP R-1).

Additionally, there are 20.4 acres of parkland within two miles of the Project site available for use by residents. Therefore, due to the amount of available park space within the vicinity of the Project site, future residents are not anticipated to increase the use of existing parks and recreation facilities such that substantial physical deterioration of such parks and facilities would occur. Further, any new or expanded facilities would be constructed by the City, since they are the responsible party that acquires, constructs, and maintains new parks and recreation areas. Therefore, impacts would be less than significant.

Plans, Policies, and Programs (PPP)

PPP R-1 **City Park Requirements.** Tustin City Code Section 9331 – Dedications, Reservations and Development Fees. To implement the Conservation/Open Space/Recreation Element of the General Plan which contains policies and standards for parks and recreational facilities, the subdivider shall dedicate land or pay a fee in lieu thereof, or a combination of both, at the option of the City except as otherwise provided in Government Code Section 66477, for the purpose of developing new or rehabilitating existing neighborhood or community parks and recreational facilities to serve the subdivision, and in accordance with the standards and formula contained in the section.

7.16 TRANSPORTATION

Conflict with Circulation Program, Plan or Policy

The trip generation for the Project was calculated using trip rates from the Institute of Transportation Engineers (ITE), Trip Generation 11th Edition, 2021. As shown in Table 5-12 in Appendix A, the existing number of trips generated by existing uses of the Project site is 2,092. The Project would generate approximately 1,144 daily trips including 76 trips during the AM peak hour and 100 trips during the PM peak hour. Thus, the Project would generate 948 fewer daily trips than the existing uses.

Transit Services

The Project vicinity is served by the Orange County Transportation Authority (OCTA). The established network includes Routes 60, 61, 65, 66, 71, 75, and 463, as shown in Figure 5-2 of Appendix A. The nearest OCTA bus stop is located adjacent to the Project site, along 17th Street and is served by OCTA Route 60. OCTA Route 60 runs from the 7th St. and Channel Dr. intersection in Long Beach to the Larwin Square shopping center in Tustin. It operates Monday through Friday from 3:53 a.m. to 1:40 a.m. and on weekends from 3:55 a.m. to 1:31 a.m. with 15-minute headways (Orange County Transportation Authority, 2025). Additionally, the Metrolink Inland Empire-Orange County Line has a stop 2.8 roadway miles west of the Project site at the Santa Ana Metrolink Station. This existing transit service would continue to serve its ridership in the area, in addition to Project residents. The proposed 145 residential units would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur.

Bicycle Circulation

The City of Tustin General Plan Circulation Element, Figure C-5 *Master Bikeway Plan*, identifies a planned Class II bicycle lane along Prospect Avenue and 17th Street that runs adjacent to the Project site (City of Tustin, 2018). In coordination with the City, a Class I off-street bike lane would be implemented on the existing public right-of-way along 17th Street, the design of which would be reviewed and approved by the City's Planning and Public Works Departments. Thus, implementation of the Project would not conflict with existing or planned bike lanes or bicycle transportation. Thus, impacts related to existing bicycle program, plan, ordinance, or policies would not occur from the Project.

Pedestrian Facilities

The Project site is located in a developed urban area with sidewalks available along all nearby roadways. However, the existing driveways on 17th Street providing access to the site would be closed off and would be replaced with sidewalks that would connect to the existing sidewalks along 17th Street, adjacent to the site. The proposed on-site roadway system also includes sidewalks throughout the Project site that would connect to the off-site sidewalks. This would facilitate pedestrian use and walking to nearby locations. Therefore, the proposed Project would improve, and not conflict with, pedestrian facilities. Thus, impacts related to pedestrian facilities would not occur.

Vehicle Miles Traveled

As illustrated on the City of Tustin VMT Screening Form prepared for the Project included in Appendix A, the City of Tustin has a VMT Threshold of 15.0 VMT/Capita for Citywide Average Home-Based VMT (City of Tustin , 2025). The Project is in Traffic Analysis Zone (TAZ) 853, which has a corresponding 11.6 VMT/Capita rate for residential projects. The 11.6 VMT/Capita rate is below the VMT Threshold of 15.0 VMT/Capita for Citywide Average Home-Based VMT. Therefore, the Project is located in a low VMT area and would screen under Screening Criteria 4.

Additionally, as described previously, the Project would generate 1,144 daily trips. The existing uses currently generate 2,092 daily trips; thus, the Project would result in 948 fewer daily trips than what is currently generated by the existing uses (Appendix A). As such, the Project would have a net negative trip generation, far below 500 ADT threshold and would screen under Screening Criteria 5. Thus, pursuant to the City's VMT analysis guidelines and guidance from OPR and CEQA Guidelines Section 15064.3(b), the Project would result in a less-than-significant VMT impact.

Hazards Due to Geometric Design/ Incompatible Uses

The Project would not include incompatible uses such as farm equipment. The Project would also not increase any hazards related to a design feature. As mentioned previously, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the Project site's 17th street driveways. Further, all the on-site drives would be developed in conformance with City design standards. The City's construction permitting process includes review of Project plans to ensure that potentially hazardous transportation design features would not be introduced by the Project. For example, the design of the on-site circulation would be reviewed to ensure fire engine accessibility is provided to Fire Code standards. Also, access to the Project site would be provided by a 27-foot-wide driveway along Prospect Avenue that would lead into a 28-foot-wide internal drive aisle. The driveway and drive aisle would be designed in compliance with the City's design standards to provide for adequate turning for passenger cars, fire trucks, and delivery trucks. As a result, impacts related to geometric design features or incompatible uses would be less than significant.

Inadequate Emergency Access

The proposed construction activities, including equipment and supply staging and storage, would occur within and adjacent to the Project area and would not restrict access of emergency vehicles to the Project site or adjacent areas.

Further, operation of the proposed Project would not result in inadequate emergency access. Direct access to the Project site would be provided from a 24-foot driveway on Prospect Avenue. All drive aisles would be consistent with City requirements to accommodate emergency vehicles as well as provide fire suppression facilities (e.g., hydrants, fire sprinklers and fire-resistant construction materials) in conformance with the Tustin City Code and the California Fire Code (Title 24, California Code of Regulations, Part 9). Additionally, should road closures be needed during construction, the Project would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable), consistent with the City of Tustin Standard Plans and Design Standards (City of Tustin Department of Public Works, 2022) (PPP T-1). Compliance with appropriate code specifications would be verified by the City's Building and Safety Department during the construction and occupancy permitting process. Thus, potential impacts related to inadequate emergency access during Project construction or operation would be less than significant.

Plans, Policies, and Programs (PPP)

PPP T-1 **Traffic Control/Utilities.** Prior to commencing construction within the City public right-of-way (including utility work), and specifications for operational roadway and traffic control design, the Project shall be subject to the traffic control standards specified by the City's latest Standard Plans and Design Standards, which includes the requirement for Traffic Control Plan during construction.

7.17 UTILITIES AND SERVICE SYSTEMS

Utilities Infrastructure

Water

The Tustin Water District (TWD) provides water infrastructure and services in the Project vicinity. The proposed Project would redevelop the Project site, which is currently served by TWD's water infrastructure. An existing 8-inch water line in Prospect Avenue currently provides water supplies to the Project site. The proposed Project would install new water lines on the Project site that would connect to the existing 8-inch water line in Prospect Avenue. In addition, the Project would result in a net decrease in water demand compared to the site's existing uses, thus the City would have sufficient water supplies available to serve the Project and would not result in the need for additional water infrastructure. Further, the new on-site water system would distribute water to the proposed residences and landscaped areas through fixtures compliant with the CALGreen Plumbing Code, ensuring efficient water use. The construction activities related to on-site water infrastructure needed to serve the proposed residences are included as part of the proposed Project and would not result in any physical environmental effects beyond those identified. Therefore, the Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Wastewater

The Project would connect to the existing 18-inch sanitary sewer system in Prospect Avenue. In addition, the Project would generate a nominal increase in wastewater flows compared to existing conditions, and the proposed development would not require off-site improvements. Installation of the on-site wastewater infrastructure is part of the Project scope and would not result in any physical environmental effects beyond those identified. As the Project includes facilities to serve the proposed development, it would not result in the need for construction of other new wastewater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

Stormwater Drainage

The Project includes a series of on-site storm drain facilities with low impact development (LID) and peak storm elements. Street surface runoff would be collected and conveyed through curb inlet catch basins and diverted to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration vaults are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right of-way on Prospect Avenue. As detailed previously, the proposed on-site drainage system has been designed to accommodate runoff from the Project site, which will have a design capture volume (DCV) of 22,322 cf, consistent with the applicable NPDES permit requirements. Further, the proposed Project would result in a decrease in overall peak flow rates compared to existing condition. Construction activities related to installation of the on-site storm water infrastructure serving the Project are included as part of the Project scope and would not result in any physical environmental effects beyond those identified. As the Project includes facilities to serve the proposed development, it would not result in the need for construction of other new stormwater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

Electricity, Natural Gas, & Telecommunications

Electric power, natural gas, and telecommunications facilities are available to serve the Project without the need to construct or relocate more. The Project would connect to existing Southern California Edison electrical distribution facilities adjacent to the Project site and would not require the construction of new electrical

facilities. Additionally, the Project would not include the use of natural gas. As such, the Project would not result in the need for construction of new electricity, natural gas, or telecommunications facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

Water Supplies

According to the City of Tustin's 2020 Urban Water Management Plan (UWMP), per capita water usage in 2020 was 95 gallons per day (gpd), well below its 2020 target of 151 gpd. For a conservative estimate of Project water use, the higher water demand rate of 151 gallons per capita per day was used to estimate water demand associated with the proposed Project.

The Project site is currently developed with five operational office buildings totaling 193,000 SF. Based on the 2001 SCAG Employment Density Report, this space could accommodate approximately 593 employees (1 employee per 325 SF) (The Natelson Company, Inc., 2001). Applying the City's per capita water usage target, existing conditions generate an estimated water demand of 89,543 gallons of water per day, or 100.30 acre-feet per year (AFY).

The proposed Project would introduce approximately 396 new residents to the site. Using the same per capita rate of 151 gpd, this equates to a project demand of 59,796 gallons of water per day, or 66.98 AFY – a net reduction of 29,747 gpd compared to existing conditions. Based on this projected reduction and the supply-demand projections in the 2020 UWMP, the City has sufficient water supplies to serve the Project and cumulative development, even under normal, dry, and multiple dry year scenarios through 2045. Therefore, implementation of the proposed Project would result in a less than significant impact related to water supplies.

Wastewater Capacity

Wastewater services are provided to the Project site by EOCWD. In 2020, EOCWD collected approximately 360 AF of wastewater (East Orange County Water District, 2020). While EOCWD is responsible for wastewater collection, it does not own or operate its own wastewater treatment facilities. Instead, it conveys all collected wastewater to the Orange County Sanitation District (OC San) for treatment and disposal. Wastewater collected within EOCWD's service area is conveyed to OC San's wastewater treatment plants in Fountain Valley (Plant No. 1) and Huntington Beach (Plant No. 2). Plant No. 1 has a total rated primary capacity of 208 million gallons per day (MGD) and a secondary treatment capacity of 182 MGD. Plant No. 2 has a rated primary capacity of 1168 MGD and secondary treatment capacity of 150 MGD (Orange County Sanitation District, 2022). Wastewater from the Project site is treated at Plant No. 1.

According to EOCWD, high density residential uses use approximately 250 gpd per dwelling unit (gpd/du) and commercial office uses use approximately 3,000 gallons per day per acre (gpd/ac) (B. Young, personal communication, April 28, 2025).

As mentioned previously, the Project site is currently developed with five commercial office buildings totaling 193,000 SF (4.43 ac) and is fully operational. Therefore, based on wastewater generation rates from EOCWD, the 4.43 acres of existing commercial office uses generate approximately 13,290 gpd/ac or 14.87 AFY.

Using EOCWD's recommended rate, the proposed 145 residential dwelling units would result in a wastewater generation rate of 36,250 gpd or 40.61 AFY which would result in a net increase of 22,960 gpd or 25.74 AFY of wastewater based on the existing use. However, Plant No.1 treats an average of 124 MGD and has a remaining capacity of 84 MGD (Orange County Sanitation District, 2024). Thus, the amount of wastewater that would be generated by the proposed Project is less than 0.03 percent of Plant No. 1's

total remaining daily treatment capacity. As a result, the wastewater treatment plant serving the Project would have adequate capacity to serve the proposed Project's demand in addition to existing service commitments, and impacts would be less than significant.

Solid Waste

Solid waste generated by the Project could be disposed of at the Frank R. Bowerman Landfill and Olinda Alpha Sanitary Landfill.

Construction

Project construction would generate solid waste for landfill disposal in the form of demolition debris from the existing buildings and infrastructure that would be removed from the site. Demolition waste would be properly characterized as required by law and recycled or disposed of at an appropriate type of landfill for such materials. Construction waste in the form of packaging and discarded materials would also be generated by the proposed project.

Utilizing a residential construction waste factor of 4.38 pounds per square foot, the Project would generate approximately 811,443 lbs (185,261 SF x 4.38 lbs = 811,443 lbs per SF) of waste (Environmental Protection Agency, 1998). In addition, the Project would generate approximately 37,698 total tons of waste during demolition. However, Section 5.408.1 of the 2022 California Green Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 35 percent of the waste generated. However, as mentioned previously, existing hazardous materials would be disposed of according to SCAQMD Rule 1403 as well as state and federal hazardous materials regulations, thus only nontoxic material would be recycled in accordance with the CalGreen code. For a conservative analysis, the assumption that all demolition waste is hazardous has been assumed. Therefore, only construction waste would be recycled or reused, which would result in approximately 527,437 lbs (811,443 multiplied by 65 percent) of recycled/reused waste. The Project would thus generate a remainder of 284,005 lbs (142 tons) of construction waste in addition to the 37,698 tons of demolition waste, which would result in a total of 37,840 tons total over the course of the construction, or approximately 113 tons of debris per day.

The Frank Bowerman Landfill is permitted to accept 11,500 tons per day of solid waste and is permitted to operate through 2053. In January 2024, the maximum daily tonnage received was 8,710.78 tons. Thus, the facility had additional capacity of 2,789.22 tons per day (CalRecycle, 2024a). Per a Solid Waste Facility Permit (SWFP) issued on July 8, 2021, the Olinda Alpha Sanitary Landfill is permitted to receive 10,000 tons per day for 36 days of the year and is permitted to receive 8,000 tons per day for the other 271 days of the year. The Olinda Alpha Sanitary Landfill is permitted to operate through 2036. In January 2024, the maximum tonnage received was 8,404 tons, which is below the 10,000 tons per day that the facility is allowed to receive for 36 days of the year (CalRecycle, 2024b).

The Frank Bowerman Sanitary Landfill had additional capacity of approximately 3,123 tons per day. Therefore, the facility would be able to accommodate the addition of 707 tons of waste per day during demolition and construction of the proposed Project, and impacts would be less than significant.

Operation

The CalEEMod solid waste generation rate for residential is 0.25 tons per year. The Project proposes construction of 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). Thus, operation of the Project would generate approximately 36.25 tons of solid waste per year; or 0.7 tons per week. However, at least 75 percent of the solid waste is required by AB 341 to be recycled, which would reduce the volume of landfilled solid waste to approximately 0.2 tons per week or 440 pounds

per week. As the Frank Bowerman Sanitary Landfill has additional capacity of approximately 3,123 tons per day, the solid waste generated by the Project would be within the capacity of the landfill. Thus, the Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and the Project would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

7.18 WILDFIRE

As described previously, the Project site is currently developed as a commercial site and is located in an urbanized area. The site is relatively flat with less than 5 feet of elevation differential across the property.

According to the California Fire Hazard Severity Zones map, the Project site is not located within a Very High Fire Hazard Severity Zon e (California Department of Forestry and Fire, 2025). Further, the Project is required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with the Tustin City Code, and the Fire Department would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9, adopted by reference in the Tustin City Code Section 8100). Further, should a road closure be needed during construction, the Project would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable), consistent with the City of Tustin Standard Plans and Design Standard s (City of Tustin Department of Public Works, 2022) (PPP T-1).

Plans, Policies, and Programs (PPP)

PPP T-1 **Traffic Control/Utilities.** Prior to commencing construction within the City public right-of-way (including utility work), and specifications for operational roadway and traffic control design, the Project shall be subject to the traffic control standards specified by the City's latest Standard Plans and Design Standards, which includes the requirement for Traffic Control Plan during construction.

7.19 REFERENCES

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8. Alternatives

8.1 INTRODUCTION

The identification and analysis of alternatives to a project is a fundamental part of the environmental review process pursuant to CEQA. Public Resources Code (PRC) Section 21002.1(a) establishes the need to address alternatives in an EIR by stating that in addition to determining a project's significant environmental impacts and indicating potential means of mitigating or avoiding those impacts, "the purpose of an environmental impact report is to identify alternatives to the project."

Pursuant to CEQA Guidelines Section 15126.6(a), an EIR must describe a reasonable range of alternatives to the proposed project or to the project's location that would feasibly avoid or lessen its significant environmental impacts while attaining most of the proposed project's objectives. CEQA Guidelines Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. In addition, CEQA Guidelines Section 15126.6(e)(2) requires the identification and evaluation of an "Environmentally Superior Alternative".

Pursuant to CEQA Guidelines Section 15126.6(d), discussion of each alternative presented in this EIR Section is intended "to allow meaningful evaluation, analysis, and comparison with the proposed project." As permitted by CEQA, the significant effects of each alternative are discussed in less detail than those of the proposed Project, but in enough detail to provide perspective and allow for a reasoned choice among alternatives to the proposed Project.

In addition, the "range of alternatives" to be evaluated is governed by the "rule of reason" and feasibility, which requires the EIR to set forth only those alternatives that are feasible and necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (CEQA Guidelines Section 15126.6(f)). CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors and other considerations (CEQA Guidelines Sections 15091(a)(3), 15364).

Based on the CEQA requirements described above, the alternatives addressed in this EIR were selected in consideration of one or more of the following factors:

- The extent to which the alternative could avoid or substantially lessen any of the identified significant environmental effects of the proposed Project;
- The extent to which the alternative could accomplish the objectives of the proposed Project;
- The potential feasibility of the alternative;
- The appropriateness of the alternative in contributing to a "reasonable range" of alternatives that would allow an informed comparison of relative advantages and disadvantages of the proposed Project and potential alternatives to it; and
- The requirement of the *CEQA* Guidelines to consider a "no project" alternative; and to identify an "environmentally superior" alternative in addition to the no project alternative (CEQA Guidelines Section 15126.6(e)).

Neither the CEQA statute, the CEQA Guidelines, nor recent court cases specify a specific number of alternatives to be evaluated in an EIR. Rather, "the range of alternatives required in an EIR is governed by the rule of reason that sets forth only those alternatives necessary to permit a reasoned choice" (CEQA Guidelines 15126(f)).

8.2 SIGNIFICANT ENVIRONMENTAL EFFECTS

CEQA requires the alternatives selected for comparison in an EIR to avoid or substantially lessen one or more significant effects of the Project being evaluated. This analysis evaluates both the potential to avoid or reduce a significant and unavoidable impact, and to avoid the need for mitigation to obtain less than significance levels.

The analysis in Chapter 5 of this Draft EIR determined that a significant and unavoidable Project-specific and cumulative cultural resources impact would occur, and that potentially significant impacts of the Project related to air quality and tribal cultural resources can be mitigated to a less than significant level.

8.2.1 Significant and Unavoidable Impact

Impact CUL-1: Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

Currently, the 8.5-acre Project site contains the "Tustin Financial Plaza," which is developed with five buildings that provide a total of 193,000 square feet (SF) of office use. As detailed by the Historic Resource Assessment Report (HRAR), Leason F. Pomeroy III, a local architect and principal of LPA, Inc., was the architect for two of the office buildings: 17772 17th Street (northwest corner building), and 17862 17th Street (northeast corner building). Larry A. Bivens, a structural engineer by trade, was the architect for the other three buildings: 17782 17th Street (southwest corner building), 17852 17th Street (southeast corner building), and 17822 17th Street (center building). Construction began in 1972 and was completed in 1974.

The five existing buildings at the Tustin Financial Plaza contain many character defining features of the New Formalism style such as man-made materials that mimic luxurious qualities, light neutral paint colors contrasted with dark glazed windows, and a slight podium, with concrete steps leading to each entrance as well as separation from the parking and landscaping. As such, the Tustin Financial Plaza features many of the character defining features of the New Formalism style and is considered eligible under California Register of Historic Resources (CRHR) Criterion 3/Local Register Criterion 3. Additionally, since the Meredith Centre (Tustin Financial Plaza) was one of Pomeroy's earliest works and significant as it was the start of his work in the large-scale commercial sphere, the buildings are considered eligible under CRHR Criterion 3/Local Register Criterion 4 as a representative work of Leason Pomeroy III. Therefore, the Tustin Financial Plaza qualifies as a significant historical resource pursuant to § 15064.5.

The Project would demolish all five of the existing buildings located at the Tustin Financial Plaza to implement the proposed 145 residential units. Therefore, implementation of the proposed Project would result in a substantial adverse change in the significance of the Tustin Financial Plaza, a significant historical resource.

As such, Mitigation Measure HIST-1 would be implemented and would require high-resolution digital photographs of the Tustin Financial Plaza from historically appropriate viewpoints, as well as a submission of a full-documentation package (historic report and photographs) to the City's Planning Department and at least one local historical organization. However, demolition of the five existing buildings would continue to result in a substantial adverse effect on a historical resource, and impacts would remain significant and unavoidable after implementation of mitigation.

8.2.2 Impacts Mitigated to Less than Significant

Impact AQ-3: Expose sensitive receptors to substantial pollutant concentrations.

Construction of the proposed Project may expose nearby receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, the maximum daily construction emissions from the construction of the proposed Project would not exceed the applicable South Coast Air Quality Management District (SCAQMD) localized significance thresholds (LST) at the nearest sensitive receptor.

A Construction Health Risk Assessment was prepared for the Project to analyze potential cancer risks and chronic non-cancer hazards resulting from the proposed Project's construction diesel particulate matter emissions (Appendix D). The maximum cancer risk generated during Project construction would be 17.75 in one million, which would exceed the SCAQMD cancer risk threshold of 10 in one million. The maximum non-cancer health risks would be less than 0.03, which is below the threshold of 1.0. Therefore, the Project would have a potentially significant impact to cancer risk and less-than-significant impact related to non-cancer health risks. With implementation of Mitigation Measure AQ-1, which would require the Project to utilize Tier 4 Final or superior equipment for engines exceeding 100 horsepower (hp), the maximum cancer risk would be reduced to 9.13 in one million and would be below the 10 in one million threshold.

Further, Project operation would not include use of stationary mobile sources that emit DPM, and therefore, would not result in potential impacts to nearby sensitive receptors. Thus, with implementation of Mitigation Measure AQ-1, impacts of pollutant concentrations on local sensitive receptors would be less than significant.

Impact TCR-1: The Project would not Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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 § 5020.1(k).

In compliance with AB 52, on March 26, 2025, the City sent letters to the following Native American tribes that may have knowledge regarding TCRs in the Project vicinity. A response was received from the Gabrieleño Band of Mission Indians – Kizh Nation on April 4, 2025, requesting consultation for the Project.

The Juaneno Band of Mission Indians Acjachemen responded on April 24, 2025, requesting applicable documents to the Project as well as consultation for the Project. After review of requested documents, the Juaneno Band of Mission Indians Acjachemen had no further comments and concluded consultation on June 3, 2025.

Consultation via email with Kizh Nation began on April 4, 2025. On June 18, 2025, the City of Tustin provided their proposed mitigation measures for consideration to the tribe, which were rejected by Kizh Nation. Kizh Nation suggested alternative mitigation measures. The City of Tustin determined that a mutual agreement cannot be reached and considers that the City has acted in good faith and a reasonable effort has been made; therefore, allowing the City of Tustin to move forward with the Project pursuant to Section 21080.3.2(b) of the Public Resources Code. The City of Tustin considered the provided mitigation measures but decided to proceed with their originally proposed mitigation measures and closed consultation with Kizh Nation on July 10, 2025. Project-specific Mitigation Measures TCR-1 through TCR-3 would be implemented to require Native American monitoring during any ground disturbing activities on the Project site and to avoid potential impacts to TCRs that may be unearthed by Project construction activities. With implementation of Project-specific Mitigation Measures TCR-1 through TCR-3, impacts to TCRs would be less than significant.

Impact TCR-2: Cause a substantial adverse change in significant of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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 § 5020.1(K).

Less than Significant Impact with Mitigation Incorporated. Additionally, although no TCRs were identified during the Project's AB 52 consultation, Kizh Nation stated that the proposed Project lies within its ancestral tribal territory and proposed mitigation measures. Thus, the City has incorporated Mitigation Measures TCR-1 through TCR-3 to provide for Native American resource sensitivity training, monitoring, and to prescribe activities should any inadvertent discoveries of TCRs be unearthed by Project construction activities.

In addition, California Health and Safety Code Section 7050.5 requires that if human remains are discovered on the Project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation (PPP CUL-1). If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC (PPP TCR-1). Therefore, with implementation of Project-specific Mitigation Measures TCR-1 through TCR-3 and existing regulations, impacts to TCRs considered significant to a California Native American Tribe would be less than significant.

8.3 PROJECT OBJECTIVES

CEQA Guidelines §15124(b) (14 California Code of Regulations [CCR]) requires "A statement of objectives sought by the proposed project. A clearly written statement of objectives would help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and would aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." The Project would achieve the following objectives:

- Provide high quality residential development that is consistent with the residential density assumptions in the General Plan.
- Establish a well-planned development that provides visual and functional compatibility with adjacent residential neighborhoods.
- Create a walkable and bikeable environment by strategically placing residential uses near commercial uses and transit options (such as the existing bus stop adjacent to site).
- Provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified by Southern California Association of Governments (SCAG) and assist in reducing the housing shortage in southern California.
- Provide housing in areas that have existing family services, such as schools and parks.
- Promote a diverse housing stock with products that are offered at a range of sizes and density.

8.4 ALTERNATIVES CONSIDERED BUT REJECTED

Pursuant to State CEQA Guidelines Section 15126.6(c), an EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are potentially feasible and, therefore, merit in-depth consideration, and which are infeasible and need not be considered further. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (State CEQA Guidelines Section 15126.6(f), (f)(3)). This section identifies alternatives considered by the lead agency but rejected as infeasible and provides a brief explanation of the reasons for their exclusion. Alternatives may be eliminated from detailed consideration in the Draft EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects.

Adaptive Residential Reuse Alternative. Under this alternative, the existing building envelopes of the Tustin Financial (Merideth Center) complex would be preserved, while the interior spaces would be repurposed from commercial to apartment-style multifamily residential use. Because the buildings are designated as locally historic resources, this approach would avoid demolition and thereby reduce the Project's impact on historic resources from significant and unavoidable to less than significant. Constructed in 1974 for office use, the five buildings were originally designed for office use, and their layout and structure are not physically suited for conversion to single family cluster and attached homes as proposed by the Project. Conversion of the existing buildings for multifamily residential use would result in a highly different residential product than currently proposed. Further, existing structures lack necessary fire safety features for residential use, such as appropriate emergency outdoor access for second floor units and above. Therefore, this alternative has been rejected from further consideration.

Alternate Site Alternative. An alternate site for the Project was considered but ultimately eliminated from further evaluation. Any such site would need to be located within the City of Tustin. If the Project were developed at an alternate location and rezoning were undertaken within another commercial center in the City, it would likely result in similar environmental impacts and require comparable mitigation measures, with the exception of impacts to historic resources. While this alternative would avoid the demolition of the existing Tustin Financial Plaza, the current use of the site as an office complex no longer aligns with prevailing market demands, and the property remains underutilized. If the Project were to be relocated, the existing site would still require redevelopment with a use that more effectively serves the City's evolving needs in order to optimize land use. As a result, the Alternate Site Alternative would not result in a meaningful reduction in environmental impacts.

8.5 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Two alternatives to the Project have been identified for further analysis as representing a reasonable range of alternatives that attain most of the objectives of the Project, may avoid or substantially lessen any of the significant effects of the Project, and are feasible from a development perspective. These alternatives have been developed based on the criteria identified in Section 8.1. The following alternatives are further described and analyzed in Sections 8.6 and 8.7.

Alternative 1: No Build Alternative. This alternative consists of the Project not being approved, and the Project site would remain in the conditions that existed at the time the Notice of Preparation was published (May 30, 2025).

Alternative 2: Reduced Project Alternative. This alternative consists of the Project being constructed, but at a reduced scale with fewer residential units. Under this alternative, the Project would result in demolition of two existing buildings and construction of 63 units on 3.5 acres. The remaining three buildings and 5 acres of the 8.5-acre site would be maintained in its existing condition.

8.6 ALTERNATIVE 1: NO PROJECT

Pursuant to State CEQA Guidelines Section 15126.6(e), this Draft EIR is required to "discuss the existing conditions at the time the Notice of Preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services […] In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained."

The No Build Alternative allows decision-makers to compare the environmental impacts of approving the proposed Project to the environmental impacts that would occur if the Project site were to be left in its existing conditions for the foreseeable future. Under the existing conditions, the Project site is currently developed with five buildings that provide a total of 193,000 square feet (SF) of office use. The site contains ornamental landscaping within parking lot medians, around the central structure, and along the perimeter of the Project site. Existing site photos are provided in Figures 3-4 through 3-6, *Existing Site Photos A-C*. Under this alternative, no construction or redevelopment would occur.

8.6.1 Environmental Impacts

Air Quality

Under this alternative no new development would occur on the Project site, and as such, no new sources of air pollution would be introduced. Although the Project's construction and operational air quality emissions would be below applicable SCAQMD thresholds for VOCs, NO_X, CO, SO_X, and $PM_{2.5}$, this alternative would avoid the Project's less than significant impacts related to increase of these criteria pollutants.

In addition, this alternative would avoid the Project's potentially significant impact related to exposure of sensitive receptors to cancer risk through emission of diesel particulate matter (DPM) during Project construction. Further, MM AQ-1, requiring the use of Tier 4 construction equipment, would not be required to reduce potential health impacts to less than significant. Therefore, the No Build Alternative would result in no impact, which would be less than the proposed Project.

Cultural Resources

Under this alternative, existing conditions would be maintained, and no new development would occur. No demolition would occur to the existing Tustin Financial Plaza, which is identified as a significant historic resource. Under this alternative, MM HIST-1 would not be implemented requiring archival documentation of existing historic structures. The No Build Alternative would result in no impact to historic resources because existing conditions would remain, and no new development would occur. Therefore, the No Build Alternative would result in no impact, which would be less than the proposed Project.

Noise

Under this alternative, no development would occur onsite, and no new sources of noise would be introduced at the Project site. Since no new development would occur, existing traffic trips would be maintained, and further, existing traffic noise levels would continue. Under the proposed Project, future traffic levels are anticipated to decrease under Opening Year conditions since the proposed use is less intensive than existing (see Table 5.3-9, *Traffic Noise Levels Without and With Proposed Project*). Therefore, under the No Build Alternative, traffic noise would be between 0.0 to 0.2 dBA greater at nearby noise receptor locations under Opening Year conditions than traffic noise generated by the "With Project" conditions. Therefore, this alternative would result in no impact compared to baseline conditions, but greater traffic noise than the Proposed project.

Additionally, this alternative would not result in construction onsite and no construction noise or vibration would occur. Therefore, this alternative would avoid the Project's less than significant impact related construction noise and vibration on surrounding land uses. Overall, the No Build Alternative would result in reduced construction impacts, but greater operational noise, than the proposed Project.

Tribal Cultural Resources

Under this alternative, existing conditions would remain, and no new development would occur. No grading would occur and there would be no potential impacts to tribal cultural resources that may be buried below ground. Although mitigation would ensure that the Project would result in less than significant impacts on tribal cultural resources, this alternative would avoid all potential impacts to tribal cultural resources, and no mitigation would be required regarding potential inadvertent tribal cultural resource discoveries. Therefore, the No Build Alternative would result in less impacts than the proposed Project.

8.6.2 Conclusion

Ability to Reduce Impacts

The No Build Alternative would result in continuation of the existing uses within the Project site, and the proposed development would not occur. As a result, this alternative would avoid the need for mitigation measures that are identified in Chapter 5.0 of this Draft EIR, which include measures related to air quality, cultural resources, and tribal cultural resources. This alternative would also avoid the significant and unavoidable impacts to historic resources. Additionally, this alternative would result in a reduction of traffic noise benefits anticipated to result from the proposed Project since the No Build Alternative would not reduce future traffic levels. However, no construction noise would occur under this alternative, which would result in a reduced noise impact compared to the Project. This alternative would result in lessened impacts to four of the four environmental topics analyzed in this Draft EIR (see Table 8-2).

However, under the No Build Alternative the benefits of the proposed Project would also not be realized, including providing housing onsite that would result in a better jobs-housing balance in Tustin, which is currently considered jobs-rich.

Ability to Achieve Project Objectives

As shown in Table 8-3, below, the No Build Alternative would not meet any of the Project objectives. The purpose of the Project is to redevelop the Project site to provide housing. The No Build Alternative would not result in rezoning or residential development of the site at allowed densities under the General Plan. It would also not increase the number of housing opportunities available in Tustin, increase flexibility in allowed uses and development potential in the City of Tustin or promote a diverse housing stock with a wide range of sizes and affordability.

8.7 ALTERNATIVE 2: REDUCED PROJECT

Under Alternative 2, Reduced Project, the proposed Project would be reduced by approximately 57 percent. Only 3.5 of the 8.5-acre Project site would be redeveloped with residential use, while the remainder of the Project site would be maintained in its existing condition, as shown in *Figure 8-1, Reduced Project (Alternative 2)*. The southern portion of the Project site would be developed with 27 single-family cluster units and 36 townhome units, for a total of 63 dwelling units. The Reduced Alternative would include development of 20,043 SF of common open space. A 0.08-acre recreational area would be provided near the center of the proposed residential community and would contain a walking path, seating areas, and grass lawn with ornamental vegetation.

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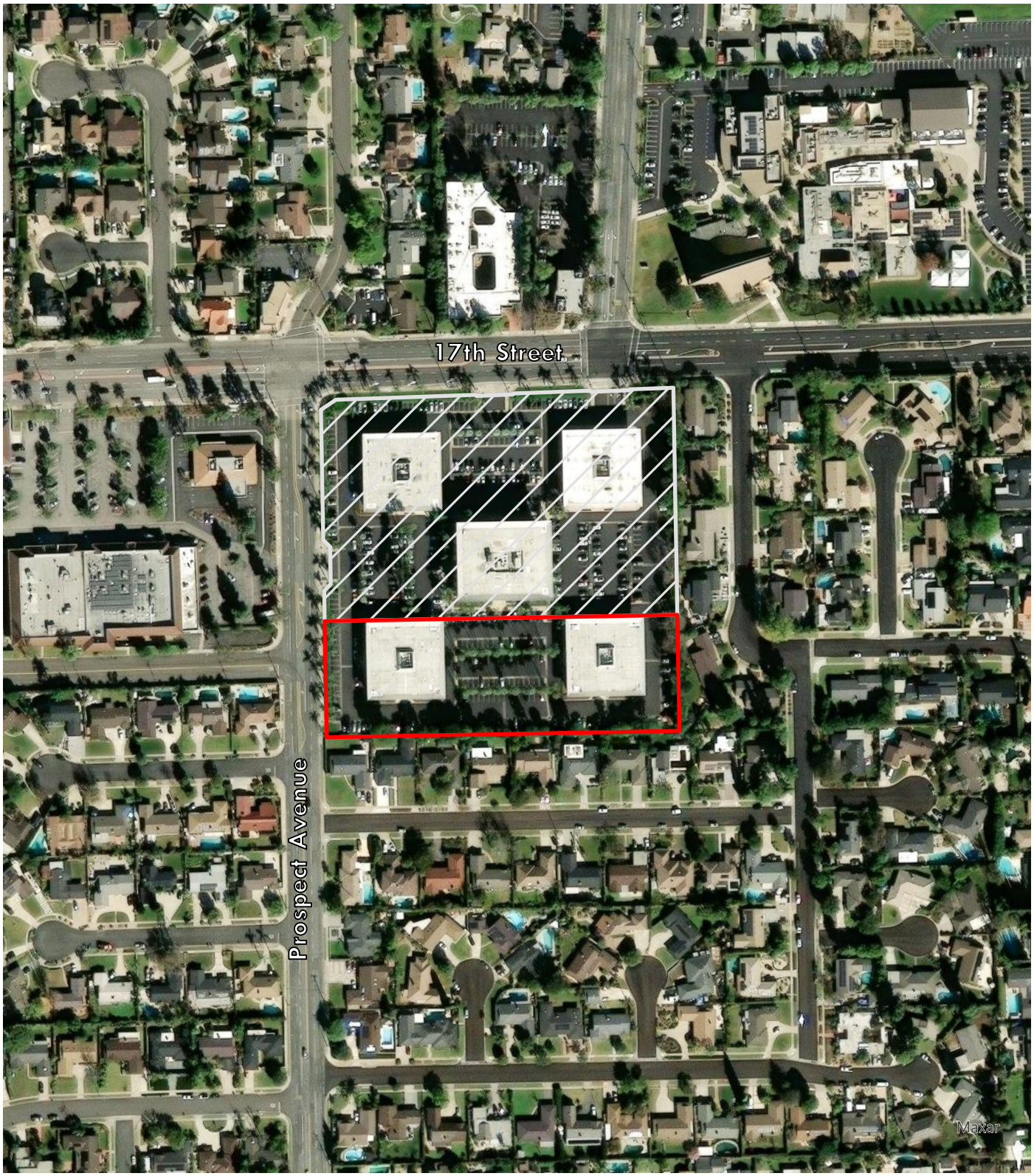
Reduced Project Alternative Aerial



Legend

Reduced Alternative Project Boundary

No Changes/Not a Part

0 250 500 Feet

N

Cypress Grove
City of Tustin

Figure 8-1

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8.7.1 Environmental Impacts

Air Quality

Under the Reduced Project Alternative, the proposed Project would be reduced by approximately 57 percent. Under this alternative, the intensity of demolition and construction would be reduced as compared to the proposed Project. Two of the existing five buildings would be demolished and debris would be hauled offsite. 63 dwelling units would be constructed on 3.5 acres of the 8.5-acre Project site.

As previously noted, the maximum cancer risk generated during Project construction would be 17.75 in one million, which would exceed the SCAQMD cancer risk threshold of 10 in one million (see Table 8-1). The emission of diesel particulate matter (DPM), which is the agent for health risks, would be generated by the hauling of demolition debris and site grading. Under the Reduced Project Alternative, haul trips would be reduced to 237 due to the reduction of demolition and grading necessary for construction.[1] Further, cancer risk would be reduced from 17.75 persons per million to 7.2 persons per million, which is below the 10 persons per million threshold set by SCAQMD. Therefore, under the Reduced Project Alternative, MM AQ-1, which requires the use of Tier 4 construction equipment, would no longer be required to reduce exposure of sensitive receptors to substantial pollutant concentrations to less than significant.

Therefore, this alternative's construction impact on air quality emissions would be less than the Project's less than significant with mitigation impact and would be less than significant. No mitigation measures would be required under this alternative.

Table 8-1: Reduced Project Health Risk

	Haul Trips	DPM (lbs/day)	Cancer Risk (per million)	Threshold
Proposed Project	583	2.14	17.75	10.00
Reduced Project Alternative	237	0.87	7.20	10.00
Total Reduction	(346.64)	(1.27)	(10.55)	-

Cultural Resources

Under the Reduced Project Alternative, only 3.5 of the 8.5-acre Project site would be redeveloped with residential use, while the remainder of the Project site would be maintained in its existing condition. Alternative 2 construction would include ground disturbing activities on 3.5 acres and would result in demolition of two existing buildings within the Tustin Financial Plaza. Therefore, demolition would still occur to the existing Tustin Financial Plaza under the Reduced Project Alterative, which is identified as a significant historic resource. Under this alternative, MM HIST-1 would still be implemented requiring archival documentation of the two existing historic structures planned to be demolished. The other three buildings would be maintained in their existing condition and continue to be utilized for business commercial use. The No Reduced Project Alternative would still result in a significant and unavoidable impact but would be less than the proposed Project due to reduced demolition activities.

[1] Assumes that demolition haul trips, per the Project's Construction Health Risk Assessment (Appendix D), would be reduced from 314 trips by 40 percent to 126 trips, proportional to the proposed demolition of two buildings instead of five buildings. Additionally, this assumes that total haul trips associated with grading would be reduced from 269 trips by 57 percent to 111 trips, proportional to the reduction in proposed grading area to 3.5 acres from 8.5 acres.

Noise

Under this alternative, reduced development would occur onsite, and some residential noise would be introduced at the Project site. Under the proposed Project, future traffic levels are anticipated to decrease under Opening Year conditions since the proposed use is less intensive than existing (see Table 5.3-9, *Traffic Noise Levels Without and With Proposed Project*). Under the Reduced Project Alternative, the 5-acre portion of the Project site would continue to operate in its existing condition and traffic noise volumes would remain the same. The 3.5-acre portion of the site that would be redeveloped with residential use would result in a decreased number of operational trips, since residential use is less intensive than commercial use. Therefore, under the Reduced Project Alternative, traffic noise would be similar or slightly greater at nearby noise receptor locations under Opening Year conditions than traffic noise generated by the "With Project" conditions. Therefore, this alternative would result in no impact compared to baseline conditions, but greater traffic noise than the Proposed project.

Additionally, this alternative would require construction onsite, and further, construction noise and vibration would occur under the Reduced Project Alternative. However, under the proposed Project, construction noise impacts were determined to result in less than significant construction noise and vibration impacts. Therefore, the Reduced Project Alternative would also result in less than significant construction noise and vibration impacts since construction activities would be reduced compared to the proposed Project. Overall, the Reduced Project Alternative would result in reduced construction impacts, but greater operational noise, than the proposed Project.

Tribal Cultural Resources

Under this alternative, disturbances would occur to 3.5 acres of the 8.5-acre site. Project construction would require grading and excavation and could result in potential impacts to tribal cultural resources that may be buried below ground. Mitigation Measures TCR-1, TCR-2 and TCR-3 would reduce tribal cultural resource impacts to less than significant levels, similar to the Project. Areas planned for physical impact would be reduced compared to those of the proposed Project. Therefore, the Reduced Project Alternative would result in less than significant impacts with mitigation but would be less impactful compared to the proposed Project.

8.7.2 Conclusion

Ability to Reduce Impacts

The Reduced Project Alternative would result in partial continuation of the existing uses within the Project site, and limited redevelopment would occur. As a result, this alternative would avoid the need for air quality mitigation, MM AQ-1, but would require all other mitigation measures identified in Chapter 5.0 of this Draft EIR, which include measures related to historic resources and tribal cultural resources. This alternative would not avoid the significant and unavoidable impacts to historic resources, although it would reduce the severity of the significant impact. Additionally, this alternative would result in a reduction of traffic noise benefits anticipated to result from the proposed Project since the Reduced Project alternative would not reduce future traffic levels to the same degree as under "With Project" conditions. However, construction noise would be reduced under this alternative, which would result in a reduced noise impact compared to the Project. This alternative would result in lessened impacts to four of the four environmental topics analyzed in this Draft EIR (see Table 8-2).

However, under the Reduced Project Alternative the benefits of the proposed Project would also not be realized, including providing housing onsite that would result in a better jobs-housing balance in Tustin, which is currently considered jobs-rich.

Ability to Achieve Project Objectives

As shown in Table 8-3, below, the Reduced Project Alternative would not meet any of the Project objectives. The purpose of the Project is to redevelop the Project site to provide housing. The Reduced Project Alternative would not result in rezoning or residential development of the site at allowed densities under the General Plan. It would also not increase the number of housing opportunities available in Tustin, increase flexibility in allowed uses and development potential in the City of Tustin or promote a diverse housing stock with a wide range of sizes and affordability.

8.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires a lead agency to identify the "environmentally superior alternative" when significant environmental impacts result from a proposed Project…

Additionally, State CEQA Guidelines Section 15126.6(3)(1) states:

> *The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.*

Pursuant to CEQA, Alternative 1, the No Build Alternative, has been identified as the Environmentally Superior Alternative. This alternative would eliminate the Project's significant and unavoidable impact on historic resources, specifically those related to the Tustin Financial Plaza. Furthermore, because the No Build Alternative would preclude any development, it would avoid the environmental impacts associated with the Project altogether, and none of the mitigation measures identified for air quality, cultural resources, or tribal cultural resources would be necessary. However, the No Build Alternative would not achieve any of the Project's objectives, including those related to housing production.

The remaining alternative, Alternative 2, the Reduced Project Alternative, would also be environmentally superior to the proposed Project but would still result in greater impacts than the No Build Alternative. This alternative would allow for development of approximately 3.5 acres at the southern portion of the site, accommodating 27 single-family cluster units and 36 townhome units, totaling 63 dwelling units. The remaining 5 acres of the site would remain in their existing condition. Overall, development would be reduced by approximately 57 percent compared to the proposed Project. As a result of the reduced scope, this alternative would not require implementation of Mitigation Measure AQ-1, as the decreased amount of demolition and grading would reduce diesel emissions to levels below the thresholds established by the South Coast Air Quality Management District (SCAQMD). However, similar to the proposed Project, the Reduced Project Alternative would still require mitigation for historic and tribal cultural resources, and impacts to historic resources would remain significant and unavoidable. While this alternative would achieve some of the Project's objectives, it would do so to a lesser extent than the proposed Project.

CEQA does not require the Lead Agency (City of Tustin) to choose the environmentally superior alternative. Instead, CEQA requires the City to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm. Table 8-2 provides, in summary format, a comparison between the level of impacts for each alternative and the proposed Project. In addition, Table 8-3 provides a comparison of the ability of each of the alternatives to meet the objectives of the proposed Project.

Table 8-2: Impact Comparison of the Proposed Project and Alternatives

	Proposed Project	Alternative 1 No Project	Alternative 2 Reduced Project
Air Quality	Less Than Significant With Mitigation	No Impact (less than the Project)	Less Than Significant (less than the Project)
Cultural Resources	Significant and Unavoidable	No Impact (less than the Project)	Significant and Unavoidable (less than the Project)
Noise	Less Than Significant	Less Than Significant (less than the Project)	Less Than Significant (less than the Project)
Tribal Cultural Resources	Less Than Significant With Mitigation	No Impact (less than the Project)	Less Than Significant With Mitigation (less than the Project)
Reduce Impacts of the Project?		Yes	Yes
Areas of Reduced Impacts Compared to the Project		4	4

Table 8-3: Comparison of the Proposed Project and Alternatives' Ability to Meet Objectives

	Project	Alternative 1 No Project	Alternative 2 Reduced Project
1. Provide high quality residential development that is consistent with the residential density assumptions in the General Plan.	Yes	No	Yes
2. Establish a well-planned development that provides visual and functional compatibility with adjacent residential neighborhoods.	Yes	No	Yes
3. Create a walkable and bikeable environment by strategically placing residential uses near commercial uses and transit options.	Yes	No	Yes, but less.
4. Provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified by Southern California Association of Governments (SCAG) and assist in reducing the housing shortage in southern California.	Yes	No	Yes, but less.
5. Provide housing in areas that have existing family services, such as schools and parks.	Yes	No	Yes, but less.
6. Promote a diverse housing stock with products that are offered at a range of sizes and density.	Yes	No	Yes, but less.

9. EIR Preparers and Persons Contacted

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