

**CEQA FINDINGS OF FACT
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE
Greenbriar Residential Development Project
STATE CLEARINGHOUSE NO. 2024071235**

Exhibit A

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the proposed Project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA. The potential environmental effects of the proposed Greenbriar Residential Development Project (proposed Project) have been analyzed in a Draft Environmental Impact Report (DEIR) (State Clearinghouse [SCH] 2024071235) dated December 2024. A Final EIR has also been prepared that incorporates the DEIR and contains comments received on the DEIR, responses to the individual comments, revisions to the DEIR including any clarifications based on the comments and the responses to the comments, and the Mitigation Monitoring and Reporting Program for the proposed Project (MMRP). This document provides the findings required by CEQA for approval of the proposed Project.

A. STATUTORY REQUIREMENTS FOR FINDINGS

The CEQA (Pub. Res. Code §§ 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs §§ 15000, *et seq.*) promulgated thereunder require the environmental impacts of a project to be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained

workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

B. CERTIFICATION

Having received, reviewed, and considered the EIR for the Greenbriar Residential Development Project, State Clearinghouse No. 2024071235, as well as other information in the record of proceedings on this matter, the City of Brea City Council adopts the following Findings (Findings) in its capacity as the legislative body for the City of Brea (City), which is the CEQA Lead Agency. The Findings set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed Project.

In addition, the City of Brea City Council (City Council) hereby make findings pursuant to and in accordance with Section 21081 of the California Public Resources Code and State CEQA Guidelines Sections 15090 and 15091 and hereby certifies that:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

C. PROJECT ENVIRONMENTAL REPORT AND DISCRETIONARY ACTIONS

The Final EIR (FEIR) addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the proposed Project. The FEIR provides the environmental information necessary for the City to make a final decision on the requested discretionary actions for all phases of this Project. The FEIR was also intended to support discretionary reviews and decisions by other responsible agencies. Discretionary actions to be considered by the City may include, but are not limited to, the following:

- Certify that the FEIR for the proposed Project has been completed in compliance with CEQA and reflects the independent judgement and analysis of the City; find that the City Council has reviewed and considered the information contained in the FEIR prior to approving the proposed Project; adopt the Mitigation Monitoring and Reporting Program (MMRP), finding that the MMRP is adequately designed to ensure compliance with the mitigation measures during proposed Project implementation; and determine that the significant adverse effects of the proposed Project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the proposed Project as outlined in the CEQA Findings of Fact, as set forth herein.

- Approve the proposed Project and related discretionary actions needed for Project construction and operation.

II. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City published a DEIR on December 13, 2024. An FEIR was prepared in February 2025 in compliance with CEQA requirements. The FEIR has been prepared in accordance with CEQA and the CEQA Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the City retained a consultant to assist with the preparation of the environmental documents. City staff from multiple departments, representing the lead agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The FEIR reflects the City's independent analysis and judgement. The key milestones associated with the preparation of the EIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the EIR and to solicit comments on the results of the environmental analysis presented in the DEIR.

A. PUBLIC NOTIFICATION AND OUTREACH

In conformance with CEQA, the State CEQA Guidelines, and the City of Brea CEQA Guidelines, the City of Brea conducted an extensive environmental review of the proposed Project.

- Completion of a Notice of Preparation (NOP) on July 31, 2024. The public review period extended from August 1, 2024, to September 3, 2024. The NOP and notice for the Scoping meeting was published in the *Brea Star-Progress* on July 31, 2024. The scoping meeting was held on August 21, 2024. The NOP was posted at the Orange County Clerk's office on July 31, 2024. Copies of the NOP were made available for public review at the City of Brea, the City's website, and at the Brea Library.
- Preparation of a Draft EIR (DEIR), which was made available for a 45-day public review period beginning December 13, 2024, and ending January 28, 2025. The scope of the DEIR was determined based on the CEQA Guidelines Appendix G Checklist, comments received in response to the NOP, and comments received at the scoping meeting conducted by the City of Brea. Chapter 5 of the DEIR describes the issues identified for analysis in the DEIR. The Notice of Availability (NOA) for the DEIR was sent to interested persons and organizations, posted to the State Clearinghouse CEQAnet for distribution to public agencies, and posted at the City of Brea. The NOA was published in the *Brea Star-Progress* on December 12, 2024. The NOA was posted at the Orange County Clerk's office on December 13, 2024.
- The City of Brea prepared a Final EIR (FEIR), including the Responses to Comments to the DEIR, and the Findings of Fact. The FEIR/Response to Comments contains comments on the DEIR, responses to those comments, revisions to the DEIR, and appended documents.
- Public hearings on the proposed Project, including a Planning Commission study session, hearing and a City Council hearing.

- The City of Brea held public hearings on the proposed Project, including a Planning Commission hearing and a City Council hearing in spring 2025.

In summary, the City conducted all required noticing and scoping for the proposed Project in accordance with Section 15083 of the CEQA Guidelines, and conducted the public review for the EIR, which exceeded the requirements of Section 15087 of the CEQA Guidelines.

B. FINAL ENVIRONMENTAL IMPACT REPORT AND CITY COUNCIL PROCEEDINGS

The City prepared a FEIR, including Responses to Comments to the DEIR. The FEIR/Response to Comments contains comments on the DEIR, responses to those comments, revisions to the DEIR, and appended documents. A total of three comment letters were received. The three comment letters were from agencies (Juaneño Band of Mission Indians, Acjachemen Nation-Belardes, and Caltrans [comment letters A2 and A3]), and one comment letter was from the public.

The FEIR found that prior to mitigation, implementation of the proposed Project will result in potentially significant impacts to Air Quality, Cultural and Paleontological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Tribal Cultural Resources. However, mitigation measures (MMs) have been developed to avoid or reduce all of these impacts to levels considered less than significant.

Members of the public can view searchable agendas for scheduled City Council meetings and access agenda-related City information and services directly on the following website: <https://www.ci.brea.ca.us/511/City-Council>.

The FEIR document will be posted for viewing and download with the previously posted DEIR prior to the City's consideration of the FEIR and proposed Project recommendations on the City's website.

A date for consideration of the FEIR and proposed Project recommendations at the City Council was set for the proposed Project, and notice of the meeting was provided consistent with the Brown Act (Government Code Sections 54950 et seq.). The City Council will take testimony on the proposed Project and may continue on its calendar to a subsequent meeting date in its discretion.

C. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- The NOP, NOA, and all other public notices issued by the City in conjunction with the proposed Project.
- The DEIR and FEIR for the proposed Project.
- All written comments submitted by the public during the scoping meeting.
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR.

- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All written and verbal public testimony presented during a noticed public hearing for the proposed Project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the FEIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and FEIR.
- The Resolutions adopted by the City of Brea in connection with the proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the City of Brea, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

D. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's actions related to the proposed Project are at the City of Brea—Planning Division, 1 Civic Center Circle, City of Brea. The City Planning Department is the custodian of the administrative record for the proposed Project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the Planning Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. Project Location

The City of Brea is bordered by the cities of La Habra to the northwest; Fullerton to the southwest and south; Placentia to the south; Yorba Linda to the southeast and east; unincorporated Orange County to the east, northeast, and north; Chino Hills (San Bernardino County) to the northeast; and unincorporated Los Angeles County to the northwest.

The 9.7-acre site (Assessor's Parcel Number [APN] 319-102-34) is located at 1698 through 1700 Greenbriar Lane in the City of Brea. The Project site is bounded by State Route 57 (SR-57) to the west, residential uses along Greenbriar Lane to the north, residential uses separated by Fullerton Creek drainage channel and South Associated Road to the east, and the Brea Plaza Shopping Center to the south.

F. PROJECT OBJECTIVES

Objectives for the Greenbriar Residential Development Project will aid decision makers in their review of the proposed Project and associated environmental impacts:

1. Revitalize the site by developing housing near other residential and commercial uses, thereby introducing new, high-quality residential uses in the City.
2. Redevelop the underutilized Project site by providing additional opportunities for residential growth on an infill parcel.
3. Improve the jobs-housing balance in the City by providing new housing within close proximity to jobs and services.
4. Provide additional housing opportunities in the City to meet its Regional Housing Needs Allocation.
5. Create a high-quality residential product that provides connectivity between the commercial uses at Brea Plaza and a transitional buffer for the existing residential neighborhood to foster a vibrant and interactive mixed-use environment.

G. PROJECT DESCRIPTION

The proposed Project would require the demolition of the existing office building, parking structure, and parking lot prior to construction and operation of the residential community. The proposed Project would provide for up to 179 residential units, including landscaping and common open space areas, on 6.87 acres of the approximately 9.7-acre site, and would result in approximately 505 new residents.¹ The remainder of the site (2.82 acres) would include internal access roads and public utilities. The proposed Project would include 67 buildings consisting of three different architectural styles. Table 1, *Greenbriar Residential Development Project Land Use Summary*, provides a breakdown of the product summary and mix.

Table 1 Greenbriar Residential Development Project Land Use Summary

Product Summary and Mix	Number of Buildings	Number of Units
The Courts	16	80
The Villas	37	73
The Yards	14	26
Residential Subtotal	67	179

¹ Assuming an average of 2.82 residents per unit, consistent with the household size reported in the City's 2021-2029 housing element, construction of 179 units would result in an increase of 505 residents.

III. FINDINGS AND FACTS REGARDING IMPACTS

A. FORMAT

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect for the proposed Project. This section summarizes the significant environmental impacts of the proposed Project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This remainder of this section is divided into the following subsections:

Section III B, Issues Deemed “No Impact” or “Less Than Significant Impact,” presents topical areas that would result in no impact or less than significant impacts, as detailed in Chapter 8 of the DEIR.

Section III C, Findings on “No Impact” and “Less Than Significant Impacts,” presents environmental issues, as identified in Chapter 5 of the DEIR, which would result in no impact or less than significant impacts.

Section III D, Findings on Impacts Mitigated to Less Than Significant, presents significant impacts of the proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section IV, Alternatives to the Proposed Project, presents alternatives to the proposed Project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

Section V, Statement of Overriding Considerations, indicates that because there are no significant and unavoidable impacts, a Statement of Overriding Considerations is not warranted.

Section VI, Findings on Responses to Comments on the DEIR and Revisions to the FEIR, presents the City’s findings on the response to comments and revisions to FEIR, and decision on whether a recirculated DEIR is necessary or not.

B. ISSUES DETERMINED TO BE LESS THAN SIGNIFICANT

Pursuant to CEQA Guidelines Section 15060(d) and 15063 that allow a lead agency to skip preparation of an Initial Study and begin work directly on the EIR process, a NOP was issued without an accompanying Initial Study. In accordance with Section 15128 of the CEQA Guidelines, as described in Chapter 8, *Impacts Determined to Be Less Than Significant*, of the DEIR, the City concluded that Project impacts related to the following topical environmental issues would result in no impact or would be less than significant with implementation of existing plans, programs, and policies (PPPs): Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Mineral Resources, and Wildfire. Since the following environmental

issue areas were determined to have no impact or a less than significant impact, no findings for these issues are required.

1. Agricultural and Forestry Resources

The Project area has no agricultural or farm use on it, nor is there agricultural or farm use in its immediate proximity. The Project area is zoned C-G (General Commercial) with a P-D (Precise Development) overlay, and the Project site is developed with an office building, paved parking lot, a parking structure, and ornamental landscaping. The Project site is listed as Urban and Build-up Land and is not mapped as important farmland by the Division of Land Resource Protection. The proposed Project would not conflict with agricultural zoning or a Williamson Act contract. Furthermore, Project development would not conflict with existing zoning for forest land, timberland, or timberland production. Vegetation on-site is limited to ornamental vegetation throughout the parking lot and landscaping areas. Since there is no important farmland or forestland on the Project site, Project construction would not result in the loss or conversion of farmland or forest land. No impact would occur.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to agricultural and forestry resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

2. Biological Resources

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential impacts to nesting birds:

PPP BIO-1 In compliance with the California Fish and Game Code, Migratory Bird Treaty Act (US Code, Title 16, Sections 703–712), birds and their active nests are protected; therefore, the trees on-site would be removed outside of the nesting season, either prior to February 15 or after August 15. If construction or other Project activities are scheduled to occur during the nesting bird and raptor season, a preconstruction nesting bird and raptor survey shall be conducted by a qualified avian biologist to ensure that active bird nests will not be disturbed or destroyed. If an active nest is identified, a qualified avian biologist shall establish an appropriately sized non-disturbance buffer around the nest using flagging or staking. Construction activities shall not occur within any non-disturbance buffer zones until the nest is deemed inactive by the qualified avian biologist.

The Project area has been previously disturbed by the development of the former Mercury Insurance office building and associated structures. No Natural Community Conservation Plan/Habitat Conservation Plans (NCCP/HCP) apply to the Project site. Vegetation on the site is limited to ornamental trees and ornamental landscaped areas. The Project site and surrounding area are outside of any federally designated critical habitat and are currently disturbed and surrounded by urban development. The proposed Project would not impact any candidate, sensitive, or special status species. There is a 0.72-acre freshwater emergent wetland and pocket of riverine habitats on the eastern boundary of the Project site in Fullerton Creek. However, the proposed Project would

implement a variety of best management practices to reduce dust and pollutants to receiving waters, including the adjacent wetland.

There are several ornamental trees onsite, scattered throughout the parking lot and landscaped areas, which could be used for nesting by birds protected under the California Fish and Game Code Sections 3503 et seq. In compliance with the California Fish and Game Code, trees would be removed outside of nesting season, either prior to February 15 or after August 15. However, in the event construction or other Project activities occur during nesting bird and raptor season, a preconstruction nesting bird and raptor survey shall be conducted by a qualified avian biologist to ensure that active bird nests will not be disturbed or destroyed. If an active nest is identified, the qualified avian biologist would establish measures to ensure no impacts to nesting birds (see PPP BIO-1 above). Therefore, impacts to biological resources would be less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to biological resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

3. Geology and Soils

The Project site is not in an Alquist-Priolo Zone. There is no potential for ground rupture on the Project site. The Project site, as with the rest of southern California, is expected to experience strong seismic ground shaking. Compliance with the California Building Code (CBC) would reduce impacts from seismic ground shaking to less than significant. The Project site is not within a liquefaction or landslide zone. Compliance with the CBC and recommendations from the Geotechnical Evaluation report would reduce impacts from liquefaction or landslides to less than significant. Additionally, the proposed Project would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements, and implement best management practices (BMPs) before and during construction to control surface runoff and erosion to retain sediment on the Project site.

The Project site has low potential for lateral spreading. The Project site is not in an identified areas of ground subsidence due to groundwater pumping or oil extraction. Compliance with CBC would ensure impacts as a result of expansive soils would be less than significant. The proposed Project does not require the installation of a septic tank or alternative wastewater disposal system. All structures built for the Project would adhere to the CBC which provides minimum standards to protect property and public welfare. Impacts to geology and soils would be less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to geology and soils. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

4. Hydrology and Water Quality

The Project does not propose groundwater wells that would extract groundwater from an aquifer, nor would the proposed Project affect recharge capabilities for the Orange County subbasin because the site is fully developed.

Drainage and surface water discharges during construction and operation of the proposed Project would not violate any water quality standards or waste discharge requirements. However, site preparation and other soil-disturbing activities during construction of the Project could temporarily increase the amount of soil erosion and siltation entering the local stormwater drainage system. To minimize these potential impacts, the proposed Project would be required to comply with the NPDES Construction General Permit as well as BMPs to control erosion and prevent any discharge of sediments from the site. During the operation of the proposed Project, the Project would also implement BMPs. The proposed Project would not alter the course of a stream or river. The drainage of the proposed Project would generally follow the existing flows, and the proposed storm drain system would discharge into the existing flood control channel to the east of the Project site. The on-site flows would be collected via a series of catch basins and conveyed to three modular wetlands systems for treatment with a design flow rate for this system is 1.560 cubic feet per second (cfs) and the modular wetland system would have a design flow rate of 0.692 cfs per unit for a total design flow rate of 2.076 cfs, which exceeds the required storage volume. The Project would be implemented in accordance with the water quality management plan and abide by the requirements of the MS4 permit. The proposed Project would reduce the amount of impervious area on the site, and the proposed Project's storm drain flows would be less than the existing conditions; thus no hydromodification impacts to downstream receiving waters or flooding on- or off-site would occur. Additionally, since the proposed Project would reduce the amount of impervious area, and implement site design BMPs, the proposed Project would have a lower peak flow than the existing peak flow conditions; thus, the proposed Project would not exceed the capacity of existing or planned stormwater drainage systems.

The proposed Project is within the footprint of flood Zone X (0.2 percent/500-year flood hazard). A dam/reservoir failure inundation pathway is 1.8 miles east of the Project site. The site is approximately 18 miles northeast of the Pacific Ocean and is not in a tsunami inundation area. The Project site is generally flat, with no slopes near the site that are capable of generating a mudflow. The proposed Project would comply with the water quality and use requirements of water quality control plan and sustainable groundwater management plan through the implementation of BMPs. Therefore, impacts would be less than significant.

Finding. The proposed Project would have less than significant direct, indirect, and cumulative impacts relating to hydrology and water quality. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

5. Mineral Resources

The Project site is in Mineral Resource Zone (MRZ)-1, where significant mineral deposits are unlikely or not present. The Project site and its surrounding areas are not developed for mineral extractions. No mining sites are identified in the City of Brea General Plan. No impacts would occur.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to agricultural and forestry resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

6. Wildfire

The Project site is not within a fire hazard severity zone, and it would not expose occupants to pollutant concentrations from a wildfire or exacerbate wildfire risks. The proposed Project would not conflict with adopted emergency response or evacuation plans. The surrounding roadways would continue to provide emergency access to the Project site and surrounding properties during construction and postconstruction. The proposed Project would be designed in accordance with the CBC and California Fire Code (CFC). Project design plans would be reviewed by Brea Fire department and fire suppression equipment specific to construction would be maintained on-site.

The proposed Project would require circulation improvements to nearby roadways; however, such improvements would be temporary, and the proposed Project would be designed and constructed in accordance with the CBC and the CFC. The Project site is flat, developed with primarily impervious surfaces and ornamental landscaped areas with pervious surfaces. It is not within a Fire Hazard Severity Zone and would be designed in accordance with CBC and CFC. Thus, the proposed Project would not expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire due to slope, prevailing winds, and other factors. Additionally, the Project site is not in an area designated as having a landslide potential, and the Project site is within Flood Zone X; therefore, it is unlikely that the site would be susceptible to downslope or downstream flooding or landslides as a result of post-fire slope instability. Impacts would be less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to wildfire. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

C. IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

Based on the environmental analysis in the chapter 5 topical sections of the DEIR, the City determined that the proposed Project would have less than significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below.

Plans, programs, and policies (PPP) are listed and numbered in the DEIR, and include applicable local, state, and federal regulations that are required independently of CEQA review and also serve to prevent the occurrence of, or reduce the significance of, potential environmental effects.

The EIR concluded that all or some of the impacts of the proposed Project with respect to the following issues will be reduced to below a level of significance by implementing Project design features or existing plans, programs, and policies as detailed in Chapter 5 of the DEIR. Those issues include the following topical areas in their entirety or portions thereof: Aesthetics, Air Quality, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. CEQA Guidelines Section 15901 states that an EIR may not be certified for a Project that has one or more significant environmental effects unless one of three possible findings is made for each significant effect.

1. Aesthetics

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential aesthetics impacts:

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| PPP AE-1 | The proposed Project is required to provide a minimum landscaped coverage of 15 percent of the net site area in accordance with Brea City Code Section 20.258.020, General Development Standards for the Mixed-Use Zoning Districts. |
| PPP AE-2 | All lighting, interior and exterior, shall be designed and located so as to confine all direct rays to the premises, per Brea City Code Section 20.220.040(L), Property Development Standards. |
| PPP AE-3 | In accordance with Section 20.258.030(D)(2), Specific Development Standards for all Mixed-Use Projects, of the Brea City Code, the architectural style and use of quality materials shall be consistent throughout the entire Project site. |
| PPP AE-4 | In accordance with Section 20.258.030(D)(3.g), Specific Development Standards for all Mixed-Use Projects, of the Brea City Code, multiple structures on a single site shall be designed to create a strong visual relationship between and among the structures, and architectural treatments of structures shall be consistent on all sides. |
| PPP AE-5 | <i>Art in Public Places Sculpture.</i> Pursuant to the City of Brea Art in Public Places Policy Manual, the applicant must submit a letter to City staff explaining efforts to be taken during construction to protect the existing art piece. |

Impact 5.1-1: The proposed Project would not impact scenic vistas or conflict with applicable zoning governing scenic quality. [Thresholds AE-1 and AE-3]

Scenic Vistas

The Project site is fully developed and located in a highly urbanized portion of the City that is generally flat. Chino Hills State Park offers views throughout the park; however, Gilman Peak is called out as a “viewpoint of particular interest” and is denoted as a scenic viewpoint in Figure CR-4, “Scenic Resources,” of the Community Resources Element of the Brea General Plan. Gilman Peak is approximately six miles east of the Project site. Due to the distance, varying topography, and highly urbanized nature of the City, views of and from Chino Hills State Park, particularly Gilman Peak, would not be impacted.

Brea Zoning Standards for Visual Character

The proposed Project would involve demolition of the existing office building, parking structure, and parking lot, and subsequent construction and operation of the residential community on the Project site. Three different residential building types on the site—The Courts, the Villas, and the Yards, would be three stories tall and the Villas would include a rooftop terrace. The Courts would be along on the western and southern boundaries of the site, and buildings would be up to 36 feet and 11 inches tall; the Yards would be in the central portion of the site and would be up to 41 feet and 5

inches tall; and the Villas would be along the northern, eastern, and central portions of the site and would be up to 48 feet and 11 inches tall.

The Mixed Use II Zone allows for a maximum building height of 60 feet. The tallest structures on the Project site would be the Villas, which would be up to 48 feet and 11 inches tall; therefore, the proposed Project would not exceed the maximum height allowed in the MU II Zone. Varying building materials and colors, variations in building rooflines, building pop-outs, and landscaping would be added, and art sculpture would provide visual relief and enhancement for residents on- and off-site.

Discussion

The proposed Project would replace the vacant Mercury Insurance office building, parking lot, and three-story parking structure with a high-quality residential neighborhood. Thus, the proposed Project would change the visual character of the Project site.

Single-family residential uses with one- to two-story structures can be found to the north and east, and the commercial uses to the south range from one- to two stories. To the west of SR-57 is Brea Mall, City Hall, and Embassy Suites, which vary in heights up to seven stories, and the three-story parking structure on the Project site.

The proposed Project would introduce taller structures to the Project area, and other, higher-density projects exist in the City. To minimize aesthetic impacts and ensure that the proposed Project would enhance the character and streetscape along Greenbriar Lane, the proposed Project would include several design elements, including hardscape and landscape features. For example, the architecture of the homes would be forward facing, with front doors and patios facing Greenbriar Lane; the proposed Project would include landscaping (to soften massing and provide shade) along the perimeter of the Project site as well as a 3.5-foot-tall block wall with stucco finishing along the northern perimeter of the site. The proposed driveways would be at either end of Greenbriar Lane to avoid headlights pointing at the existing residences along Greenbriar Lane; the new homes at the west end of Greenbriar Lane would be approximately 4.5 feet below street elevation and would be the same elevation as Greenbriar Lane just west of South Plum Avenue; and a new sidewalk would be constructed along Greenbriar Lane to improve pedestrian access in the area. The proposed Project would not exceed the maximum height allowed in the MU II Zone. These features would promote physical continuity and connections with the neighboring community.

The proposed Project would adhere to the development standards and design guidelines of the City of Brea Municipal Code² (see PPP AES-1 through PPP AES-4), General Plan policies, and the building design and materials would be subject to approval by the City. Overall, aesthetic impacts would not be adverse, as no scenic vistas or resources would be impacted on the Project site or from public locations, and the proposed Project is not incompatible with surrounding land uses and would not conflict with the City's Zoning standards. Therefore, impacts relating to aesthetics would be less than significant.

² The proposed Project would require a variance for three development standards that are not being met (i.e., minimum street side setback, minimum rear setback, and minimum parking requirements). As such, the Applicant would either be required to update the Project plans to comply with the applicable development and/or obtain subsequent approval of a Minor Conditional Use Permit (MCUP) or any other available administrative permit for the requested modification of standards.

Finding. Compliance with existing PPPs would minimize adverse impacts of aesthetics to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to scenic vistas and zoning standards for visual appearance and character. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.1-2: The proposed Project would not alter scenic resources within a state scenic highway. [Threshold AE-2]

State Route 57 (SR-57) is an eligible scenic highway (not officially designated) and bounds the Project site to the west. Development of the proposed Project would occur within the boundaries of the Project site and not damage scenic resources, including trees, rock outcroppings, and historic buildings in a scenic highway. No impact would occur.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to scenic resources within a state scenic highway. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.1-3: The proposed Project would generate additional light and glare. [Threshold AE-4]

Nighttime Light and Glare

The proposed Project could result in new sources of light and glare. The new structures' exterior glazing (e.g., windows and doors) could result in new sources of glare.

Despite new and expanded sources of nighttime illumination and glare, the proposed Project is not expected to generate a substantial increase in light and glare. Lights from vehicles would be limited, and new lighting sources would be directed so as not to spill outside the Project site. The proposed perimeter landscaping, fences and walls, and proposed structures would block glare from parked cars, traffic on surrounding roadways, and surrounding land uses. The proposed Project would adhere to the development standards and design guidelines of the Brea Municipal Code (see PPP AES-2) to minimize light and glare impacts from on-site lighting. Therefore, new sources of lighting associated with the proposed Project are considered less than significant.

Daytime Glare

The proposed Project introduces building material (glass and light-colored materials), fences, and vehicles parked and traveling along neighboring streets and traveling along neighboring streets that could cause daytime glare, but not to such an extent that they would result in a significant impact. However, glare from these sources is typical of the surrounding area and would not increase glare beyond what is expected for residential uses. Therefore, daytime glare impacts from the proposed Project would be less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to light and glare. Accordingly, no changes or alterations to the proposed Project

were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

2. Air Quality

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential air quality impacts:

- PPP AIR-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (24 CCR Part 6) and California Green Building Standards Code (CALGreen) (24 CCR Part 11). The 2022 Building Energy Efficiency Standards were effective starting on January 1, 2023. The 2025 Building Energy Efficiency Standards were adopted in September 2024 and will become effective on January 1, 2026. The Building Energy and Efficiency Standards and CALGreen undergo a triennial update with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.
- PPP AIR-2 Construction activities will be conducted in compliance with California Code of Regulations Title 13, Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.
- PPP AIR-3 Construction activities will be conducted in compliance with any applicable South Coast Air Quality Management District rules and regulations, including but not limited to the following:
- **Rule 403**, Fugitive Dust, for controlling fugitive dust and avoiding nuisance.
 - **Rule 402**, Nuisance, which states that a project shall not “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”
 - **Rule 1113**, which limits the volatile organic compound content of architectural coatings.
 - **Rule 1403**, which governs requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials.

Impact 5.2-1: The proposed Project is consistent with the applicable air quality management plan. [Threshold AQ-1].

Changes in population, housing, or employment growth projections have the potential to affect the Southern California Association of Governments' (SCAG) demographic projections and therefore the assumptions in South Coast Air Quality Management District's (South Coast AQMD) Air Quality Management Plan (AQMP). The Project would result in 179 residential units and

approximately 505 new residents. As discussed in Section 5.8, *Population and Housing*, the proposed Project's population and employment growth would be within SCAG's forecast growth projections for the City. Additionally, the Project would address the need for additional housing to accommodate population growth in the City.

Finally, the long-term emissions generated by the proposed Project would not produce criteria air pollutants that exceed the South Coast AQMD significance thresholds for Project operations (see Impact 5.2-3). South Coast AQMD's significance thresholds identify whether or not a Project has the potential to cumulatively contribute to the SoCAB's nonattainment designations. Because the proposed Project would not exceed the South Coast AQMD's regional significance thresholds and growth is consistent with regional growth projections, the proposed Project would not interfere with South Coast AQMD's ability to achieve the long-term air quality goals identified in the AQMP. Therefore, the proposed Project would be consistent with the AQMP, and this impact would be less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impact associated with consistency with the AQMP. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.2-2 For Impact 5.2-2, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to Less Than Significant Level*.

Impact 5.2-3: Long-term operation of the proposed Project would not generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria. [Threshold AQ-2]

Buildout of the proposed Project would generate an increase in criteria air pollutant emissions from transportation (i.e., vehicle trips), area sources (e.g., landscaping equipment, architectural coating), and energy (i.e., natural gas used for heating and cooking). As shown in Table 5.2-9, *Project Regional Operation Emissions*, in Chapter 5.2, *Air Quality*, of the DEIR, the net change in maximum daily emissions from operation-related activities would be less than their respective South Coast AQMD regional significance threshold values. Therefore, impacts to the regional air quality associated with operation of the Project would be less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts from long-term operational air quality emissions. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.2-4: For Impact 5.2-4, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to Less Than Significant Level*.

Impact 5.2-5: Operation of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3].

Operational Phase Localized Emissions

The proposed Project would not constitute a major source of localized air pollutant emissions, including TACs, during operation. Land uses that have the potential to include substantial sources of emissions require a permit from South Coast AQMD, such as chemical processing or warehousing operations where substantial truck idling could occur on-site. As a residential development, the proposed Project does not fall within these categories of uses. While operation of the proposed Project could result in the use of standard on-site mechanical equipment such as heating, ventilation, and air conditioning units and occasional use of landscaping equipment for Project area maintenance, air pollutant emissions generated would be small. Therefore, net localized air quality impacts from Project-related operations would be less than significant.

Carbon Monoxide Hotspots

Areas of vehicle congestion have the potential to create pockets of Carbon monoxide (CO) called hotspots. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—in order to generate a significant CO impact. The proposed Project would generate a maximum of 86 AM peak hour trips on weekdays and 103 midday peak hour trips on Saturday. Implementation of the Project would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the Project.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impact from localized operational phase air quality emissions. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities.

The proposed Project with residential structures, would not fall within the types of uses that are associated with foul odors that constitute a public nuisance. During operation, the proposed Project would be typical of a residential development and would be limited to the Project site. During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. However, construction-related odor emissions would be temporary and intermittent and would not affect a significant number or people.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impact from odors. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

3. Cultural and Paleontological Resources

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential Cultural and Paleontological Resources impacts:

- | | |
|-----------|---|
| PPP CUL-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-2 | The removal, without permission, of any paleontological site or feature is prohibited from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation or any agency thereof (PRC Section 5097.5). This applies to agencies' own activities, including construction and maintenance, and permit actions by others. |
| PPP CUL-3 | Adverse impacts to paleontological resources from developments on public lands (state, county, city, and district) require reasonable mitigation. (PRC Section 5097.5) |
| PPP CUL-4 | If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5) |

Impact 5.3-1: Development of the Project would not impact an identified historic resource. [Threshold C 1]

A South Central Costal Information Center (SCCIC) records search for the Project site included review of all recorded cultural resources and reports within a half mile of the site. A Built Environment Resources Directory search included a review of data from the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), and the lists of California Historical Landmarks and California Points of Historical Interest. Based on the results of the records searches, no resources have been recorded within the Project site. The existing building on the Project site was constructed in 1976 and is therefore not of historic age.

The SCCIC records indicated that a total of 14 cultural resource reports cover areas within the half-mile radius, yet no cultural resources were identified within or near the Project site. The Brea General Plan Figure CR-6, "Historic Resources," shows that the nearest historic resource to the Project site is the locally designated "Practice House," approximately 0.6 mile to the west; there are no resources

on the Project site identified as City of Brea Historic Resources, CRHR, or NRHR (Brea 2003b). Construction would occur within the footprint of the Project site; therefore, no impact would occur.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to historic resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.3-2: For Impact 5.3-2, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

Impact 5.3-3: Grading activities could potentially disturb human remains, but compliance with existing regulations would ensure that impacts are less than significant. [Threshold C-3]

The Project site is currently developed and would require demolition, ground clearing, excavation, grading, and other construction activities to accommodate the proposed improvements on-site. In the unlikely event that soil-disturbing activities associated with the proposed Project result in the discovery of human remains, compliance with existing law would ensure that impacts to human remains would not be significant (Health and Safety Code Section 7050.5; CEQA Section 15064.5; PRC Section 5097.98) (see PPP CUL-4).

Finding. Compliance with existing PPPs would minimize adverse impacts to cultural resources to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to scenic vistas and visual appearance and character. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.3-4: For Impact 5.3-4, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

4. Energy

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential Energy impacts:

PPP E-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2022 Building Energy Efficiency Standards were effective starting on January 1, 2023. The 2025 Building Energy Efficiency Standards were adopted in September 2024 and will become effective on January 1, 2026. The Building Energy and Efficiency Standards and CALGreen undergo a triennial update with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.

- PPP E-2 New single-family residential construction is required to comply with the California Building Energy and Efficiency Standard by either the performance or prescriptive pathway. The prescriptive pathway requires installation of photovoltaic (PV) systems for new single-family residential construction, along with other energy efficiency and renewable energy design requirements. Should a new single-family residential construction project use the performance pathway for compliance instead, solar may be included in the project design but does not have to meet the system sizing requirements prescribed in the prescriptive pathway but must incorporate additional energy efficiency or renewable energy generation in the project design to offset the omission or reduced size of a PV system.
- PPP E-3 Construction activities are required to adhere to Title 13 California Code of Regulations Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.
- PPP E-4 New buildings are required to adhere to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.

Impact 5.4-1: Project construction and operation would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. [Threshold E-1]

Short-Term Construction Impacts

Electrical Energy

Construction of the proposed Project would not require electricity to power most construction equipment. The majority of construction equipment during demolition and grading would be gas or diesel powered, and the later construction phases would require electricity-powered equipment for interior construction and architectural coatings. Overall, the use of electricity would be temporary and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Therefore, Project-related construction activities would not result in wasteful or unnecessary electricity demands, and impacts would be less than significant.

Natural Gas Energy

It is not anticipated that construction equipment used for the proposed Project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, impacts would be less than significant with respect to natural gas usage.

Transportation Energy

Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. It is anticipated that the majority of off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered.

Energy consumption during construction (2026 through 2028) was calculated using the CalEEMod computer model, version 2022.1, and data from the EMFAC2021 and OFFROAD2021 databases. The results are shown in Table 5.4-6, *Construction-Related Fuel Usage*, in Chapter 5.4, *Energy*, of the DEIR.

The proposed Project would not result in wasteful, inefficient, or unnecessary use of energy during construction. It is anticipated that the construction equipment would be well maintained and meet the appropriate tier ratings per CALGreen or EPA emissions standards so that adequate energy efficiency level is achieved. Construction trips would not result in unnecessary use of energy since the Project area is centrally located and is served by numerous regional freeway systems that provide the most direct routes from various areas of the region. Electrical energy would be available for use during construction from existing power lines and connections, precluding the use of less-efficient generators. Thus, energy use during construction of the proposed Project would not be considered inefficient, wasteful, or unnecessary. Impacts would be less than significant.

Long-Term Impacts During Operation

Electrical Energy

Electrical service to the proposed Project would be provided by Southern California Edison (SCE) through connections to existing off-site electrical lines and new on-site infrastructure. As shown in Table 5.4-7, *Electricity Consumption*, in Chapter 5.4, *Energy*, of the DEIR, the projected electricity consumption for the proposed Project is 656,184 kilowatt-hours (kWh) per year, which is a net decrease of 528,126 kWh per year compared to the average electricity consumption of the existing office building from the period 2021 to 2024 while it was vacant. The proposed Project's per capita electricity consumption is approximately 1,547 kWh per year, which is 1,041 kWh less than the residential per capita average for the county in 2022. Overall, the proposed Project would result in lower per capita electricity consumption when compared to existing consumption rates in the county and lower electricity consumption when compared to the existing building on the Project site. The proposed Project would be required to comply with the current Building Energy Efficiency Standards, CALGreen, and electricity provided by the utility would be in compliance with the State's Renewables Portfolio Standard (RPS) program under SB 100 (see PPP E-2). Therefore, the proposed Project would not result in a significant impact related to electricity.

Natural Gas Energy

The projected natural gas consumption for the proposed Project is 1,988,125 thousand British thermal units (kBtu) per year, as shown in Table 5.4-8, *Building Natural Gas Consumption*, of the DEIR. The per capita natural gas consumption for the proposed Project would be 5,053 kBtu per year, which is approximately 6,566 kBtu per year less than the county's average residential gas consumption per capita in 2022. The proposed Project would be built to meet the Building Energy Efficiency Standards, and it would not result in wasteful or unnecessary natural gas demands. Therefore, operation of the proposed Project would result in less than significant impacts with respect to natural gas usage. Furthermore, implementation of Mitigation Measure GHG-1 would reduce natural gas consumed by the proposed Project.

Transportation Energy

The proposed Project would consume transportation energy during operations from the use of motor vehicles. As seen in Table 5.4-9, *Proposed Project Annual Operation-Related Fuel Usage*, in Chapter 5.4, *Energy*, of the DEIR, the annual vehicle miles traveled (VMT) for the proposed Project is estimated to be 4,751,854 miles.

The proposed Project would construct new residential housing opportunities in an urbanized area with nearby amenities and public transit options. As an infill residential Project, the proposed Project would contribute to minimizing per capita VMT and transportation-related fuel usage. As shown in Table 5.4-9 of the DEIR, vehicles commuting to and from the proposed Project are expected to consume 192,878 gallons of fuel per year, which makes the per capita average for the proposed Project 382 gallons per year. This would be approximately 28 gallons less than the per capita county average of 410 gallons per year.

Additionally, because of State and federal vehicle fuel efficiency standards, the average fuel efficiency for vehicles used by residents or visitors of the proposed Project is anticipated to improve with each year as older and less fuel-efficient vehicles are retired and replaced with newer, more fuel-efficient vehicles or vehicles powered by alternative fuel sources (e.g., electricity, hydrogen). Moreover, incremental vehicle fleet turnover in future years would decrease reliance on fossil fuels and slowly shift a greater proportion of transportation energy needs to electricity, which will incrementally increase the proposed Project's reliance on renewable energy sources through the electricity utility's compliance with SB 100. This impact would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from energy to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact on consistency with the state and local plans for energy. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.4-2: The proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. [Threshold E-2]

California Renewables Portfolio Standard

The state's electricity grid is transitioning to renewable energy under California's Renewables Portfolio Standard (RPS) Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as Southern California Edison, whose compliance with RPS requirements would contribute to the State of California objective of transitioning to renewable energy. The proposed Project would comply with the current and future iterations of the Building Energy Efficiency Standards and CALGreen. Impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts of aesthetics to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to scenic vistas and visual appearance and character. Accordingly, no

changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

5. Greenhouse Gas Emissions

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential greenhouse gas (GHG) emissions impacts:

- PPP GHG-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2022 Building Energy Efficiency Standards were effective starting on January 1, 2023. The 2025 Building Energy Efficiency Standards were adopted in September 2024 and will become effective on January 1, 2026. The Building Energy and Efficiency Standards and CALGreen undergo a triennial update with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.
- PPP GHG-2 California's Green Building Standards Code (CALGreen) requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).
- PPP GHG-3 New buildings are required to adhere to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.
- PPP GHG-4 New single-family residential construction is required to comply with the California Building Energy and Efficiency Standard by either the performance or prescriptive pathway. The prescriptive pathway requires installation of photovoltaic (PV) systems for new single-family residential construction, along with other energy efficiency and renewable energy design requirements. Should a new single-family residential construction project use the performance pathway for compliance instead, solar may be included in the project design but does not have to meet the system sizing requirements prescribed in the prescriptive pathway but must incorporate additional energy efficiency or renewable energy generation in the project design to offset the omission or reduced size of a PV system.

Impact 5.5-1: Implementation of the proposed Project would not generate a net increase in GHG emissions, either directly or indirectly, that would have a significant impact on the environment. [Threshold GHG-1]

Implementation of the proposed Project would result in 179 new attached single-family residences. From these additional land uses, the proposed Project would generate up to 1,296 weekday vehicle trips and 1,577 Saturday vehicle trips

Project emissions during operation combined with amortized construction-related emissions are shown in Table 5.5-4, *Project-Related GHG Emissions*, in Chapter 5.5, *Greenhouse Gas Emissions*. The Project site is assumed to generate no GHG emissions because the existing office building is currently vacant. However, the Project site historically generated GHG emissions associated with its former use as an office building. Therefore, the estimate in Table 5.5-4 provides a conservative analysis of the proposed Project's impacts on GHG emissions. As shown in the table, GHG emissions from the proposed Project would not exceed South Coast AQMD's bright-line significance threshold. As a result, GHG emissions associated with the proposed Project are considered less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from GHG emissions to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact on GHG emissions. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.5-2: For Impact 5.5-2, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

6. Hazards and Hazardous Materials

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential hazards and hazardous materials impacts:

PPP HAZ-1 Project-related hazardous materials and hazardous wastes will be transported to and/or from the Project site in compliance with any applicable state and federal requirements, including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards.

PPP HAZ-2 Project-related hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with the Subtitle C of the Resource Conservation and Recovery Act (Code of Federal Regulations, Title 40, Part 263), including the management of nonhazardous solid wastes and underground tanks storing petroleum and other hazardous substances. The proposed Project will be designed and constructed in accordance with the regulations of the Orange County Environmental Health Division, which serves as the designated Certified Unified

Program Agency and which implements State and federal regulations for the following programs: (1) Hazardous Waste Generator Program, (2) Hazardous Materials Release Response Plans and Inventory Program, (3) California Accidental Release Prevention, (4) Above Storage Tank Program, and (5) Underground Storage Tank Program.

PPP HAZ-3 Project-related underground storage tank (UST) repairs and/or removals will be conducted in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations). Unauthorized release of hazardous materials will require release reporting, initial abatement, and corrective actions that will be completed with oversight from the Regional Water Quality Control Board, Department of Toxic Substances Control, Brea Fire Department, South Coast Air Quality Management District, and/or other regulatory agencies as necessary. Project-related use of existing USTs will also have to be conducted (i.e., used, maintained, and monitored) in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations).

PPP HAZ-4 Project-related demolition activities that have the potential to expose construction workers and/or the public to asbestos-containing materials or lead-based paint will be conducted in accordance with applicable regulations, including, but not limited to:

- South Coast Air Quality Management District's Rule 1403
- California Health and Safety Code (Section 39650 et seq.)
- California Code of Regulations (Title 8, Section 1529)
- California Occupational Safety and Health Administration Regulations (California Code of Regulations, Title 8, Section 1529 [Asbestos] and Section 1532.1 [Lead])
- Code of Federal Regulations (Title 40, Part 61 [asbestos], Title 40, Part 763 [asbestos], and Title 29, Part 1926 [asbestos and lead])

Impact 5.6-1: Construction and operation of the proposed Project could involve use of hazardous materials; however, compliance with existing regulations would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes would be minimized. [Thresholds H-1]

Operational Phase

The proposed Project would include residential uses and would not involve use of substantial quantities of hazardous materials. Hazardous materials used during operation of the proposed Project would be transported, used, stored, and disposed of in accordance with existing regulations and product labeling, thereby minimizing the hazard to the public and the environment. Federal and State regulations require adherence to specific guidelines regarding the use, transportation, disposal, and accidental release of hazardous materials, as described in Section 5.6.1.1, *Regulatory Background*, of

the DEIR. With the exercise of normal safety practices, the proposed Project would not create substantial hazards to the public or the environment. Therefore, a less than significant impact would occur.

Construction

Hazardous materials (e.g., fuel, oils, solvents, paints) would be routinely transported, stored, and used at the Project site during construction, and may pose health and safety hazards to workers if the hazardous materials are improperly handled. The handling, use, transport, and disposal of hazardous materials during the construction phase of the Project would comply with existing regulations of several agencies—the United State Environmental Protection Agency, the Orange County Environmental Health Division, Occupational Safety and Health Administration, California Division of Occupational Safety and Health, and United State Department of Transportation. Construction activities would not involve a significant amount of hazardous materials. Project construction workers would be trained on the proper use, storage, and disposal of hazardous materials.

Construction activities would also be conducted in accordance with the Storm Water Pollution Prevention Plan (SWPPP) as part of the National Pollution Discharge Elimination System (NPDES) permit. The SWPPP would identify, construct, implement, and maintain best management practices for hazardous materials may include, but are not limited to, off-site refueling, placement of generators on impervious surfaces, establishing cleanout areas for cement, etc. Compliance with these regulations would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with the proposed Project, and the potential for accident or upset is less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from hazards and hazardous materials to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to hazards and hazardous materials. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.6-2: Project construction and operations would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. [Thresholds H-3]

The North Fullerton KinderCare is about 0.3 mile south of the Project site, and Heights Christian School is approximately 0.3 mile northeast of the Project site. Both schools are outside of the one-quarter-mile range, and therefore the Project site is not near an existing or proposed school. Additionally, the proposed Project is not a project type identified by South Coast AQMD as emitting toxic air contaminants. Therefore, the proposed Project would result in no impact.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to hazards and hazardous materials. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.6-3: For Impact 5.5-3, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

Impact 5.6-4: The Project site is not in the vicinity of an airport or within the jurisdiction of an airport land use plan. [Threshold H-5]

The Project site is not within an airport land use plan or within two miles of a public use airport. Therefore, the proposed Project would not result in a safety or noise hazard for people residing at the Project site.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to hazards and hazardous materials. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.6-5: Project construction and operation would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. [Threshold H-6]

The addition of Project residents would be expected to increase the volume of vehicles leaving the residential area in the event of an emergency, which could impede emergency vehicles from attempting to get into the residential development.

Though the City of Brea has an adopted an Emergency Operations Plan, the plan does not provide specific procedures or designate evacuation routes throughout the City because the details for specific evacuation events would vary depending on the location, magnitude, and nature of the emergency. Therefore, this analysis focuses on whether construction or operation of the proposed Project could generally interfere with or impede safe and orderly evacuation in the City.

As identified in DEIR Section 8.6, *Wildfire*, Carbon Canyon Road and State Route 57 (SR-57) are critical evacuation routes in Brea. The proposed Project is bounded by SR-57 but would not hinder access to the designated access route, as the proposed Project's construction and staging would be within the boundaries of the Project site. The proposed Project would require circulation improvements to nearby roadways, such impacts would be temporary, would not create a hazard, and would not significantly impact circulation and emergency routes.

The proposed Project would comply with zoning, building, and fire codes, and the Project applicant is required to submit appropriate plans for plan review prior to issuance of a building permit. Adherence to these requirements would ensure that the proposed Project would not have a significant impact on emergency response and evacuation plans. Impacts are less than significant.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to hazards and hazardous materials. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.6-6: Project construction and operations would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. [Threshold H-7]

The Project site is in a highly urbanized, built-out portion of the City of Brea. According to the California Department of Forestry and Fire Protection, the Project site is not within a Very High Fire Hazard Severity Zone. No impact would occur.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to hazards and hazardous materials. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

7. Land Use and Planning

Impact 5.7-1: Project implementation would not divide an established community. [Threshold LU-1]

The Project site encompasses a vacant office building and parking structure. There is no established community within the Project site. The proposed Project would not physically divide an established community, and no impact would occur.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to land use and planning. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.7-2: Project Implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]

City of Brea General Plan and Zoning

The General Plan land use designation for the site is General Commercial, which is intended to create areas with a broad range of retail, office, and service-oriented business activities. The proposed Project would result in a change to the Mixed-Use II (MU-II) designation, providing opportunities for coordinated development of urban villages that offer a diverse range of complementary land uses in close proximity to one another. Redesignation of the Project site from General Commercial to MU-II would not result in physical impacts on the environment.

The residential density range for development in the MU-II zone is 6.1 to 40 units per acre, and the maximum allowed floor area ratio (FAR) is 2.00. The average project density on the 9.7-acre Project site is 18.4 units per acre, which would be within the residential density range for development in the MU-II. The proposed Project would not conflict with the MU-II zone's maximum height restriction of 60 feet—the highest point of the tallest residential buildings, the Villas, would be 48 feet and 11 inches tall. The proposed Project would place residential development near existing nonresidential development, which would be consistent with the purpose of the MU-II zoning designation, that is,

creating urban villages, placing land uses close to one another, and creating pedestrian linkages. Development in the MU-II zone is required to provide a minimum of 75 square feet per dwelling unit of common residential open space and a minimum of 50 square feet per dwelling unit of private open space. The proposed Project would include 104,785 square feet of ornamental landscaping, 39,995 square feet of common open space landscape area and 35,423 square feet of common hardscape area. Therefore, the proposed Project would meet the open space requirements of the MU-II zone.

Furthermore, the proposed Project would be consistent with the Brea General Plan policies regarding mixed-use and infill projects (Policy CD-27.4), including but not limited to the following. Policies CD-1.2 and HE-6.6 call for a balance between the provision of jobs and housing as well as a closer link between housing and jobs, and the Project would include employment and residential uses in an area surrounded by commercial, institutional, and residential uses. Policies CD-1.7, CD-4.5, and HE-6.4 call for creating large interactive open and public spaces and pedestrian access that serve the entire community and promote healthy living and physical activity, and the proposed Project would include open space and a passive park. The proposed Project would be consistent with the policies of the General Plan. The proposed Project would not conflict with policies adopted to mitigate an environmental effect, and impacts are less than significant.

2024–2050 RTP/SCS: Connect SoCal

As described in Table 5.7-1, *SCAG's Connect SoCal Consistency Analysis*, in Chapter 5.7, *Land Use and Planning*, of the DEIR, the proposed project is generally consistent with the overarching goals of the RTP/SCS.

As discussed under Impact 5.7-2, the proposed Project would be consistent with goals and policies of the City's General Plan and SCAG's RTP/SCS. Impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts to land use and planning to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to land use and planning. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

8. Noise

The following are plans, programs, and policies (PPP) that would reduce the proposed Project's potential aesthetics impacts:

- | | |
|-----------|---|
| PPP NOI-1 | Project-related construction activity will be limited to the hours of 7:00 am to 7:00 pm on weekdays and Saturdays. Construction is prohibited on Sundays. Project-related construction activity outside these hours would require City approval. |
| PPP NOI-2 | The Project will comply with the City of Brea's stationary exterior noise standards, summarized in Section 8.20.050, Exterior Noise Standards, of the Brea City Code. |

PPP NOI-3	The Project will comply with the City of Brea's vibration standards of 70 VdB at the property line of the sensitive receptor, as identified in Section 20.20.04, Vibration, of the Brea Zoning Code.
PPP NOI-4	The residential development will comply with the California Building Code, Part 2, Volume 1, Chapter 12, Section 1207.11.2, Allowable Interior Noise Levels.
PPP NOI-5	Residential exterior areas shall be designed to be sound attenuated against present and future transportation noise. New residential projects shall provide an acoustical analysis report by an acoustical engineer verifying proposed wall heights adjacent to SR-57 and commercial loading and unloading areas to satisfy the City General Plan's conditionally acceptable exterior noise standard of 65 dBA CNEL for land use compatibility and Section 8.20.050, Exterior Noise Standards, of the Brea City Code.
PPP NOI-6	The Project's covenants, conditions, and restrictions shall include a disclosure that the loading and unloading of goods may occur at adjacent commercial uses. The commercial use is subject to Section 20.258.030 (H)(3), Loading and Unloading Activities, of the Brea City Code, which states that in no event shall loading or unloading take place after 10:00 pm or before 7:00 am on any day of the week.
PPP NOI-7	Residents of the Project shall be notified in writing before taking up residence adjacent to SR-57 that they will be living in an urban type of environment and that the noise levels may be higher than a typical residential area. The covenants, conditions, and restrictions of a residential project shall require that the residents acknowledge their receipt of the written noise notification. Their signatures shall confirm receipt and understanding of this information in accordance with Section 20.258.030 (H)(4), Noise Notification, of the Brea City Code.
PPP NOI-8	Noise-generating equipment (air conditioning units) shall be reviewed during plan check for location and screening, to the extent feasible, to avoid creating a nuisance in accordance with Section 20.258.030 (K)(3), Noise Generating Equipment, of Brea City Code..

Impact 5.8-1: Construction activities would result in temporary noise increases in the vicinity of the proposed project. [Threshold N-1]

Construction Vehicles

The transport of workers and materials to and from the construction site would incrementally increase noise levels along roadways in the vicinity of the Project site. Individual construction vehicle pass-bys and haul truck trips may create momentary noise levels (L_{max}) of up to approximately 85 A-weighted decibels (dBA) at 50 feet from the vehicle, but these occurrences would generally be infrequent and short lived.

Construction generates temporary worker and vendor trips, and the number of trips vary by activity phase. Construction vehicles would generate up to 148 daily vendor and worker trips at their peak

during building construction. The Project would generate a maximum of 27 daily haul truck trips during building demolition. This increase in haul trucks and construction vehicles trips would result in a negligible noise increase of less than 1 dBA to the Community Noise Equivalent Level (CNEL) when compared to existing average daily trips—from 10,800 to 36,120—along nearby roadway segments in the Project vicinity. Therefore, noise impacts related to temporary construction vehicle trips would be less than significant.

Construction Noise

Heavy equipment, such as a dozer or a loader, can have maximum, short-duration noise levels of up to 85 dBA at 50 feet. Since noise from construction equipment is intermittent and diminishes at a rate of at least 6 dBA per doubling of distance (conservatively ignoring other attenuation effects from air absorption, ground effects, and shielding effects), the average noise levels at noise-sensitive receptors could vary considerably, because mobile construction equipment would move around the Project site with different loads and power requirements.

The construction-related, aggregate sound levels—grouped by construction activity and shown in Table 5.8-8 of the DEIR—would not exceed the 80 dBA Equivalent Continuous Noise Level (L_{eq})(8hr) threshold at nearest sensitive receptors and would not result in hearing loss, sleep disruption, or impact public health. Therefore, Project construction noise impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from noise to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact from construction noise. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.8-2: Project implementation would result in long-term operation-related noise that would not exceed local standards. [Threshold N-1]

Stationary Noise

Mechanical Equipment

The proposed Project would have heating, ventilation, and air conditioning systems (HVAC). HVAC equipment typically generates noise levels of 72 dBA at a distance of 3 feet and would diminish at a rate of at least 6 dBA per doubling of distance (conservatively ignoring other attenuation from ground and shielding effects). The nearest sensitive receptors are single-family homes to the north, approximately 60 feet, across Greenbriar Lane.. At these distances, HVAC noise would attenuate to approximately 46 dBA or less, which would not exceed the nighttime threshold of 50 dBA L_{50} . Furthermore, HVAC noise would only cause a 0.6 dBA increase over existing noise levels and would not result in a substantial increase over ambient conditions. This impact would be less than significant.

Outdoor Common Areas

The Project proposes an outdoor common area for residents and guests. The main components could be a fountain, a barbeque area with outdoor seating, and an open lawn area. Noise would consist mostly of people talking. It is over 200 feet from the nearest edge of the proposed outdoor common space to the nearest noise-sensitive receptors to the north and east. No amplified music or public address systems are proposed. In addition, proposed buildings of the Project would provide acoustical shielding. Therefore, noise associated with Project recreational activities would be localized and is not anticipated to be audible at the nearest sensitive receptors over existing noise levels. This impact would be less than significant.

Traffic Noise

To determine the Project-related traffic noise increase, the Opening Year with Project average daily traffic (ADT) volumes were compared to the Existing and Opening Year No Project ADT volumes, as shown in Table 5.8-9, *Summary of Traffic Noise Increases*, of the DEIR. As a result of the decrease in vehicle trips from demolition of the insurance building, the Project would result in a minimal increase in ADT volumes on most study roadway segments, resulting in a slight increase in traffic noise levels. Existing traffic noise levels on Greenbriar Lane, east of Associated Road, are less than 55 dBA; an increase of up to 3 dBA would not exceed the threshold of a 5 dBA increase in ambient noise environments of less than 60 dBA CNEL. Therefore, the proposed Project would not result in significant traffic noise level increases, and this impact would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts of aesthetics to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to scenic vistas and visual appearance and character. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.8-3: The project would create short-term groundborne vibration. [Threshold N-2]

Construction Vibration

Potential vibration impacts associated with development Projects are usually related to the use of heavy construction equipment during the demolition and grading phases of construction. Construction can generate varying degrees of ground vibration depending on the construction procedures and equipment. Construction equipment generates vibration that spreads through the ground and diminishes with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The effects from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures. Pile driving is not proposed.

Vibration Annoyance

The City of Brea has established a vibration perceptibility threshold of 70 vibration decibels (VdB), discussed in Section 5.8.1.2, *Regulatory Background*, in Chapter 5.8, *Noise*, of the DEIR. Table 5.8-10,

Vibration Levels for Typical Construction Equipment (VdB), of the DEIR shows VdB levels at a reference distance of 25 feet and attenuated levels at the nearest sensitive receptors. As shown in that table, vibration decibels would attenuate to 68 VdB or less. Therefore, impacts would be less than significant.

Architectural Damage

The applicable Federal Transit Administration (FTA) threshold for the surrounding off-site commercial structures is 0.30 in/sec peak particle velocity (PPV), and the applicable FTA threshold for residential uses is 0.20 in/sec PPV. At a distance greater than approximately 20 feet, construction-generated vibration levels at the commercial buildings would be less than the 0.30 in/sec PPV threshold, and at a distance greater than approximately 25 feet, vibration levels would be less than the 0.20 in/sec PPV threshold.

The nearest off-site commercial structure is the Eyebrow Beauty building, approximately 55 feet south of the Project site, and the nearest residential structures are approximately 70 feet north of the Project site. Table 5.8-11, *Vibration Impact Levels for Typical Construction Equipment (in/sec PPV)*, of the DEIR, summarizes vibration levels at the various receptors. Vibration levels would not exceed the 0.30 and 0.20 in/sec PPV thresholds at the nearest commercial and residential receptors, respectively. Impacts would be less than significant.

Operational Vibration

The proposed Project would not create or cause any significant vibration impacts due to Project operations. This impact would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from noise and vibration to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact from construction and operational vibration. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.8-4: The proximity of the Project site to an airport would not result in exposure of future resident and/or workers to airport-related noise. [Threshold N-3]

The nearest airport or airstrip to the proposed Project is Fullerton Municipal Airport, approximately six miles to the southwest. At this distance, the Project would not expose future residents or workers to excessive aircraft noise. There would be no impact.

Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to noise. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

9. Population and Housing

There are no applicable programs, and policies (PPP) for population and housing.

Impact 5.9-1: The proposed Project would not induce unplanned substantial population in Brea. [Threshold P-1]

Construction

Construction of the proposed Project would require contractors and laborers. The City expects that general construction labor would be available from the local and regional labor pool and would not result in substantial population growth because the construction workers would commute from their current homes. The proposed Project would not result in a long-term increase in employment from short-term construction activities

Operation**Population**

As mentioned in Chapter 3, *Project Description* (of the DEIR), the construction of 179 units would result in approximately 505 new residents.³ The current population in Brea is 47,886, and the Project would increase the City's population to 48,391 residents, an increase of 1.04 percent and would represent 6.4 percent of the City's forecast housing growth of 7,825 units from 2019 to 2050 (see Table 5.9-6 in the DEIR). The City's General Plan projected that the population in the City may increase to 50,483 at General Plan buildout. Therefore, an increase of 505 residents from the existing population would be within the City's planned growth.

Housing

As shown in Table 5.9-2 of the DEIR, there are 18,693 dwelling units in the City in 2023. The Project's 179 units would increase housing in the City by 0.95 percent and would represent 6.7 percent of the City's forecast housing growth of 2,660 units from 2019 to 2050. In addition, the City's General Plan projected that the housing units in the City may increase to 19,079 at the General Plan buildout. Therefore, an increase of 179 units from the existing housing units would be within the City's planned growth.

The proposed Project would be within SCAG's projected housing growth. The proposed Project addresses the need for additional housing to accommodate population growth in the City to accommodate the Regional Housing Needs Assessment.

Employment

The proposed Project is a residential development project, with no commercial uses. The proposed Project would not introduce new unplanned employment growth to the site.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to housing and population. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

³ Population was calculated using household size (19,900) multiplied by the 2018 average household size of 2.75 for Brea (DOF 2023).

Impact 5.9-2: The proposed Project would not displace substantial housing units or people. [Threshold P-2]

Implementation of the proposed Project would not require the removal or relocation of any housing units. Therefore, the proposed Project would not necessitate the construction of replacement housing elsewhere.

Finding. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to housing and population. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

10. Public Services

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential public service impacts:

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|----------|--|
| PPP PS-1 | New buildings are required to meet the fire regulations outlined in California Health and Safety Code (Sections 13000 et seq.). |
| PPP PS-2 | The Project applicant is required to pay development impact fees (dispatch impact fees, fire impact fees, fire service fees). |
| PPP PS-3 | As part of the Project review process, the City of Brea Fire Department will require approval of Building Plan Check for Site Plan and Emergency Access. Additional design features to address the City of Brea Fire Department's requirements will be incorporated as conditions of approval for the Project. |
| PPP PS-4 | Development associated with the proposed project will be designed, built, and operated in accordance with the City of Brea's City Code Chapter 15.08, Building Code, and Chapter 16.04, Brea Fire Code. |

Impact 5.10-1: The proposed Project would introduce 179 new housing and 505 residents into the Brea Fire Department's service area, thereby increasing demand for fire protection and emergency services. [Threshold FP-1]

The proposed Project consists of 179 residential units, resulting in a population increase of 505 residents in the City. Therefore, the proposed Project would increase the demand for fire protection facilities and personnel within the Brea Fire Department's service boundaries. The nearest fire station to the Project site is Fire Station #3 at 2600 E Santa Fe Road.

Brea Fire Department notes that the proposed Project would result in an increase in service calls, which may require more fire personnel. However, the proposed Project would not necessitate the construction of new facilities, such as a fire station, or expanded facilities that could physically impact the environment.

The department employs a systematic approach to assess staffing needs as new developments arise in the City. Brea Fire Department would evaluate service levels and make necessary adjustments to fire

service facilities, personnel, and equipment, as needed, to meet the department's service standards. In addition, the proposed Project has calculated the minimum fire flow for the proposed Project according to Appendix B, Fire-Flow Requirements for Buildings, of the California Fire Code, which has been reviewed and verified by Brea Fire Department. Furthermore, the proposed development is within the planned growth outlined in the General Plan. Compliance with these regulations would reduce impacts regarding fire services.

The proposed Project would be required to participate in the development impact fee program and go through the project review process to ensure that the proposed Project is constructed under the applicable Fire Code and Health and Safety Code and that adequate fire services and infrastructure are available to accommodate the proposed Project. During the development review and permitting process, Brea Fire Department would review and approve building plans to ensure that adequate facilities within individual residential buildings and lots are provided to serve the needs of the Fire Department. The proposed Project is required to implement PPP PS-1 through PPP PS-4 to ensure adequate fire protection facilities are provided. Impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from public services to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact to fire facilities and services. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.10-2: The proposed Project would introduce 179 new housing and 505 residents into the Brea Police Department service boundaries, thereby increasing demand for police protection facilities and personnel. [Threshold PP-1]

The proposed Project would provide a perimeter wall on the south side of the Project site, eliminating one of the potential ingress points to the Project site. Though the southern wall could affect emergency response and deter preventive patrols, it would also minimize opportunistic burglaries, increase privacy, and act as a crime deterrent. In addition, the Brea Police Department (BPD) plans to launch an Integrated Crime Center in the spring of 2025. A key feature of the Integrated Crime Center will be a network of strategically placed cameras throughout the City to enhance surveillance and public safety. The proposed Project would be required to implement PPP PS-6 and provide additional cameras, which would help bolster efforts to maintain a secure environment for the community.

The BPD at Brea Civic and Cultural Center provides police protection services to Brea, including the Project site. The BPD anticipates that the proposed Project would lead to an increase in calls typically linked to residential areas, including traffic and parking complaints, domestic violence incidents, and various disturbances (Rodriguez 2024). The BPD states that there would be adequate services for the proposed Project. Currently, the BPD does not foresee any negative impacts on police services from the proposed Project. The BPD states that the proposed Project would equate to the demand of one full-time police officer at an estimated cost of \$50,688.03 but would not necessitate an expansion of police station facilities or additional equipment (Rodriguez 2024). Although no physical expansion or construction of police facilities would occur, the proposed Project would also be required to pay dispatch impact fees (PPP PS-5).

Given the BPD's current capacity to provide adequate services and the dispatch impact fees mandated by the City, the proposed Project is not expected to lead to significant physical impacts that would necessitate additional or expanded police facilities. As a result, impacts are considered less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from public services to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact to police and emergency facilities and services. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.10-3: The proposed project would generate 41 students who would impact the school enrollment capacities of the Brea Olinda Unified School District. [Threshold SS-1]

The Project site is within the attendance boundaries of Country Hills Elementary School, Brea Junior High School, Brea Canyon High School, and Brea Olinda High School. Table 5.10-3, *Student Generation Summary*, of the DIER anticipates implementation of the proposed Project would generate approximately 25 elementary students, 7 junior high school students, and 13 high school students—a total of 45 additional students. The existing school facilities are anticipated to have adequate capacity for the additional students generated by the proposed Project without having to build new or expanded school facilities.

The increased demand for school facilities would be accommodated through the payment of development fees. The funding program established by SB 50 has been found by the legislature to constitute “full and complete mitigation of the impacts” on the provision of adequate school facilities (Government Code Section 65995(h)). SB 50 sets forth a state school facilities construction program that includes restrictions on a local jurisdiction’s ability to demand mitigation of a Project’s impacts on school facilities in excess of fees in Education Code Section 17620. Payment of impact fees as adopted by Brea Olinda Unified School District and in compliance with SB 50 would reduce CEQA impacts to an acceptable level.

Finding. Compliance with existing PPPs would minimize adverse impacts from public services to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact to school facilities and services. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.10-4: The proposed Project would not result in substantial impacts to library services. [Threshold LS-1]

The proposed Project is anticipated to increase the City’s population by 505 residents. Therefore, the proposed Project would increase the demand for library services in the Orange County Public Library’s (OCPL) system. Orange County’s service standard is 0.2 square feet of library space per capita; therefore, the increase in population would require additional 101 square feet of library space. The required square footage would not warrant the construction of a new library or the expansion of

the Brea Branch Library. Additionally, OCPL's service standard is 1.5 book volumes per capita for residential communities; therefore, the increase in population would require an additional 758 book volumes. It should be noted that the OCPL also provides a wide range of electronic and digitized resources that do not require physical library space.

Generally, impact fees are assessed on new development to help pay for public infrastructure required to accommodate the new development. Funding for library services comes primarily from the property tax revenue, as well as library fines and fees collected from patrons, and state, federal, or government aid. As development occurs, property tax revenue should grow proportionally with the property tax collections. Additionally, access to online resources, including eBooks and audiobooks, are available on the OCPL system. Therefore, the proposed Project would not have a substantial impact associated with the provision of new or physically altered governmental facilities; impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from public services to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact to library facilities and services. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

11. Recreation

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential recreation impacts:

PPP REC-1 The proposed Project is required to comply with Brea Municipal Code Section 18.64.080 that establishes the subdivision regulations for the provision of park and recreational facilities through land dedication, installation of improvements, payment of in-lieu fee thereof, or a combination. New development is required to fund park and recreational development and improvements through the payment of park development fees.

Impact 5.11-1: The proposed Project would generate additional residents resulting in an increase in demand for parks and recreational services in the City; however, the proposed Project would not adversely affect the City's existing park and recreational facilities. [Threshold R-1]

The proposed Project would add 179 units, which would result in approximately 505 new residents to the City, creating demands for various recreational facilities such as neighborhood and regional parks. The increase in development would create a demand for an additional 2.5 acres of parkland.

Brea has a goal of 5 acres per 1,000 population for public parks and recreational facilities. According to the General Plan, the City designates 980 acres as parks and open space. Considering the City's total population of 47,725, the City provides 20.53 acres of parkland and recreational facilities per 1,000 population, exceeding its goal. The closest park to the Project site is the Greenbriar Park, across Greenbriar Lane from the proposed Project. The proposed Project would provide 31,859

square feet of open space, with 8,383 square feet designated for a passive park in the eastern portion of the Project site.

In addition, if deemed necessary by the City, the proposed Project may be conditioned to pay park development fees. Therefore, with the excess of parklands in the City, the private and public recreational facilities proposed by the proposed Project, and the payment of park fees (if necessary), Project implementation would result in a less than significant impact.

Finding. Compliance with existing PPPs would minimize adverse impacts from recreation to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact to recreational facilities and services. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.11-2: Project implementation would not result in environmental impacts to provide new and/or expanded recreational facilities. [Threshold R 2]

The proposed Project involves construction of 31,859 square feet of open space with 8,383 square feet designated for a passive park. Impacts from constructing these park/recreational facilities are addressed throughout the EIR (see Section 5.2, *Air Quality*, and Section 5.8, *Noise*, of the DEIR, which describe the air quality and noise construction impacts as a result of the proposed Project), and no additional adverse physical impacts on the environment would occur. The Project would not require new and/or expanded facilities other than those already included as part of the proposed Project. In addition, the proposed Project may be conditioned to pay park development fees if deemed necessary by the City. Therefore, a less than significant impact would occur.

Finding. Compliance with existing PPPs would minimize adverse impacts from recreation to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact from expanded recreational facilities. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

12. Transportation

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential transportation and traffic impacts:

PPP TRAF-1 **Development Impact Fees.** The proposed Project is required to pay development impact fees to the City of Brea pursuant to the City's AB 1600 Transportation Improvement Nexus Program (Ordinance 996). Based on a transportation improvement nexus program study conducted in 2011, the City Council adopted Resolution 2011-096, which updated the impact fees, effective February 4, 2012. Fair-share fees offset or mitigate the cumulative traffic impacts caused by new development. The program ensures all future development in the City of Brea contributes on a fair-share basis.

- PPP TRAF-2 **Right-of-Way Improvements.** Modifications to the roadway network, including driveways, curbs, and sidewalks, are subject to approval of the City of Brea. Construction work within the right-of-way of a public roadway requires the issuance of a permit by the City of Brea.
- PPP TRAF-3 **Sight Distance Improvements.** The proposed Project is required to implement the following traffic improvements as a condition of approval at Brea Glenbrook Club Driveway/Project Driveway No. 1 at Greenbriar Lane (Intersection No. 8) and Project Driveway No. 2 and Greenbriar Lane (Intersection No. 9) to maintain clear line of sight for driver's exiting the Project site:
- Trim and maintain foliage continuously within the corner sight distance limited use area up to 2.5 feet in height to remain consistent with Caltrans Highway Design Manual.
 - Landscaping and/or hardscapes (i.e. monument signs) are required to be designed such that a driver's clear line of sight is not obstructed.

Impact 5.12-1: The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Threshold T-1]

General Plan

The City's transportation network includes roadways and pedestrian, bicycle, and public transit facilities to allow for the movement of persons and goods in the City. The policies of the City of Brea General Plan Circulation Element that are applicable to the proposed Project are:

- **Policy CD-10.1.** Work continually with Caltrans to improve access to and from State Route 57.
- **Policy CD-10.4.** Work with Caltrans, the Orange County Transportation Authority, and surrounding jurisdictions to provide adequate capacity on regional routes for through traffic and to minimize cut-through traffic on the local street system.
- **Policy CD-13.4.** Require new developments to provide for the use of alternative modes of transit via internal trails or travel ways—public or private—for pedestrians and vehicles other than cars. New developments shall include such features as well-designed sidewalks and parkways, bike lanes and paths, and dedicated bus turn-outs.

The proposed Project would provide adequate pedestrian connections from within the site to the existing sidewalks the Greenbriar Lane frontage, which currently provides protected pedestrian crossings on all legs. These pedestrian facilities provide safe and efficient connectivity for pedestrians to nearby adjacent land uses. Furthermore, the proposed Project includes a pedestrian access point at the southeast corner of the site that would provide direct pedestrian access to the Brea Plaza Shopping Center. Additionally, Associated Road and Birch Street are both identified as Class II Bike Lanes. The Project site is also within a mile of the Tracks at Brea, which is identified as an east-west corridor in the City of Brea General Plan.

Therefore, the proposed Project would comply with the policies of the General Plan's Circulation Element by providing amenities that would promote the use of active transportation in Brea. Impacts would be less than significant.

SCAG Connect SoCal Consistency

The proposed Project's consistency with the 2024 SCAG RTP/SCS, Connect SoCal, is detailed in Table 5.7-1, *SCAG's Connect SoCal Consistency Analysis*, of Section 5.7, *Land Use and Planning*, of the DEIR. The proposed Project would redevelop the underutilized site with housing that would provide new types of housing necessary to accommodate the demographic shifts in the City within a TPA. Therefore, the proposed Project would be consistent with Connect SoCal. Impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from recreation to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact on policies and plans addressing the circulation system. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.12-2: The proposed Project would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b), regarding policies to reduce vehicle miles traveled. [Threshold T-2]

The City of Brea has developed three types of screening criteria that can be applied to effectively screen projects from a full VMT assessment:

- **Step 1:** Transit Priority Area (TPA) Screening
- **Step 2:** Low VMT Area Screening
- **Step 3:** Project Type Screening

Step 1: Transit Priority Area Screening.

Based on the City of Brea Transportation Impact Analysis Guidelines, projects in a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary. Table 5.12-4, *Transit Priority Screening Analysis*, of the DEIR, provides a consistency analysis with the TPA screening criteria exceptions. As shown in this table, all four appropriateness checks are satisfied.

To determine if the Project site is in a TPA, the North Orange County Collaborative VMT Traffic Study Screening Tool was utilized. Based on this tool, the Project site is in a TPA. Per the direction of City of Brea staff, a TPA can be established based on both existing or planned service levels of 15 minutes or less. Therefore, the proposed Project is determined to be situated within a TPA under Step 1.

Step 2: Low VMT Area Screening

Per the City of Brea Transportation Impact Analysis Guidelines, residential and office projects in a low-VMT-generating area are presumed to have a less than significant impact absent substantial evidence to the contrary (see Table 5.12-3 of the DEIR). To identify if the proposed Project is in a

low-VMT-generating area, the City of Brea's Low-VMT Area Map was utilized (see Appendix B of Appendix F1 of the DEIR). The proposed Project is identified as not in a low-VMT-generating zone. The Project site is in a "Higher than City Average" zone. Therefore, the proposed Project does not satisfy the screening criteria based on Step 2.

Step 3: Project Type Screening

Certain project types are eligible to screen from a project-level VMT assessment because they can be presumed to have a less than significant impact absent substantial evidence to the contrary because their uses are local serving in nature. These types of projects include:

- Local parks
- Local-serving retail uses less than 50,000 square feet
- Community institutions (public libraries, fire stations, local government)
- Affordable, supportive, or transitional housing
- Projects generating less than 110 daily vehicle trips

Projects generating less than 110 daily vehicle trips would have a less than significant impact. As shown in Table 5.12-2, the proposed Project would generate 492 fewer daily weekday trips when compared to the current land use designation. Since the proposed Project would generate a decrease in daily vehicle trips to and from the site, it can be assumed that the VMT would also be reduced; thus, the proposed Project would have no significant negative impact on the transportation system.

Therefore, in accordance with the City of Brea's Transportation Impact Analysis Guidelines, the proposed Project is exempt from a VMT assessment, and it is assumed that implementation of the proposed Project would not have the potential to result in a VMT impact. Therefore, impacts are less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from transportation to less than significant levels. The proposed Project would have no significant direct, indirect, and cumulative impact to Brea's traffic analysis and methodology. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.12-3: Project circulation improvements have been incorporated to adequately address potentially hazardous conditions (sharp curves, etc.), potential conflicting uses, and emergency access. [Threshold T-3]

A site access evaluation was conducted to determine if there were potential conflicts associated with site access, including potential vehicle pedestrian conflicts.

Access to the proposed Project site would be provided via two full-access unsignalized driveways along Greenbriar Lane. Project Access Driveway No. 1, or "A" Drive, would be the future fourth (south) leg of the existing Brea Glenbrook Club Driveway/Greenbriar Lane intersection. Project Access Driveway No. 2, or "C" Drive, would be the future third (south) leg of the existing knuckle at Aurora Avenue and Greenbriar Lane. The shared access points between the Brea Shopping Plaza and the Project site would be eliminated; therefore, the proposed Project would eliminate cut-

through traffic on the Brea Plaza site to the south. The proposed Project would provide pedestrian connectivity between the Project site and Brea Plaza via a pedestrian walkway on the southeast portion of the Project site.

Spacing Between Driveways and Intersections

The forecast queues for the turning movements at the two Project access points do not identify queuing deficiencies along Greenbriar Lane along the Project frontage (see Appendix F2, of the DEIR). Therefore, impacts would be less than significant.

Driveway Signalization

As identified in the traffic analysis, the proposed driveway intersections would operate at an acceptable level of service under opening year with-Project conditions. Intersection No. 9 (Project Driveway No. 2 and Greenbriar Lane) is also a three-legged intersection that is planned to only have one stop control, allowing for efficient circulation on the public roadway. Therefore, signalization would not be recommended since the level of service would be satisfactory with Project conditions.

Turn Conflicts/Restrictions

As part of the proposed Project, Greenbriar Lane would be realigned from the Brea Glenbrook Club Driveway to Associated Road. This realignment would eliminate an unnecessary intersection (previously serving the Mercury Insurance lot) and allow for more efficient travel along Greenbriar Lane. Project Access Driveway No. 1, or “A” Drive, will be the future fourth (south) leg of the existing Brea Glenbrook Club Driveway/Greenbriar Lane intersection. As such, there are no turning conflicts, and neither driveway is recommended to have any access restrictions. Additionally, based on review of the site plan from an on-site circulation standpoint, there would not be significant conflicts between vehicles or with pedestrian/bicycles. Adequate radii is provided at both Project Driveways No. 1 and No. 2 to facilitate waste-management-vehicle turning movements. Vehicles and service vehicles can navigate the site safely and efficiently. Therefore, no hazards related to site design are identified.

Sight Distance

An intersection sight distance analysis has been conducted for both driveways along Greenbriar Lane (see Appendix F2, of the DEIR). The line of sight has been created utilizing the methodology for stopping sight distance to provide a more accurate representation of the sight distance. As such, according to the Orange County Highway Design Manual, the minimum stopping sight distance for a roadway classified as a local street is 150 feet for both horizontal and vertical curves. Additionally, per the Caltrans Highway Design Manual, the minimum stopping sight distance is based on the design speed of the major road, and the speed limit for Greenbriar Lane is 25 mph. With implementation of PPP TRAF-3, sight distance would be maintained and no impacts would occur.

Collision History

Table 5.12-1 in Section 5.12.1.2, *Existing Conditions*, of the DEIR, identified the number and type of collisions for each intersection per year in the vicinity of the Project site. However, no Project-specific impacts have been identified, and impacts are less than significant.

Caltrans Queuing Analysis

A queuing analysis was conducted to evaluate the queue lengths at Intersection No. 5 (SR-57 northbound ramps/shopping center driveway No. 2 at Imperial Highway) and Intersection No. 6 (Associated Road at Imperial Highway) (see Appendix F2, of the DEIR). As identified in the traffic analysis, adequate storage is provided for all reported turning movements under existing conditions, opening year without Project conditions, and opening year with Project conditions. Therefore, no hazards related to queuing are identified.

Emergency Access

Brea Fire Department Station #1 is 1.70 miles northwest of the Project site, and Station #2 is 1.05 miles northwest of the Project site. According to the Brea Fire Department, the standard goal for desired response time for emergency calls is 7.5 to 8.5 minutes and for non-emergencies it is 11 to 13 minutes (Mielke Pesqueira 2024). The surrounding roadways would continue to offer emergency access to the Project area and surrounding properties during and after construction. Moreover, the proposed Project would result in fewer trips than the former office use and would not result in inadequate emergency access, and impacts to adopted emergency response and evacuation plans are less than significant. Impacts to emergency services would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts from transportation to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impact on queuing, circulation, and emergency access. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

13. Tribal Cultural Resources

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential tribal cultural resources impacts:

PPP TCR-1 Pursuant to California Health and Safety Code Section 7050.5, if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are not subject to his or her authority and has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC.

Impact 5.13-1: The proposed Project would not cause a substantial adverse change in the significance of a historic tribal cultural resource. [Threshold TCR-1.i]

Historic Tribal Cultural Resources

As discussed in Section 5.3, *Cultural Resources*, of the Draft EIR, no resources under the NRHP and CRHR criteria have been recorded within the Project site. The existing building on the Project site was constructed in 1976 and not of historical age, so it does not meet the definition of a historic resource pursuant to CEQA. The closest locally designated historical resource ("Practice House") is

0.6 mile to the west. The proposed Project would not impact TCRs listed on any of the registers of historic resources.

A Sacred Land Files request was submitted to the Native American Heritage Commission (NAHC) to inquire about the presence/absence of sacred or religious sites in the vicinity of the Project site, and received a negative result on May 14, 2024. No tribal resources are known to exist on or near the Project site. Therefore, implementation of the proposed Project would not impact tribal cultural resources pursuant to Public Resources Code Section 21074(a)(1). No impact to historical resource would occur.

Finding. Compliance with existing PPPs would minimize adverse impacts of tribal cultural resources to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to historic tribal cultural resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.13-2: For Impact 5.13-2, refer to Section D, *Findings on Significant Environmental Impacts That Can Be Reduced to a Less Than Significant Level*.

14. Utilities and Service Systems

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential utilities and service systems impacts:

- | | |
|-----------|---|
| PPP USS-1 | The Project will pay the Sanitary Sewer Connection Fees and Impact Fees collected by the City of Brea, which contribute to maintenance and installation of sewer improvements in the OCSD in accordance with Section 3.32.040, Sewer Service Fees and Charges, of the Brea City Code. Additionally, the Project will pay capital facilities fees to OCSD. |
| PPP USS-2 | The Project will pay the water impact fees, water connection, and fire service connection fees collected by the City of Brea, which covers costs to purchase water supplies and to operate and maintain the water distribution system in accordance with Ordinance 967. |
| PPP USS-3 | Landscaping installed on-site shall conform to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase landscape water efficiency. |
| PPP USS-4 | Plumbing fixtures installed on-site shall conform to California Green Building Standards Code requirements to increase water efficiency and reduce urban per capita water demand. |
| PPP USS-5 | The Project would comply with the City's water conservation program during a drought or emergency situation, in accordance with Chapter 13.20, Water Management Program, of the Brea City Code. |

PPP USS-6	<p>The Project will be constructed and operated in accordance with the Santa Ana Regional Water Quality Control Board Municipal Stormwater (MS4) Permit for Orange County. The MS4 Permit requires the proposed Project to prepare and implement a water quality management plan to:</p> <ul style="list-style-type: none"> • Control release of contaminants into storm drain systems. • Educate the public about stormwater impacts. • Detect and eliminate illicit discharges. • Control runoff from construction sites. • Implement BMPs and site-specific runoff controls and treatments.
PPP USS-7	<p>California’s Green Building Standards Code (CALGreen) requires the recycling and/or salvaging for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste generated during most “new construction” projects (CALGreen Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the Project, or salvage for future use or sale and the amount (by weight or volume).</p>
PPP USS-8	<p>The Project will abide by AB 341 and AB 1826. The Project will store and collect recyclable materials in compliance with AB 341. Green waste will be handled in accordance with AB 1826.</p>
PPP USS-9	<p>New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2022 Building Energy Efficiency Standards were effective starting on January 1, 2023. The 2025 Building Energy Efficiency Standards were adopted in September 2024 and will become effective on January 1, 2026. The Building Energy and Efficiency Standards and CALGreen undergo a triennial update with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.</p>

Impact 5.14-1: Project-generated wastewater could be adequately treated by the wastewater service provider for the Project. [Thresholds U-1, U-2 (part), and U-5]

Sewer Infrastructure

The proposed Project would increase wastewater flows compared to current conditions. The total estimated average dry weather sewer flow at the Project site with implementation of the proposed Project would be 0.041 million gallons per day (mgd), as shown in Table 5.14-3, *Greenbriar Site Sewer Flow*, in the DEIR. The estimated peak wet weather flow is 0.1185 mgd. The existing sewer lines would be used to convey flows from the proposed buildings.

The existing 8-inch sewer main at Greenbriar Lane would be used to convey flows from the proposed uses on-site, to the existing 12-inch sewer main on Associated Road to combine with flows from the surrounding area. The existing sewer system's has the capacity and ability to accept additional flows from the proposed Project, which were calculated using the existing flows in the existing sewer system without accounting for the loss of flows from the removal of the Mercury Insurance Complex.

The flow under peak wet weather conditions, including flows from the proposed Project, resulted in a depth-to-pipe-diameter ratio of 0.68 in the existing 8-inch sewer main in Greenbriar Lane, which is below the 0.75 design limit (see Appendix G1, in the DEIR). Additionally, the flow during peak wet weather conditions to the 12-inch sewer main on Associated Road resulted in a maximum depth-to-pipe-diameter ratio of 0.45, which is below the 0.75 design limit (see Appendix G1 in the DEIR). Therefore, all the existing sewer lines have adequate capacity to convey the proposed Project's wastewater flows in addition to existing flow, and impacts are less than significant.

OCSD Wastewater Treatment Capacity

Orange County Sanitation District's (OCSD) treatment plants treat a total of 180 million gallons per day (mgd). The proposed Project's sewer flows would be less than 1 percent of the City's total average dry weather flow of 4.8845 mgd and would represent less than 0.1 percent of the total daily flows of 180 mgd treated at OCSD's treatment plants. Overall, the projected flows for the proposed Project are less than the Mercury Insurance building flows. Therefore, there is adequate residual wastewater treatment capacity in the region for the wastewater generated by the proposed Project.

Furthermore, the City collects sewer charges to support the operations of the sewer system and needed capital improvements identified in the Sewer Master Plan. Additionally, the Project applicant would pay capital facilities fee charges to OCSD. Therefore, impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts of utilities and service systems to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating wastewater services. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.14-2: Water supply and delivery systems are adequate to meet Project requirements. [Thresholds U-2 (part) and U-4]

Water demand at the Project site is assumed to be zero because the existing office building is currently vacant. Although the Project site did have demand for potable water associated with its former use, the discussion below provides a conservative analysis of the proposed Project's impacts on water supply and delivery systems.

Water Supply and Demand

Table 5.14-6, *Existing and Proposed Water Use*, of the DEIR, shows that the proposed Project would result in a net increase in water use of approximately 53 acre-feet per year (afy). This estimate is also conservative because it is based on sewer generation rates, which are used for infrastructure sizing

and do not account for reductions in water use from new construction with low-flow plumbing fixtures and water conservation efforts. Additionally, the proposed Project would not generate a water demand equivalent to 500 residential units; therefore, a Water Supply Assessment pursuant to Senate Bill 610 is not required.

As shown in Table 5.14-5 of the DEIR, the City of Brea's Urban Water Management Plan (UWMP) forecasts an increase of 152 afy between 2025 and 2030 during a normal year, and the proposed Project's anticipated buildout in 2028. The increase of 53 afy would represent 35 percent of the anticipated increase in water demand forecasts for the City. As stated in the 2020 UWMP, the City is projected to meet all water demands through 2045 during normal, single dry, and multiple dry years due to the diversified supply and conservation measures. It should be noted that the 2020 UWMP assumes the Mercury Insurance building would remain in operation up until the year 2045. With this building out of operation, the demand needs projected in the UWMP are conservative and do not account for a supply surplus associated with the Mercury Insurance building going out of operation. Therefore, the City would be able to meet the water demands of the proposed Project in addition to existing and cumulative demands. Impacts would be less than significant.

Water Infrastructure

The proposed Project would require the installation of new and expanded water pipes in order to accommodate the increase in density on-site. The proposed system would be constructed in accordance with the City's requirements for pipe sizing, flows, pressure, and flow duration (i.e., fire flow protection, see Section 5.9, *Public Services*, of the DEIR). Furthermore, the City has established water rates to cover costs to purchase water supplies to operate and maintain the water distribution system. Therefore, impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts of utilities and service systems to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to water supply and delivery systems. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.14-3: Existing and proposed storm drainage systems are adequate to serve the drainage requirements of the proposed Project. [Threshold U-3]

The general drainage patterns of the proposed Project would remain consistent with the existing drainage patterns and would be collected and ultimately disposed to Loftus Channel. As part of the proposed Project there would be no detention pipes or detention areas. The Project site is currently almost fully impervious, and the proposed Project would increase the amount of pervious surface, thereby reducing stormwater runoff from the project site. To satisfy the Water Quality Management Plan requirements, a water quality diversion structure would be installed at the 18-inch pipe that would connect to three modular wetland systems for treatment before flowing into the 18-inch pipe and discharging into Loftus Channel.

- **Loftus Channel.** The Preliminary Hydrology Analysis concluded that the Loftus Channel reach along the Project site would have no negative impacts due to the additional peak flow rate from the proposed Project.

- **Greenbriar Lane.** The proposed flows to the existing 10-foot and 21-foot catch basins on top of the Loftus Channel box culvert are less than the existing levels. Currently, the existing flow rates for the 10-foot and 21-foot catch basins are 26.1 cubic feet per second (cfs) and 2.6 cfs respectively. Under the proposed Project, the 10-foot and 21-foot catch basins would have a flow rate of 24.7 cfs and 1.2 cfs respectively.
- **18-inch RCP.** Due to the Hydrology Analysis being a preliminary report, a detailed pressured flow hydraulic calculation was not performed. However, this calculation will be performed during the final engineering phase when the detailed designs are available (see DEIR Appendix G2).

Table 5.14-7, *Existing and Proposed Storm Drain Flows*, of the DEIR shows that there would be an overall decrease in storm drain flows compared to existing conditions.

For projects in north Orange County, hydrologic conditions of concerns are considered to exist if streams downstream from the Project are determined to be potentially susceptible to hydromodification impact. While the Project site is within a hydrologic conditions of concern area, due to the proposed Project decreasing the amount of impervious area on the Project site, the proposed Project's storm drain flows would be less than the existing conditions. Therefore, the proposed Project would have a beneficial impact on stormwater flows, and the proposed Project would not have hydromodification impacts to downstream receiving waters (see also Appendix G1, of the DEIR). Therefore, impacts would be less than significant.

Finding. Compliance with existing PPPs would minimize adverse impacts of utilities and service systems to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to storm drainage systems. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Impact 5.14-4: Existing and/or proposed facilities would be able to accommodate Project-generated solid waste and comply with related solid waste regulations. [Thresholds U-6 and U-7]

The buildings at the Project site are not operational; therefore, the proposed Project would generate an increase in solid waste disposal. Therefore, the discussion below provides a conservative analysis of the proposed Project's impacts on solid waste disposal.

Table 5.14-8, *Greenbriar Residential Development Project Estimated Solid Waste Disposal*, of the DEIR, states that the proposed Project would generate an increase of approximately 746.5 tons per year. The Olinda Alpha Landfill would accept waste from the proposed Project. The increase in solid waste generated from the proposed Project would represent less than 1 percent of the maximum daily throughput. The increase in solid waste disposal would be accommodated by the landfill's remaining capacity

The proposed Project would comply with solid waste disposal requirements, including requirements to divert solid waste to landfills through recycling. During construction, the proposed Project would comply with CALGreen, which requires recycling and/or salvaging for reuse a minimum of 65

percent of the nonhazardous construction and demolition waste generated during most “new construction” projects (CALGreen Sections 4.408 and 5.408). During operations, the proposed Project would comply with Assembly Bill (AB) 341 and AB 1826, which require multifamily residential land uses to have recycling and organic waste recycling.

Finding. Compliance with existing PPPs would minimize adverse impacts of utilities and service systems to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating solid waste. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

**Impact 5.14-5: Existing energy infrastructure is adequate to meet Project requirements.
[Thresholds U-9]**

Energy

Electricity

Electrical service to the Project site would be provided by SCE through connections to existing off-site electrical lines and new on-site infrastructure. As identified in Section 5.4, *Energy*, of the DEIR, the projected electricity consumption for proposed 179 residences is 656,184 kilowatt-hours (kWh) per year, which is a net decrease of 528,126 kWh per year when compared to the average electricity consumption of the existing, vacant, office building from the period 2021 to 2024. Furthermore, the proposed Project would include solar panels on the new buildings. Installation of solar panels would offset the proposed Project’s demand for electricity. In addition, to facilitate the distribution of electrical service, the proposed Project might bring electrical service from existing lines on the east side of Associated Road to the Project site; however this would occur underground within existing paved streets and no impacts would occur. Hence, it is not anticipated that the proposed Project would warrant expansion of existing electrical facilities offsite to serve the Project site.

Natural Gas

As described in Chapter 5.4, *Energy*, of the DEIR, without fuel switching, the Project site would use 1,988,125 thousand-British thermal units (kBtu) per year. The per capita natural gas consumption for the proposed Project would be 5,053 kBtu per year, which is approximately 6,566 kBtu per year less than the County’s average residential gas consumption per capita in 2022. SoCalGas is projected to supply 7,672 million therms in 2035 (76,720,000 kBtu). The proposed Project would be less than half a percent of the projected forecast. Additionally, SoCalGas’s facilities would be adequate to meet the proposed Project needs.

Finding. Compliance with existing PPPs would minimize adverse impacts of utilities and service systems to less than significant levels. The proposed Project would have a less than significant direct, indirect, and cumulative impacts relating to energy. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

D. IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The following summary describes impacts of the proposed Project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the EIR, these impacts would be considered less than significant.

1. Air Quality

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential air quality impacts:

- PPP AIR-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (24 CCR Part 6) and California Green Building Standards Code (CALGreen) (24 CCR Part 11). The 2022 Building Energy Efficiency Standards were effective starting on January 1, 2023. The 2025 Building Energy Efficiency Standards were adopted in September 2024 and will become effective on January 1, 2026. The Building Energy and Efficiency Standards and CALGreen undergo a triennial update with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.
- PPP AIR-2 Construction activities will be conducted in compliance with California Code of Regulations Title 13, Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.
- PPP AIR-3 Construction activities will be conducted in compliance with any applicable South Coast Air Quality Management District rules and regulations, including but not limited to the following:
- **Rule 403**, Fugitive Dust, for controlling fugitive dust and avoiding nuisance.
 - **Rule 402**, Nuisance, which states that a project shall not “discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”
 - **Rule 1113**, which limits the volatile organic compound content of architectural coatings.
 - **Rule 1403**, which governs requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials.

Impact 5.2-2: Construction activities associated with the proposed Project would generate short-term emissions that exceed South Coast AQMD's threshold criteria. [Threshold AQ-2]

Construction activities produce combustion emissions from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the site, and motor vehicles transporting the construction crew. Demolition and site preparation activities produce fugitive dust emissions (coarse inhalable particulate matter (PM₁₀), fine inhalable particulate matter (PM_{2.5}) from demolition and soil-disturbing activities, such as grading and trenching. Air pollutant emissions from construction activities on-site would vary daily as construction activity levels change. An estimate of maximum daily construction emissions by year for the proposed Project is provided in Table 5.2-8, *Maximum Daily Regional Construction Emissions*, of the DEIR. As discussed in Section 5.2.4.1, *Methodology*, of the DEIR, the mass emissions modeling prepared for this analysis assumed that all equipment identified in a given construction activity would operate for the full duration of that activity to capture potential overlapping use of equipment.

The South Coast Air Basin (SoCAB) is designated nonattainment for Ozone (O₃) and PM_{2.5} under the California and National ambient air quality standards (AAQS), nonattainment for PM₁₀ under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS. According to South Coast AQMD methodology, any project that does not exceed or can be mitigated to less than the daily threshold values would not add significantly to a cumulative impact (South Coast AQMD 1993). As shown in DEIR Table 5.2-8, the maximum daily emissions for nitrogen oxides (NO_x), CO, SO₂, PM₁₀, and PM_{2.5} from construction-related activities would be less than their respective South Coast AQMD regional significance threshold values. However, the construction-related volatile organic compound (VOC) emissions generated from overlapping building construction, asphalt paving, and architectural coating phases would exceed the South Coast AQMD regional significance threshold. Consequently, construction of the proposed Project could potentially contribute to the (O₃) nonattainment designation of the SoCAB in the absence of mitigation. This impact would be potentially significant prior to mitigation.

Mitigation Measure

The following mitigation measures were included in the DEIR and the FEIR, and are applicable to the proposed Project. The measures as provided include any revisions incorporated in the FEIR.

- AQ-1 During construction, the construction contractor shall only use interior and exterior paints with a low VOC (volatile organic compound) content with a maximum concentration of 10 grams per liter (g/L) for building architectural coating to reduce VOC emissions. Prior to building permit issuance, all building and site plans shall note use of paints with a maximum VOC concentration of 10 g/L, and the construction contractor(s) shall ensure that all construction plans submitted to the City of Brea Community Development Department clearly show this requirement.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes

are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure AQ-1 would require the construction contractor to only use interior and exterior paints with a low VOC content with a maximum concentration of 10 grams per liter (g/L) for building architectural coating to reduce VOC emissions, and the site plans submitted to the City of Brea Community Development Department shall clearly show this requirement. Mitigation measure AQ-1 would reduce potential impacts of construction related short-term emissions to a level that is less than significant.

Impact 5.2-4: Construction activities associated with the proposed Project could expose sensitive receptors to substantial pollutant concentrations. [Thresholds AQ-2 and AQ-3]

This impact analysis describes changes in localized impacts from short-term construction activities. The proposed Project could expose sensitive receptors to elevated pollutant concentrations during construction activities if it would cause or contribute significantly to elevated levels. Unlike the mass of emissions shown in the regional emissions analysis in Table 5.2-8 of the DEIR, described in pounds per day, localized concentrations refer to an amount of pollutant in a volume of air (ppm or $\mu\text{g}/\text{m}^3$) and can be correlated to potential health effects.

Construction-Phase LSTs

Screening-level localized significance thresholds (LSTs) (pounds per day) are the amount of Project-related mass emissions at which localized concentrations (ppm or $\mu\text{g}/\text{m}^3$) could exceed the AAQS for criteria air pollutants for which the SoCAB is designated nonattainment. They are based on the acreage disturbed and distance to the nearest sensitive receptor. Thresholds are based on the California AAQS, which are the most stringent, established to provide a margin of safety in the protection of the public's health and welfare. They are designed to protect sensitive receptors most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other illness, and persons engaged in strenuous work or exercise. Table 5.2-10, *Construction Emissions Compared to the Screening-Level LSTs*, of the DEIR shows the maximum daily construction emissions (pounds per day) generated during on-site construction activities at the Project area compared with the South Coast AQMD's screening-level LSTs thresholds. As discussed in DEIR Section 5.2.4.1, *Methodology*, the mass emissions modeling prepared for this analysis assumed that all equipment identified in given construction activity would operate for the full duration of that activity to capture potential overlapping use of equipment.

On-site emissions include fugitive dust emissions and exhaust emissions associated with operation of off-road construction equipment in addition to fugitive dust from the movement of dirt. As shown in the table, the maximum daily NO_x , CO, PM_{10} , and $\text{PM}_{2.5}$ construction emissions from on-site construction-related activities would be less than their respective South Coast AQMD screening-level LSTs.

Construction Health Risk

The proposed Project would elevate concentrations of toxic air contaminants (TACs), including diesel particulate matter (DPM) in the vicinity of sensitive land uses during temporary construction activities that would use offroad equipment operating on-site and at different levels depending on the type of activity. A site-specific construction health risk assessment (HRA) of TACs was prepared to quantify potential health risk emissions during construction (see DEIR Appendix B2). The pollutant concentration results of the analysis are shown on page 201 in Attachment B, *Air Dispersion Model Output*, of the construction HRA in DEIR Appendix B2, and health risk results are shown in DEIR Table 5.2-11, *Construction Health Risk Summary*. As shown, the proposed Project construction would exceed the South Coast AQMD health risk threshold of 10 cancer cases per one million people for the residential maximum exposed receptor (MER) but would not exceed the South Coast AQMD health risk threshold for other receptor types.

The results of the HRA are based on the maximum receptor concentration over the entire construction exposure duration for receptors.

- Cancer risk for the residential MER from construction activities would be an estimated 30 in a million, exceeding the 10 in a million significance threshold.
- For noncarcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for each MER type. Therefore, chronic noncarcinogenic hazards are less than significant.

Because cancer risks for the residential MER would exceed South Coast AQMD significance threshold, construction activities associated with the proposed Project would expose sensitive receptors to substantial pollutant concentrations, and this impact would be potentially significant prior to mitigation.

Mitigation Measure

The following mitigation measures were included in the DEIR and the FEIR, and are applicable to the proposed Project. The measure as provided include any revisions incorporated in the FEIR.

- AQ-2 During construction, the construction contractor shall, at minimum, use equipment that meets the United States Environmental Protection Agency's (EPA) Tier 4 (Final) emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, except for the Telebelts anticipated for use. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by Tier 4 Final emissions standards for a similarly sized engine, as defined by the California Air Resources Board's regulations. Prior to issuance of building permit, the Project engineer shall ensure that all plans clearly show the requirement for EPA Tier 4 Final emissions standards for construction equipment over 50 horsepower except for the Telebelts used for Project construction, Tier 4 Final models of which could not be verified as commercially available for purposes of this measure. During construction, the construction contractor shall maintain a list of all operating equipment associated with building demolition in use on the site for

verification by the City. The construction equipment list shall state the makes, models, and numbers of construction equipment onsite. Equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure AQ-2 would require the construction contractor the construction contractor shall, at minimum, use equipment that meets the US Environmental Protection Agency (EPA) Tier 4 (Final) emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, and maintain a list of all operating equipment associated with building demolition in use on the site for verification by the City. Mitigation measure AQ-2 would reduce potential impacts to sensitive receptors to a level that is less than significant.

2. Cultural and Paleontological Resources

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential cultural and paleontological impacts:

- PPP CUL-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-2 The removal, without permission, of any paleontological site or feature is prohibited from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation or any agency thereof (PRC Section 5097.5). This applies to agencies' own activities, including construction and maintenance, and permit actions by others.
- PPP CUL-3 Adverse impacts to paleontological resources from developments on public lands (state, county, city, and district) require reasonable mitigation. (PRC Section 5097.5)
- PPP CUL-4 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5)

**Impact 5.3-2: Development of the Project could impact archaeological resources.
[Threshold C-2]**

Only a small portion of Brea has been surveyed for archaeological resources, so the full extent of archaeological resources in Brea is not known. The Project site has been graded, paved, and developed with the former Mercury Insurance office building, parking lot, and parking structure. Therefore, the surface and subsurface have been previously disturbed. The Project site would require demolition, ground clearing, excavation, grading, and other ground-disturbing activities. Additionally, the Native American Heritage Commission's Sacred Land Files record search found no tribal resources on the site (see Section 5.12, *Tribal Cultural Resources*, of the DEIR).

Although the likelihood of discovering archaeological resources onsite is low given that the site is fully developed and there are no historic resources on-site, because the proposed Project would require ground-disturbing activities that may require excavations below the current foundations, it is possible that subsurface archaeological resources may be encountered. Therefore, the proposed Project could potentially unearth previously unknown/unrecorded archaeological resources.

Mitigation Measure

The following mitigation measures were included in the DEIR and the FEIR, and are applicable to the proposed Project. The measure as provided include any revisions incorporated in the FEIR.

CUL-1 If cultural resources are encountered during ground disturbing activities, work in the immediate area shall cease and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service) [NPS] 1983 shall be contacted immediately to evaluate the find(s). If the discovery proves to be significant as determined by the site archeologist, additional work such as data recovery excavation may be warranted and will be reported to the City.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure CUL-1 would require that a qualified archaeologist be called in the event cultural resources are discovered during ground-disturbing activities. If the discovered resources are significant, additional work may be warranted. Mitigation measure CUL-1 would reduce potential impacts to archeological and historic resources to a level that is less than significant.

Impact 5.3-4: Development of the Project could impact paleontological resources or unique geologic features. [Threshold C-4]

The Project site is underlain by late to middle Pleistocene Quaternary very old alluvial fan deposits (*Q_{vo}*), which are considered to have high sensitivity for paleontological resources. The highly paleontologically sensitive La Habra formation, dating to the middle Pleistocene, is also present on the Project site underneath the Quaternary very old alluvial fan deposit (*Q_{vo}*) sediments (Duke 2024). Therefore, the Project site is assessed as having high sensitivity for paleontological resources at depths of and exceeding six feet. If ground-disturbing activities would exceed these depths, there would be potential that natural landform beneath the Project site would be encountered during construction and that subsurface resources and/or paleontological resources would be discovered.

Mitigation Measure

The following mitigation measures were included in the DEIR and the FEIR and are applicable to the proposed Project. The measure as provided include any revisions incorporated in the FEIR.

CUL-2 During ground-disturbing activities, a qualified paleontologist shall monitor all excavations below five feet. If unique paleontological resources are discovered during excavation and/or construction activities, construction shall stop within 50 feet of the find, and the qualified paleontologist shall be consulted to determine whether the resource requires further study. The paleontologist shall make recommendations to the City of Brea to protect the discovered resources. Any paleontological resources recovered shall be provided for curation at a local curation facility such as the Los Angeles County Natural History Museum, the John D. Cooper Center in Fullerton, or any other local museum or repository willing and able to accept and house the resource to preserve for future scientific study.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure CUL-2 would require that a qualified paleontologist to be present onsite during all excavation activities below five feet. If resources are discovered during ground-disturbing activities, a 50-foot buffer would be set and the qualified paleontologist would recover the resource and deposited the resource at a local museum or repository. Mitigation Measure CUL-2 would reduce potential impacts to archeological and historic resources to a level that is less than significant.

3. Greenhouse Gas Emissions

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential greenhouse gas emissions impacts:

- PPP GHG-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2022 Building Energy Efficiency Standards were effective starting on January 1, 2023. The 2025 Building Energy Efficiency Standards were adopted in September 2024 and will become effective on January 1, 2026. The Building Energy and Efficiency Standards and CALGreen undergo a triennial update with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.
- PPP GHG-2 California's Green Building Standards Code (CALGreen) requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).
- PPP GHG-3 New buildings are required to adhere to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.
- PPP GHG-4 New single-family residential construction is required to comply with the California Building Energy and Efficiency Standard by either the performance or prescriptive pathway. The prescriptive pathway requires installation of photovoltaic (PV) systems for new single-family residential construction, along with other energy efficiency and renewable energy design requirements. Should a new single-family residential construction project use the performance pathway for compliance instead, solar may be included in the project design but does not have to meet the system sizing requirements prescribed in the prescriptive pathway but must incorporate additional energy efficiency or renewable energy generation in the project design to offset the omission or reduced size of a PV system.

Impact 5.5-2: Implementation of the proposed Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. [Threshold GHG-2]

Applicable plans adopted for the purpose of reducing GHG emissions include the California Air Resources Board's (CARB) Scoping Plan and SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). A consistency analysis with these plans is presented below.

CARB Scoping Plan

CARB's latest Climate Change Scoping Plan (2022 Scoping Plan) outlines the State's strategies to reduce GHG emissions in accordance with the targets established under AB 32, SB 32, and AB 1279. The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and

individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Statewide strategies to reduce GHG emissions in the 2022 Climate Change Scoping Plan include: implementing SB 100, which expands the RPS to 60 percent by 2030; expanding the Low Carbon Fuel Standards to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Statewide strategies to reduce GHG emissions include the low carbon fuel standards, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the CAFE standards, and other early action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32, SB 32, and AB 1279. In addition, new developments are required to comply with the current Building Energy Efficiency Standards and CALGreen. The proposed Project would comply with these GHG emissions reduction measures since they are statewide strategies.

Table 5.5-5, *Project Consistency with the 2022 Scoping Plan Priority Areas*, of the DEIR, contains a list of the GHG-reducing strategies from the 2022 Scoping Plan. The analysis describes the proposed Project's compliance and consistency with these strategies. As discussed in the table, the proposed Project would generally be consistent with the priority areas pertaining to transportation electrification and VMT reductions, but is not currently designed to be a 100 percent electric product (i.e., no natural gas appliances). Thus, although the proposed Project would adhere either directly or indirectly to statewide strategies, because it would not meet one of the three local action priority areas, it is considered potentially inconsistent with the Scoping Plan.

SCAG's Regional Transportation Plan/Sustainable Communities Strategy

SCAG adopted the 2024-2050 RTP/SCS, Connect SoCal, in April 2024. Connect SoCal is a long-term plan for Southern California region that details the development, integrated management and operation of transportation systems and facilities that will function as an intermodal transportation network for the SCAG metropolitan planning area. This plan outlines a forecast development pattern that demonstrates how the region can sustainably accommodate needed housing and job centers with multimodal mobility options. The overarching vision is to expand alternatives to driving, advance the transition to clean-transportation technologies, promote integrated and safe transit networks, and foster transit-oriented development in compact and mixed-use developments (SCAG 2024). In addition, Connect SoCal is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and federal Clean Air Act requirements. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. The proposed Project would develop 179 new residences and would not generate a significant VMT impact. The proposed Project's consistency with the 2024 SCAG RTP/SCS, Connect SoCal, is detailed in Table 5.7-1, *SCAG's Connect SoCal Consistency Analysis*, of Section 5.7, *Land Use and Planning*, in the DEIR. The goals of Connect SoCal are related to housing, transportation technologies, equity, and resilience. The proposed Project site would redevelop the underutilized site with types of housing necessary to accommodate the demographic shifts in the City. Therefore, from a planning perspective, the proposed Project is slightly favorable, as it would provide housing units in proximity to commercial uses and employment opportunities (see Section 5.8, *Population and Housing*, of the DEIR). Therefore, the proposed Project would not interfere with SCAG's ability to implement the regional strategies in Connect SoCal, and this impact would be less than significant.

Mitigation Measure

The following mitigation measure were included in the DEIR and the FEIR, and are applicable to the proposed Project. The measure as provided include any revisions incorporated in the FEIR.

GHG-1 The Project Applicant shall design and build all residential homes to be electric, meaning that electricity is the primary permanent source of energy for water heating; mechanical; heating, ventilation, and air conditioning (HVAC) (i.e., space-heating and space cooling); cooking; and clothes-drying. All major appliances (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) provided/installed shall be electric-powered EnergyStar-certified or of equivalent energy efficiency, where applicable. Prior to the issuance of building permits for new development projects within the Project site, the Project Applicant shall show provide documentation (e.g., building plans) to the City of Brea Building Division official or his/her designee, to verify implementation of this requirement. Prior to the issuance of the certificate of occupancy, the City of Brea shall verify implementation of the building electrification design requirement.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure GHG-1 would require that buildings on-site use electric appliances and have all-electric heating and water heating systems, ensuring consistency with the Scoping Plan priority area for building decarbonization. Mitigation measure GHG-1 would reduce potential impacts to applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs to a level that is less than significant.

4. Hazards and Hazardous Materials

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential hazards and hazardous materials impacts:

- PPP HAZ-1 Project-related hazardous materials and hazardous wastes will be transported to and/or from the Project site in compliance with any applicable state and federal requirements, including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards.
- PPP HAZ-2 Project-related hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with the Subtitle C of the Resource Conservation and Recovery Act (Code of Federal Regulations, Title 40, Part 263), including the management of nonhazardous solid wastes and underground tanks storing petroleum and other hazardous substances. The proposed Project will be designed and constructed in accordance with the regulations of the Orange County Environmental Health Division, which serves as the designated Certified Unified Program Agency and which implements State and federal regulations for the following programs: (1) Hazardous Waste Generator Program, (2) Hazardous Materials Release Response Plans and Inventory Program, (3) California Accidental Release Prevention, (4) Above Storage Tank Program, and (5) Underground Storage Tank Program.
- PPP HAZ-3 Project-related underground storage tank (UST) repairs and/or removals will be conducted in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations). Unauthorized release of hazardous materials will require release reporting, initial abatement, and corrective actions that will be completed with oversight from the Regional Water Quality Control Board, Department of Toxic Substances Control, Brea Fire Department, South Coast Air Quality Management District, and/or other regulatory agencies as necessary. Project-related use of existing USTs will also have to be conducted (i.e., used, maintained, and monitored) in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations).
- PPP HAZ-4 Project-related demolition activities that have the potential to expose construction workers and/or the public to asbestos-containing materials or lead-based paint will be conducted in accordance with applicable regulations, including, but not limited to:
- South Coast Air Quality Management District's Rule 1403
 - California Health and Safety Code (Section 39650 et seq.)
 - California Code of Regulations (Title 8, Section 1529)

- California Occupational Safety and Health Administration Regulations (California Code of Regulations, Title 8, Section 1529 [Asbestos] and Section 1532.1 [Lead])
- Code of Federal Regulations (Title 40, Part 61 [asbestos], Title 40, Part 763 [asbestos], and Title 29, Part 1926 [asbestos and lead])

Impact 5.6-3: The Project site is on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and existing buildings may contain lead-based paint and asbestos-containing materials. [Thresholds H-2 and H-4]

As disclosed in the Phase I Environmental Site Assessment (ESA), the Project site was identified in the following databases: South Coast AQMD Facility Information Detail (FINDS), Enforcement & Compliance History Information (ECHO), Resource Conservation and Recovery Act Non-Generator/No Longer Regulated (RCRA NonGen/NLR), Underground Storage Tank Facilities (UST), Hazardous Waste Tracking System (HWTS), Hazardous Waste Information System (HAZNET), California Environmental Reporting System (CERS) Tanks, California Integrated Water Quality System (CIWQS), and CERS (see DEIR Appendix I1).

Underground Storage Tanks

The Project site currently has two diesel USTs on-site (2,000-gallon and a 3,000-gallon double-walled fiberglass) that were installed in 2001 to power on-site emergency generators. The Phase I ESA concluded that the USTs represent a material threat of a release of hazardous substances and are therefore considered an ASTM recognized environmental condition. ASTM standards are used to determine if there is a presence of hazardous substances or petroleum products (see Appendix I1 in the DEIR). Due to this, a limited Phase II ESA was prepared to rule out potential subsurface soil impacts related to the USTs, along with potential vapor intrusion to future on-site occupants (see Appendix I2 in the DEIR).

According to the limited Phase II, the Project site has reported concentrations of benzene and PCE that exceed the commercial soil gas screening levels in soil samples taken in close proximity to the two USTs on the Project site.

Benzene

The elevated benzene concentration was detected adjacent to the UST in the southwest corner of the site. The elevated benzene concentration was only 1.0 µg/m³ above the screening level and would not be in an area directly under planned residential development. Due to the concentration being only slightly above the screening level, the pending removal of the USTs, and the location of planned development, the limited Phase II determined that benzene does not appear to be a potential vapor intrusion concern (see DEIR Appendix I2).

PCE

The limited Phase II concluded that the detection of Perchloroethylene (PCE) is considered an isolated occurrence in the immediate vicinity of the northern UST location and does not appear to extend to nearby boring locations. The source is likely from the use of a solvent-based cleaner during

UST installation or maintenance. The area where PCE was detected would be beneath a proposed road location, not beneath residential structures. Therefore, the Phase II ESA determined that PCE does not appear to be a potential vapor intrusion concern for the proposed Project.

Soil Contamination

No soil contamination was reported in any other samples collected near the two UST locations, indicating the source of the petroleum-related volatile organic compounds in soil vapor are likely from de minimis incidental spillage. Based on the soil samples collected and analyzed, there is no indication of any significant UST leakage or potential threat to groundwater. Removal of the UST would be conducted in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations). Unauthorized release of hazardous materials would require release reporting, initial abatement, and corrective actions that will be completed with oversight from the Regional Water Quality Control Board, Department of Toxic Substances Control, Brea Fire Department, South Coast Air Quality Management District, and/or other regulatory agencies as necessary. Compliance with existing regulations would ensure that impacts from removal of the USTs are reduced to less-than-significant levels.

Lead-Based Paint and Asbestos-Containing Materials

The Phase I ESA noted that based on the age of the subject building, lead based paint (LBP) may exist, and asbestos-containing materials (ACMs) were previously confirmed in carpet mastic (see DEIR Appendix I1). Project-related demolition activities that have the potential to expose construction workers and/or the public to ACMs or LBP would be conducted in accordance with applicable regulations, including, but not limited to:

- California Health and Safety Code (Section 39650 et seq.)
- California Code of Regulations (Title 8, Section 1529 [asbestos], Title 8, Section 1532.1 [Lead], and Title 24, Part 9 [California Fire Code])
- California Occupational Safety and Health Administration Regulations (California Code of Regulations, Title 8, Section 1529 [Asbestos] and Section 1532.1 [Lead])
- Code of Federal Regulations (CFR) (Title 40, Part 61 [asbestos], Title 40, Part 763 [asbestos], and Title 29, Part 1926 [asbestos and lead]).
- South Coast Air Quality Management District Rule 1403

These requirements all serve to limit the environmental impact of the transportation, use, and disposal of ACMs or LBP. However, demolition of the structures may release LBP and ACM, and without implementation of any mitigation measures, impacts are considered potentially significant.

Mitigation Measure:

The following mitigation measures were included in the DEIR and the FEIR, and are applicable to the proposed Project. The measure as provided include any revisions incorporated in the FEIR.

HAZ-1 **Lead-Based Paint and Asbestos-Containing Materials.** Prior to issuance of demolition permits, the Project applicant shall conduct asbestos-containing material (ACM) and lead-based paint (LBP) surveys. The ACM and LBP surveys shall be conducted in accordance with EPA National Emission Standard for Hazardous Air Pollutants (NESHAP) and South Coast Air Quality Management District (South Coast AQMD) rules. The results of the survey shall be submitted to the City prior to issuance of a demolition permit. If ACMs or LBPs are identified during the field surveys, an Operations and Maintenance (O&M) plan shall be implemented during the construction phase.

- The ACM O&M plan shall be prepared by the Project applicant in line with the California Code of Regulations Title 8, Section 1529.
- The LBP O&M plan shall be prepared by the Project applicant in line with the California Code of Regulations Title 8, Section 1532.1.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure HAZ-1 would require that ACM and LBP surveys to identify if an Operations and Maintenance (O&M) plan shall be completed for the Project site. Mitigation Measure HAZ-1 would reduce potential impacts to hazardous materials to a level that is less than significant.

5. Tribal Cultural Resources

The following are plans, programs, and policies (PPPs) that would reduce the proposed Project's potential tribal cultural resources impacts:

PPP TCR-1 Pursuant to California Health and Safety Code Section 7050.5, if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are not subject to his or her authority and has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC.

Impact 5.3-2: The proposed Project could impact undiscovered tribal cultural resources. [Threshold TCR-1.ii]

Prehistoric/Archeological Tribal Cultural Resources

Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and Project proponents to discuss the level of environmental review, identify and address potential

adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process.

Effective July 1, 2015, AB 52 added Tribal Cultural Resources (TCR) as a resource subject to review under CEQA. AB 52 requires meaningful consultation between lead agencies and California Native American tribes on potential impacts to TCRs, as defined in Public Resources Code Section 21074. A TCR is a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe that is either on or eligible for inclusion in the California Historic Register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines should be treated as a TCR (PRC Sections 21074[a][1–2]).

Sacred Lands File Search

The Project area is developed with an office building and associated structures, and surrounded by developed uses that include residential, commercial and recreational uses. The NAHC's Sacred Lands File record search received a negative result on May 14, 2024; thus, no tribal resources are known to exist on the Project site.

SB 18 and AB 52 Consultation

In accordance with SB 18 and AB 52, the City notified the local tribes identified by the NAHC and on the City's Tribal Consultation list about the proposed Project on June 27, 2024, to determine the potential for tribal cultural resources on-site and to determine if local knowledge of TCR is available about the Project area and surrounding area. The following tribes responded and requested consultation pursuant to AB 52 and SB 18:

- **Gabrielino Band of Mission Indians–Kizh Nation (Kizh Nation).** The Kizh Nation requested to consult with the City pursuant to AB 52. The City and Kizh Nation consulted over email. The Kizh Nation provided language for Mitigation Measure TCR-1.
- **Gabrielino Tongva Indians of California (GTIOC).** The GTIOC requested to consult with the City pursuant to AB 52. The City scheduled consultation with the GTIOC on July 23, 2024. Following the meeting the GTIOC provided a treatment plan for TCRs.
- **Juaneño Band of Mission Indians, Acjachemen Nation-Belardes.** The Juaneño Band of Mission Indians, Acjachemen Nation-Belardes requested to consult after the permitted 30-day consultation period, on January 14, 2025.

Based on the records search, the potential to uncover tribal cultural resources for the site is low because of previous disturbance associated with the Project site, which is currently developed with an office building, and the surrounding residential, recreational and commercial development. However, because the proposed Project would require utility trenching and other ground-disturbing activities for construction, there is potential to uncover TCRs during ground-disturbing activities.

Ground-disturbing activities, such as utility trenching and grading, may encounter undisturbed native soils, and it is possible that subsurface TCRs could be discovered. The disturbance of these TCRs could cause a substantial adverse change in the significance of the resource(s) if not mitigated.

Mitigation Measure

The following mitigation measures were included in the DEIR and the FEIR, and are applicable to the proposed Project. The measures as provided include any revisions incorporated in the FEIR.

TCR-1 Prior to the commencement of any ground disturbing activity at the Project site, the Project Applicant shall retain a total of two Native American Monitors, each approved by the tribes that consulted on this Project pursuant to Assembly Bill AB52 (the “Tribe” or the “Consulting Tribe”), and in concurrence with the City of Brea as the CEQA lead agency. The Applicant shall coordinate with each of the Consulting Tribes to develop an executed contract to pay for tribal monitors to be present during ground-disturbing activities. Prior to the issuance of any permit necessary to commence a ground-disturbing activity, a copy of the executed contract shall be submitted to the City of Brea Community Development Department.

- The Tribal monitors will only be present during on-site and off-site portions of the area included as part of the Project grading or improvement permits during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribes as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project area. The Tribal Monitors will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitors have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.
- Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by Project activities shall be evaluated by the qualified archaeologist and Tribal monitors approved by the Consulting Tribes. If the resources are Native American in origin, the Consulting Tribes will have the on-site archeologist perform data recovery and secure the item(s) in their lab until the Project is completed on which consulting tribes will determine the best course of action.
- If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease within 100 feet of discovery, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]).

- If a non-Native American resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.
- Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any qualifying historic archaeological resource deemed significant by a qualified archaeologist as a “historical resource” or “unique archaeological resource”, shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

CUL-1 If cultural resources are encountered during ground disturbing activities, work in the immediate area shall cease and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (National Park Service) [NPS] 1983 shall be contacted immediately to evaluate the find(s). If the discovery proves to be significant as determined by the site archeologist, additional work such as data recovery excavation may be warranted and will be reported to the City.

Finding

Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Brea hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Mitigation Measure TCR-1 and CUL-1 would reduce potential impacts associated with tribal cultural resources to a level that is less than significant. Mitigation Measure TCR-1 would require that two Native American monitors be retained prior to ground-disturbing activities, and Mitigation Measure CUL-1 would require that a qualified archaeologist be called in the event cultural resources are discovered during ground-disturbing activities.

E. SIGNIFICANT UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

The EIR did not identify any significant unavoidable impacts for the Proposed Project.

IV. ALTERNATIVES TO THE PROPOSED PROJECT

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 feasible, and therefore, merit in-depth consideration, and which ones are infeasible.

A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the EIR.

1. Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines § 15126[5][B][1]). Key factors in evaluating the feasibility of potential off-site locations for EIR project alternatives include:

- If it is in the same jurisdiction.
- Whether development as proposed would require a general plan amendment.
- Whether the project applicant could reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). (CEQA Guidelines Section 15126.6[f][1])

The Project applicant does not own or control other comparably sized and located properties in Brea. Though the Project requires the approval of a general plan amendment, zone change, development agreement, vesting tentative tract map, and precise development, objectives for the Project include providing residential uses on an infill parcel in proximity to residential and commercial uses.

In general, any development of the size and type proposed by the Project would have substantially the same impacts on aesthetics, air quality, cultural and paleontological resources, energy, greenhouse gas (GHG) emissions, land use and planning, noise, population and housing, public services, recreation, transportation, tribal cultural resources, and utilities and service systems. These impacts were found to be less than significant or less than significant with mitigation incorporated.

It was determined, therefore, that it is unlikely that there is an alternative Project site that could potentially meet the objectives of the proposed Project and reduce significant impacts of the Project as proposed.

2. No Project/Vacant Site Alternative

This alternative assumes that no development would occur on the Project site and the existing office building and parking structure would be demolished. Given that the Project site is designated General Commercial, directly adjacent to residential and commercial uses, and within a highly urbanized portion of the City, it is unlikely that the landowner would spend the money to remove the structure and leave the Project site vacant and undeveloped. Additionally, this alternative would not meet any of the Project objectives, so it is considered infeasible and is rejected.

3. Existing General Plan/Zoning Alternative

This alternative assumes that the Project site would be redeveloped for land uses consistent with the Brea General Plan and Zoning. The Project site is currently zoned General Commercial (C-G) with a P-D Precise Development overlay and designated General Commercial. The C-G designation has a maximum floor area ratio (FAR) of 0.5. Therefore, the 9.7-acre site could be developed with a maximum of 211,266 square feet of commercial use. This alternative assumes that the existing Mercury Insurance building would be demolished, and underground storage tanks would be removed to accommodate the retail structures. The existing three-story parking structure could accommodate retail parking; therefore, it is assumed that this structure would be retained but the existing parking lot would be reconfigured. Under this alternative, it is assumed that Greenbriar Lane would not be reconfigured but a traffic signal would be warranted at Greenbriar Lane to accommodate retail traffic.

Based on the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th edition, a regional shopping center (Code 820 – Shopping Center) would generate a total of 7,037 weekday trips, 159 AM peak hour trips, and 510 PM peak hour trips⁴. The proposed Project generates a total of 1,296 daily trips and 86 AM peak hour and 103 PM peak hour vehicle trips. Therefore, this alternative would result in an increase in 5,741 weekday trips, 73 AM peak hour trips, and 407 PM peak hour trips compared to the proposed Project.

The increase in vehicle trips would warrant a full VMT assessment, as this alternative would not screen out of the City's VMT thresholds. Given the commercial use, this alternative would likely result in an increase in VMT compared to City of Brea General Plan buildout VMT per service population (VMT/SP) and result in a new significant unavoidable transportation impact. In addition, this alternative would generate substantially higher mobile source emissions (over 400 percent) compared to the proposed Project. GHG emissions under this alternative would exceed the South Coast AQMD Working Group threshold of 3,000 MTCO₂e, resulting in a new significant unavoidable GHG emissions impacts.

Therefore, this alternative is rejected because this alternative would not reduce the proposed Project's potentially significant impacts and would result in an increase in impacts, including new significant and unavoidable transportation and GHG impacts, compared to the proposed Project.

⁴ Total trip generation includes pass-by reductions of 10 percent for AM, midday, and daily trips, and 29 percent for PM trips.

4. Single-Family Detached Land Use Alternative

This alternative assumes that the Project site would be developed as low-density residential with 50 detached single-family homes on 3,500-square-foot lots. While this alternative would create land uses that are more aligned with the residential neighborhoods surrounding the Project site to the north and east, this alternative is rejected and considered infeasible because it would not meet all of the Project objectives and would result in a substantial reduction in housing units compared to the proposed Project. Per Section 21159.26, Reductions in Housing Units as Mitigation Discouraged, of the CEQA Statutes, “A public agency may not reduce the proposed number of housing units as a mitigation measure or project alternative for a particular significant effect on the environment if it determines that there is another feasible specific mitigation measure or project alternative that would provide a comparable level of mitigation.” Therefore, this alternative is rejected.

B. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the proposed Project but avoid or substantially lessen any of the significant effects of the proposed Project.

Table 7-1, *Buildout Statistical Summary*, of the DEIR identifies citywide information regarding dwelling unit, population, and employment projections and the jobs-to-housing ratio for each of the alternatives.

1. No Project (Office Land Use) Alternative

The No Project Alternative assumes that the proposed project would not be adopted, and no development would occur on-site. The Project site would remain as is—no demolition would occur, no residential development, and no increase in associated residents—and the existing 164,908-square-foot office building would be reused for office uses.

The No Project (Office Land Use) Alternative would avoid or lessen the proposed Project’s impacts to cultural and paleontological resources, hazards and hazardous materials, land use and planning, public services, recreation, and tribal cultural resources. This alternative would result in greater impacts to aesthetics, air quality, energy, GHG emissions, population and housing, and transportation. Noise and utilities and service systems impacts would be similar to that of the proposed Project.

The No Project (Office Land Use) Alternative would retain the site in its current state, and it would be reused for office uses. Therefore, none of the Project objectives would be achieved under this alternative. This alternative would not provide any of the benefits that would accompany the implementation of the proposed Project, including revitalizing the site by developing housing near other residential and commercial uses, redeveloping an underutilized infill parcel by providing additional residential uses, improving the jobs-housing balance in the City, providing additional housing (including affordable housing) to meet the City’s Regional Housing Needs Allocation, and providing residential uses within proximity to commercial uses.

Finding

This alternative is rejected because it would not provide any of the project benefits that would occur with the implementation of the proposed project, investments to the site, such as landscaping, providing housing (including affordable housing) to meet the City's Regional Housing Needs Allocation, increasing the number of housing units in the City to improve the jobs-housing balance, and the Project site would remain underutilized. As a result, specific economic, legal, social, technological, or other considerations make infeasible this project alternative for the reasons identified in the FEIR.

2. Alternate Residential Design Alternative

The Alternate Residential Design Alternative would entail up to 179 units in apartment buildings, which would be smaller in size than the units of the proposed Project. The multifamily residential buildings would be three- to four-story walk-up structures with a density of approximately 40 units per acre. The site would include surface parking. The residential buildings would be positioned throughout the 9.7-acre site, with recreational amenities located in the center of the site. Access to the site would be similar to the proposed Project at Greenbriar Lane and Associated Road. As with the proposed Project, the existing 164,908-square-foot office building, parking structure, and parking lot would be demolished, and the general plan amendment, zone change, development agreement, and precise development would be required. A conditional use permit would also be required for this alternative to accommodate the multifamily units, per Chapter 20.11, Permitted Land Uses, of the Brea Municipal Code.

The Alternate Residential Design Alternative would slightly lessen the proposed Project's air quality, energy, GHG emissions, recreation, and transportation impacts. This alternative would result in similar construction impacts to air quality, energy, and noise, and would result in similar impacts to aesthetics, cultural and paleontological resources, hazards and hazardous materials, land use and planning, noise, population and housing, public services, tribal cultural resources, and utilities and service systems.

The Alternate Residential Design Alternative would develop 179 apartment units as opposed to 179 attached single-family units and would place the apartment building adjacent to the Brea Plaza Shopping Center site, so the remainder of the Project site could be used for open space with recreational uses. Therefore, this alternative would meet all of the Project objectives.

Finding

This alternative has been identified as "environmentally superior" to the proposed Project, as it would meet all of the Project objectives while slightly lessening the proposed Project's impacts. However, this alternative does not meet the Project objectives to the extent that the proposed Project does because the proposed Project creates a high-quality residential product that provides a better transitional buffer for the existing residential neighborhood than this alternative would. Additionally, while this alternative lessens some of the environmental impacts of the proposed Project, it does not avoid them. As a result, specific economic, legal, social, technological, or other considerations, make infeasible this project alternative for the reasons identified in the FEIR.

V. FINDINGS ON RESPONSES TO COMMENTS ON THE DEIR AND REVISIONS TO THE FEIR

The Final EIR contains response to comments, clarifications, revisions, and corrections to the DEIR. The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(b). The City provided written responses to each comment made by a public agency, as set forth in Section 2 of the FEIR, pursuant to State CEQA Guidelines Section 15088(b), and revisions and corrections to the DEIR are found in Section 3 of the FEIR.

CEQA requires that a lead agency recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review, but before certification. “Information” includes changes in the proposed Project. Recirculation is not required where the new information added to the EIR merely clarifies, amplifies, or makes insignificant modifications in an adequate EIR.

New information is not considered significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the proposed Project or a feasible way to mitigate or avoid such an effect. “Significant new information” includes a disclosure showing that:

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

Since the Draft EIR was circulated, there were minor changes to the site plan for the proposed Project. These changes resulted in minor reconfiguration of the buildings at the southwest corner of the site to accommodate changes to the utility connections, which reduced the number of parking spaces from 413 spaces to 397 spaces. The updated sewer, water (hydraulics), hydrology, and water quality studies were included in the Final EIR. The minor changes to the site plan did not change the total unit count or development footprint evaluated in the EIR; therefore, no changes to the other technical studies were warranted. City staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the proposed Project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be

mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the proposed Project against its unavoidable environmental risks when determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines § 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines § 15093 [b]). The agency’s statement is referred to as a Statement of Overriding Considerations.

Because the proposed Project would not result in any significant and unavoidable impacts, as substantiated in the DEIR and FEIR, the adoption of a statement of overriding considerations is not warranted and does not apply to the proposed Project.